



Enquiries to: Ben Peffers

Mr Jon Moore  
Offices And Ground Floor  
12a Church Street  
Warwick  
Warwickshire  
CV34 4AB

Direct Dial: Contact Team (024) 7637 6328  
Direct (024) 7637 6575

Email: General [planning@nuneatonandbedworth.gov.uk](mailto:planning@nuneatonandbedworth.gov.uk)  
Direct [ben.peffers@nuneatonandbedworth.gov.uk](mailto:ben.peffers@nuneatonandbedworth.gov.uk)

Date: 01/09/2025

Our Ref: 227079

Dear Mr Jon Moore,

**Location:** 119 Hillcrest Road, Nuneaton  
**Description:** Erection of 5no. two storey dwellings associated access and parking

### Introduction

Thank you for the submission of the above enquiry. I have consulted with various internal and external consultees, whose comments will be sent alongside this written response. I will be referring to their comments and using these to inform this response. Some consultees may not have replied at the time of writing, I will forward any additional key responses as and when received. WCC LLFA, WCC Highways, WCC Ecology and Severn Trent will usually only provide pre-application advice via their own paid services.

A meeting to discuss this response, either in-person at the Town Hall or via Microsoft Teams, can be arranged as part of this enquiry. This can be held at any mutually convenient time.

Per our correspondence, you are seeking advice *'In general looking to establish the principle of the residential development and an overall view in terms of dwelling numbers, height, massing, road access points etc. Additionally, we would look to have all supplementary documents and or surveys identified which would be required to enable a full application to be validated and determined.'*

The key issues I will comment on are:

- The principle of the development
- Visual amenity
- Residential amenity
- Air quality and contamination
- Highway safety and parking
- Fire safety
- Flood risk and drainage
- Ecology, arboriculture, open space and biodiversity net gain
- Refuse and waste
- Conclusion

## Relevant Site Planning History

- New ref. 020342, old ref. 770463. Change of use from residential to hostel for mentally handicapped\*. Approved 11/10/1977.
- New ref. 126920, old ref. 4978. Extension. Approved 05/04/1978.
- New ref. 020438, old ref. 770608. Extension to form lounge, kitchen and bedroom plus bathroom for residential warden. Approved 18/01/1978.
- New ref. 018433, old ref. 138979. Extension. Approved 17/10/1979.
- New ref. 021636, old ref. 790764. Utility room. Approved 14/11/1979.
- New ref. 000587, old ref. TP/0041/95. Change of use from hostel to D1 non-residential use. Approved 10/03/1995
- Ref. 033482. Construction of new supported housing for residents with learning disabilities (13no. self-contained apartments) (Demolition of existing building). The status of this application (submitted 22/06/2015) is unclear, however formally this appears to be ongoing. From what I can see it was resolved subject to completion of a S106 Agreement and conditions the application would be approved. However it appears a S106 Agreement was not subsequently completed. This is likely a moot point for yourselves, however if you consider the application should be determined for the removal of any doubt/ confusion do let me know. The LPA would likely be able to record the application as 'finally disposed of' subject to notifying the applicant/ agent of our intention to do so in an appropriate timeframe.
- Ref. 039500. Application for prior notification of proposed demolition. Prior approval not required 27/04/2023.

\*NB it is recognised the term 'mentally handicapped' is now usually considered outdated and/or offensive. No offence is intended by using this term; this is referred to purely because it is description listed on the decision notice, which is the legal document for this permission.

The 033482 Committee report states *'The north-easterly part of the site is undeveloped subject to local covenants restricting development of the most north section of the site.'* I have not had sight of any such covenants and believe this may be referring to land within Whittleford Park which forms part of the 033482 site boundary. Planning would be wholly separate to any covenants in any case, however I strongly recommend you thoroughly check restrictions in any covenants before proceeding with development plans.

## Site Description

The enquiry site relates to an approximately 0.12 hectare roughly rectangular parcel of land. It is bounded by No. 121 Hillcrest Road to the west, No. 117 Hillcrest Road to the east, Hillcrest Road itself to the south, and by trees and foliage within Whittleford Park to the north (defined as a 'Destination Park' within the Borough Plan 2019).

While the site formerly accommodated a large two-storey detached building in the centre of the site and a small detached outbuilding adjacent to the north-west corner, these were demolished in 2023. The site is now vacant and fenced off. The site largely comprises open green space and several trees.

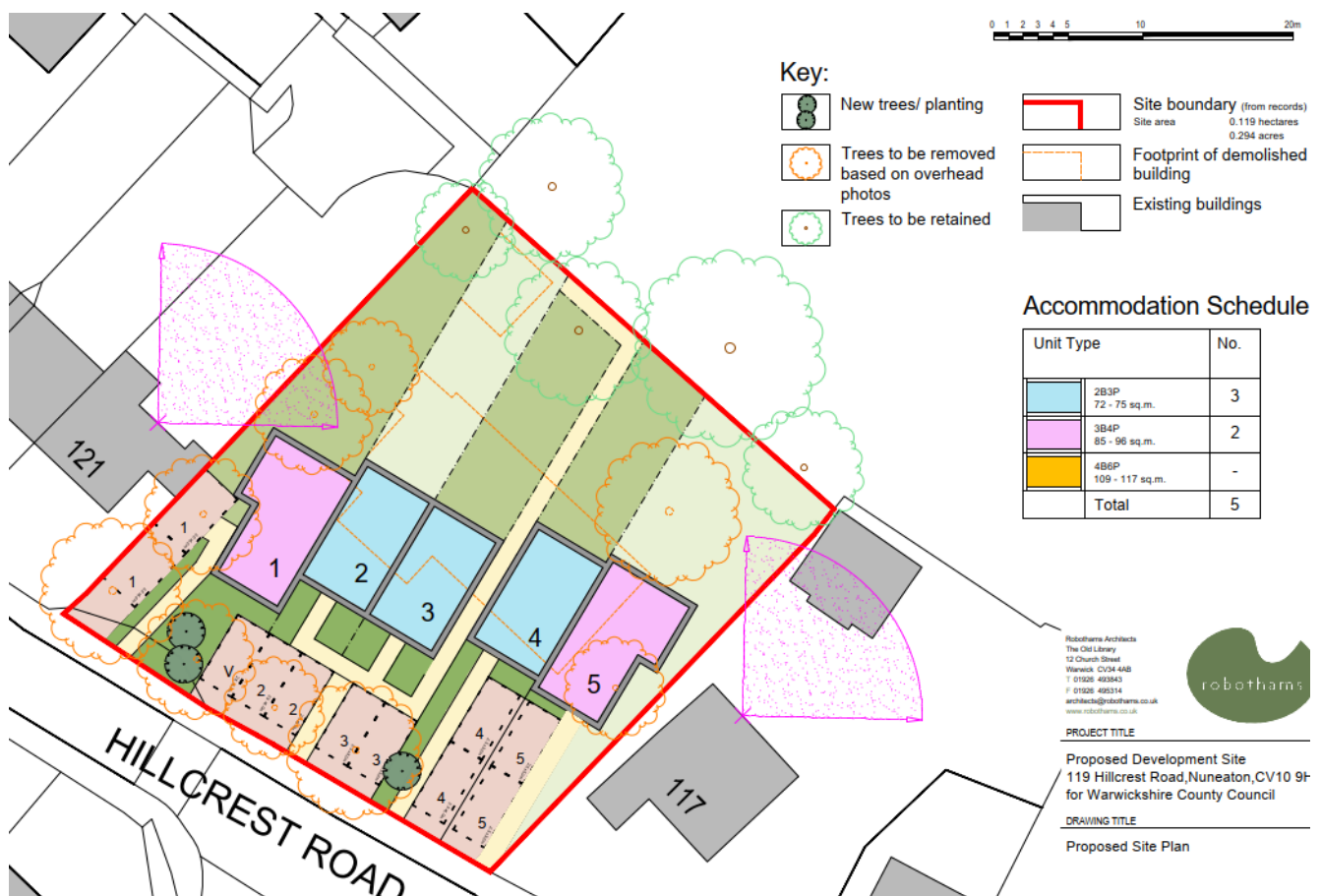
The locality (i.e. this part of Hillcrest Road) largely comprises two-storey gable-roof red brick terraced dwellings with front gardens. The locality originally comprised a 1950s Council estate. 2021 Census data shows the majority of dwellings in this locality are still social rented/ Council owned. There is some limited variation in design, including the adjacent detached gable-roof property at No. 117 Hillcrest Road, as well as former gardens laid to hardstanding.

## Enquiry submission

Accompanying this submission are:

- Contextual site photographs
- Location plan
- Existing and proposed site plans
- Existing and indicative outline proposed elevations

The proposed plans (site plan screenshot below) show 5no. dwellings are proposed; a three-dwelling terraced row on the west of the site, and a pair of semi-detached dwellings on the east of the site. In total there would be three two-bedroom dwellings and two three-bedroom dwellings. All properties would feature two off-street car parking spaces (some tandem). One visitor car parking space is shown. It appears 9 identified existing trees would be removed to facilitate the development. Three small new proposed trees are shown. All the dwellings feature rear outdoor amenity space. Land levels on the site appear relatively level notwithstanding some gentle variation. The development appears to comprise market housing, however if you would like this response to be updated to account for any affordable housing do let me know.



### Relevant Planning Policies

As required by Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development shall be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan for the area relevant to this application is the Nuneaton and Bedworth Borough Plan 2019, which forms the basis of current decision making in the Borough.

The key separate matter with implications for an application (other than any changes to the planning system implemented by Central Government) is the progression of the Council's Borough Plan Review (see [Submission of the Borough Plan Review \(2021-2039\) | Borough Plan | Nuneaton and Bedworth Borough Council](#)). The Council anticipates adoption in Autumn-Winter 2025-2026.

Paragraph 49 of the NPPF 2024 states planning authorities '*may give weight to relevant policies in emerging plans according to:*

- *a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- *b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections the greater the weight that may be given);*
- *c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'*

On balance, given the advancement of the Borough Plan Review, it is suggested that weight (albeit only moderate) could be applied to relevant policies within the Borough Plan Review at this time.

### **Policies of the Borough Plan 2019:**

- DS1 - Presumption in favour of sustainable development
- DS2 - Settlement Hierarchy and Roles
- DS3 - Development Principles
- DS4 - Overall Development Needs
- DS8 - Monitoring
- TC3 - Hierarchy of Centres
- HS2 - Strategic Accessibility and Sustainable Transport
- HS3 - Telecommunication and Broadband Connectivity
- NE1 - Green Infrastructure
- NE2 - Open Space
- NE3 - Biodiversity and Geodiversity
- NE4 - Managing flood risk and water quality
- BE1 - Contamination and Land Stability
- BE3 - Sustainable design and construction

### **Supplementary Planning Documents (SPDs) and other relevant guidance**

- Air Quality SPD 2020
- Open Space and Green Infrastructure SPD 2021
- Sustainable Design and Construction SPD 2020
- Transport Demand Management Matters SPD 2022
- National Policy Planning Framework (NPPF) 2024
- National Planning Practice Guidance (NPPG)

### **Validation requirements and other required documents**

Applications are subject to our [local-validation-checklist](#). For a single full application relating to this development, please ensure your submission is accompanied by the relevant information and detail specified.

- Completed application form and ownership certificate
- Fee (see [Fees for Planning Applications in England](#) NB these currently increase annually every April). Currently the fee would be £2,940.
- Location plan
- Existing and proposed block/ site plan
- Elevation drawings, floor plans, roof plans, cross sections (so an application can be processed efficiently, it is recommended these are provided in a comprehensive pack)
- Existing and proposed Site levels (if levels changes are proposed)
- Please provide a copy of WCC Archaeology's letter provided in response to this enquiry.
- Unless you have an exemption letter from WCC Ecological Services, a Preliminary Roost Assessment (PRA) carried out by a qualified bat worker will be required for proposals which

include garden or woodland habitat with any mature trees that may be directly or indirectly impacted by proposed development.

- The checklist notes *'If your application is likely to affect protected or nationally, regionally or locally important species and/or protected or nationally, regionally or locally important habitats or geological features, you will need to submit a preliminary ecological and/or geological appraisal (as appropriate), as well as any detailed targeted species and habitat surveys recommended within these initial appraisals.'* I would strongly recommend liaising with WCC Ecology to ascertain what information is likely to be required by them as part of an application, and provide this in full at the time of submission to avoid delays. I expect a Preliminary Ecological Appraisal is likely to be required (see below).

- Biodiversity Net Gain Assessment / DEFRA matrix/ Associated Plans

- Foul Drainage Assessment (if foul sewage is not disposed through a mains connection to a public sewer)

- Landscaping Proposals/ Plans

- Sustainable Design and Construction Checklist

- Tree Survey and Arboricultural Impact Assessment (AIA) (see also below).

Please note further information can be required post validation but prior to determination.

### **The Principle of the Development**

The National Planning Policy Framework 2024 (NPPF) establishes the need for the planning system to achieve sustainable development and outlines this in three key dimensions; economic, social and environmental (paragraphs 7 and 8). The NPPF also sets out a presumption in favour of sustainable development (paragraph 11). In broad terms, this means planning applications should be approved providing these are in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraph 47). The presumption in favour of sustainable development is also set out in Policy DS1 of the Borough Plan (2019) which should be seen as a golden thread running through both plan making and decision taking.

Policy DS1 of the Borough Plan 2019 outlines that proposals that accord with the policies in the Borough Plan (2011-2031) will be approved without delay unless material considerations indicate otherwise. Policy DS2 of the Borough Plan 2019 outlines Nuneaton has the primary role for employment, housing, town centre, leisure and service provision, and this site is within the Nuneaton settlement boundary. The enquiry site is not allocated for any specific development in the 2019 Borough Plan, or the Borough Plan Review.

Policy DS3 of the Borough Plan 2019 outlines that proposal should be sustainable and of a high quality, fully supported by infrastructure provision, as well as environmental mitigation and enhancement. Proposals will be acceptable subject to there being a positive impact on amenity, the surrounding environment and local infrastructure. Policy DS4 of the Borough Plan 2019 states that at least 14,060 homes will be planned for and provided within the Borough between 2011 and 2031.

Policy DS8 of the 2019 Borough Plan states the Council will monitor the delivery housing and publish progress against the trajectory. The latest five-year housing land position for NBBC is contained within addendum to the Five-Year Housing Land Supply Position Statement (January 2025). This sets out that in accordance with the latest Local Housing Need figure, based on the published trajectory, the Council have a current housing supply position of 4.9 years. Whilst it is acknowledged, based on the calculation above, the authority cannot demonstrate a five year supply, given the fluid nature of housing supply, this is subject to change as the Council have taken a very cautious approach towards the anticipated lead in times and build out rates of development. There has been significant progress on a number

of sites listed in the trajectory which are not included in the five year supply calculation given the trajectory has a base date of 1st April 2024 and was published in July 2024.

Further, under the transitional arrangements in the updated NPPF, the Borough Plan Review will establish a 5 year position for the authority upon adoption, with the Inspectors Post Hearing Note stating at Paragraph 10: *'Notwithstanding our concerns about delivery timescales for the listed sites, we consider that there will be a five year supply of housing sites on the adoption of the Plan.'* The Council anticipate that the Borough Plan Review will be adopted in Autumn 2025, at which point the authority will be able to demonstrate a 5 year supply. Therefore, whilst the authority cannot demonstrate a five year supply position, this needs to be considered in context, given that the position is constantly evolving as applications within the Borough continue to come forward and progress, and the Borough Plan Review is continuing through the examination process towards adoption. Notwithstanding this, each application is considered on its own merits.

In short - Policy DS8 is currently engaged and therefore the tilted balance applies when considering development proposals. In accordance with the policy, where additional sites need to be brought forward, initial priority will be given to sustainable sites, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Borough Plan 2019 Policy TC3 outlines new residential development should be within:

- 1,200m walking distance of a district or local centre (NB the Borough Plan Review seeks to amend this to 800m), and
- 8 minute drive time to a district centre.

The site is less than 315 metres from the Copper Beech Road District Centre (as defined by the Borough Plan 2019) measured via a straight line.

Overall, the development is within the settlement boundary and sustainable development within settlement boundaries shall be supported. Notwithstanding this the Council does not anticipate being able to demonstrate a 5 Year Housing Land Supply until the Borough Plan Review is adopted. The principle of this development would almost certainly currently be considered compliant with the Borough Plan 2019 and the Borough Plan Review, subject to all other planning matters being adequately addressed. Please note other matters can be considered to lead to non-compliance with the development plan as a whole.

### **Visual Amenity**

Borough Plan 2019 Policy BE3 requires proposals be designed to a high standard. The policy also states that all proposals must contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, respecting the sensitivity to change of the character types within each urban character area. In addition, the policy goes on to confirm a number of considerations which should be taken into account when assessing planning applications, to include, current use of buildings, ownership/ tenure, street layout, patterns of development, residential amenity, plot size and arrangement and built form. Accompanying Policy BE3 is the Sustainable Design and Construction SPD.

Paragraph 135 of the NPPF requires planning decisions ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 21 of the National Design Guide states that well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- layout, form and scale of buildings, appearance, landscape, materials, and detailing.

Design also has a crucial role in delivering a safe and secure environment. Natural surveillance should be provided, with doors and windows to housing overlooking streets and public spaces. The developments should be designed to create an environment which is legible to residents and visitors alike.

The following sections within the Sustainable Design and Construction SPD are considered most relevant -

- Section 9.7 sets out that spaces should be of visual interest.
- Section 9.18 sets out that repetition of design should be avoided to prevent a monotonous visual experience (with that being said the character in this area is largely repetition of non-notable design, so this is unlikely to be a significant concern)
- Section 9.21 of the SPD sets out that front of plot parking can lead to a vehicle dominated street scene and should not be the only design solution for parking. Where front of plot parking is used, suitable landscaping should be deployed to enhance street enclosure. I appreciate the plans are at an early stage but the front of plot landscaping proposed does not appear to have a conscientious design as things stand. Landscaping is less likely to be retained by future occupiers if this is not well designed. Large expanses of hardstanding to the front of plots should be avoided as far as practicable.

Red brick is the predominant material used in residential properties in the area so I would expect to see this to form the key part of the materials used for this development. The indicative heights shown appear suitable and consistent for this locality. There is relatively consistent design in roof types, building lines in this area and I would not expect to see development deviate notably from this. I appreciate you will be seeking to make an efficient and best use of this site, although I do note in comparison to adjacent dwellings this is a relatively more 'cramped' design. Orienting a development slightly more clockwise with two pairings of semi-detached properties may allow for a more comfortable design in-keeping with the surrounding area in terms of plot size, rear garden access, front drives/ gardens etc. Further information i.e. detailed elevation drawings would be required to be able to conclude whether impacts on visual amenity are likely to be acceptable.

### **Impact on Residential Amenity**

Policy BE3 of the Borough Plan 2019 sets out the key characteristics to review, which includes residential amenity. The Policy also refers to the Council's Sustainable Design and Construction Supplementary Planning Document (2020) for specific information to help developers comply with Policy BE3.



The Council's Sustainable Design and Construction SPD includes distance standards and should be referred to. Specifically, Part 11 should be referred to in terms of distance standards to protect privacy and minimise overlooking, prevent an oppressive sense of enclosure and overbearing impact, and impact on light and overshadowing. *'In the interests of protecting privacy, a minimum 20 metres separation distance is required between the existing ground and first floor habitable room windows and proposed ground and first floor habitable room windows... This is in the interests of preventing an oppressive sense of enclosure. The distances above may be reduced if they are across public viewed areas e.g. across a front garden, open space or public highway. It is acceptable for windows to non-habitable rooms closer than these distances to be obscure glazed and, if privacy is at particular risk, also be non-opening or with a high level opening. The use of obscure glazing in habitable rooms to achieve lower distances is not acceptable unless they are secondary windows. Habitable room windows above ground floor which overlook neighbouring private amenity space shall be at least 7 metres from the boundary. Likewise, private amenity space should be of usable size, shape, screened from public areas and neighbouring properties.'* Given the location of the development, the distance standards to the front and rear appear to be met (to the side are unknown at this time). Further details on boundary treatments would be needed to determine whether these are likely acceptable. Private rear amenity space is proposed for all dwellings. It is noted that these would be of a smaller size than other dwellings in the locality. However it is also noted that these would not be of a smaller size than dwellings built as part of the nearby ongoing Camp Hill regeneration.

The Council's Sustainable Design and Construction SPD notes *'An extension (the same standards would be applied for this type of development) shall not infringe a line drawn at 60 degrees from the centre point of the window of an adjacent habitable room of the same floor level. This is usually relevant to a proposed ground floor rear extension. A proposed extension a storey higher than the window of an adjacent habitable room shall not infringe a 45 degree line. In any event, near the boundary of an adjoining usable rear private amenity space a proposed single storey extension shall be less than 4 metres long. In the same circumstances, a two-storey extension or higher shall be less than 3 metres long. Shaving off the corner of an extension or stepping-in so as to follow the required angle (either 60 or 45 degrees) is not normally acceptable because such measures do not usually significantly reduce the impact of the extension on adjoining habitable rooms or gardens.'* As part of a pre-application enquiry the LPA would not visit Nos. 117 and 121 to establish where lines from habitable room windows should be drawn (as part of an application we would generally try to visit these properties to confirm where lines should be drawn from). To avoid wasting time I would recommend providing plans with correct lines drawn with the submission (I appreciate you've provided some lines on the site plan, unfortunately at this stage I can't confirm whether these are accurate). As it stands it is not clear if these standards have been met. It does appear near the boundary of adjoining usable rear private amenity space two-storey development would extend beyond the rear elevations of Nos. 117 and 121 by more than 3 metres. Again, orienting a development slightly more clockwise with two pairings of semi-detached properties may allow for a design which would have a lesser impact on neighbouring amenity so to adhere to the standards set out.

The site is now vacant and without built form. Impacts on neighbouring amenity from new built form would be judged on its own merits. Pre-existing impacts on neighbouring amenity from the building now demolished would now not be a material consideration given significant weight. Notwithstanding this, in any case the building now demolished was set further back from the sides of the site than what is currently shown.

A key appeal decision in the Borough (APP/W3710/W/24/3345739, dated 06/12/2024) sets out in paragraph 63; *'Turning now to compliance with the Nationally Described Space Standards (NDSS). The PPG is clear that where LPAs wish to require an internal space*



*standard, they should only do so by reference in their local plan to the NDSS. I note that the Council's 2020 SPD sets out a requirement for compliance with the NDSS. However, the NPPF sets out that SPDs are not part of the development plan. As such, having regard to the PPG and the NPPF such a requirement would not be reasonable.'* The Borough Plan Review does contain reference to the NDSS, however until substantial weight can be given to this document it is unlikely slight non-compliance with the NDSS would justify a reason for refusal. In short, dependent on the weight given to the Borough Plan Review at the time of determination will correspond with the weight given to the NDSS. NB - significant non-compliance with the NDSS would indicate overly cramped dwellings which may merit a refusal regardless of the Borough Plan Review's progression.

<u>Site Plan information</u>	<u>Corresponding current NDSS requirement</u>
2 bedroom 3 person dwellings 72-75 sqm (unclear if internal or external)	2 bedroom 3 person 2 storey dwellings 70 sqm gross internal floor area
3 bedroom 4 person dwellings 85-96 sqm (unclear if internal or external)	2 bedroom 3 person 2 storey dwellings 84 sqm gross internal floor area

Further information i.e. detailed floorplans and elevations would be required to be able to conclude whether impacts on residential amenity are likely to be acceptable. At present there are some concerns with whether this development would be able to achieve the above standards.

### **Open Space, Landscaping and Biodiversity, Trees and Arboriculture**

The adopted Open Space and Green Infrastructure Strategies - as well as the NPPF and Borough Plan - set out that for ecological, physical and mental health, environmental, landscape and quality of life reasons new development will need to retain, create, extend and interconnect multi-functional networks of green infrastructure incorporating ecological habitats.

NBBC's Greenspace Planning Officer has not provided comments at the time of writing. As part of an application please be aware they will typically provide comments including but not limited to:

- Enhancing key focal points
- Appropriate setback of paths and built form from landscaping, trees etc.
- Avoid 'pinching down' of any key ecological and greenspace areas
- Appropriate mixes and species of landscaping features

The development would not impact the publicly accessible nature of the open space to the rear.

### Trees

Clearly there would be a loss of trees on site. NBBC's Tree Officer is not able to provide comments on enquiries at present. To be able to advise on this NBBC would need to know the value of existing trees on/ adjacent to the site through surveys (see validation requirements), however clearly this loss will need to be considered in the planning balance and will weigh against the development. There would also be emphasis on new planting having room to grow. NBBC would expect to see some large legacy long-lived tree species and some smaller/ medium species forming some cohesion. Appropriate distances from buildings will be a key consideration. The relevant British Standards and SPDs outline the general approaches to be taken. A schedule/ index of species would be helpful.

The open space SPD helps to guide developments. Information specified in the validation checklist (see above) must be provided with any submission. Please be aware consultees may require additional information post validation. For this development we would require:

- Tree surveys - what trees are on site and adjacent to the site, and details of said trees size/ maturity/ condition and value/ importance
- Tree constraints plan - which areas are to be fully protected during all stages
- Arboricultural impact assessment - what is the impact on trees/ tree cover and how will net gains be achieved
- Tree protection plan - Including buffers and protection methods
- Arboricultural method statement - Working methods in relation to tree protection where required
- New tree planting scheme/ landscaping plans - details of new trees, hedges and any other planting proposed

Please note the default position is that no structures are to be positioned within the RPAs of existing trees and that habitable buildings and associated property are not to be located within or adjacent to buffer zones. The SPD requests that a version of the tree constraints plan includes and shows Association of British Insurers recommended safe tree distances particular to each tree species as applied to each item listed in the tree survey. The constraints plan must also detail the ultimate height and spread of all plotted trees at maturity, alongside expected shading impacts. These measurements will contribute towards the final buffer zones (the greatest is selected). You are referred to the Biodiversity/CEMP chapter (SPD) for more information.

#### Ecology/ biodiversity

Pre-application advice is not included in the service level agreement between the LPA and WCC Ecology. Given the above, I would recommend you seek advice from WCC Ecology to ascertain their likely requirements as part of an application.

I would expect an ecological survey of the site will be required by WCC Ecology. This would include:

- A Preliminary Ecological Appraisal including a desktop study, UKHab survey and an assessment of the site for its potential to support protected and notable species;
- Targeted species surveys if required.
- An assessment of the ecological impacts of the development on protected species and sites;
- An outline of any necessary mitigation strategies following the mitigation hierarchy.
- A minimum 10% biodiversity net gain must be achieved, a statutory BNG metric and plan must be provided.

At this time impacts on open space, landscaping and biodiversity, trees and arboriculture are unable to be advised upon in detail, however this will be a key consideration with any application.

#### **Air Quality and Contamination**

NBBC Environmental Health have not raised any concerns relating to air quality or contamination. They note; *'developments of this size do not require a formal assessment of Air Quality to be carried out, but the developer will be required to provide Type 1 mitigation as per our adopted Air Quality SPD. They should also be required to control particulate emission from the site, especially during construction and any demolition of existing buildings. The following conditions are recommended to be included in any consent;*

1. *For domestic heating provision, all gas-fired boiler installations should be low NOx emission type that meet a minimum standard of less than 40 mg NOx/kWh.*
2. *The developer should provide electric vehicle (EV) charging points at a rate of 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10*

*spaces (unallocated parking), and ensure appropriate cabling is provided to enable increase in future provision*

3. *The developer shall submit a Dust Management Plan for approval prior to works commencing on site.'*

### **Fire Safety**

The Warwickshire Fire Safety Team would be consulted on any application. They have not raised any concerns in their consultation responses.

The relevant criteria as required by Approved Document B, Requirement B5 - Access and Facilities for the Fire Service should be met. Full details can be found at; [www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning](http://www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning). It is noted that this is in part a building regulations document. Where compliance cannot be met, details of alternative measures you intend to put in place would be requested from Warwickshire Fire and Rescue Authority. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles. Warwickshire Fire and Rescue Authority fully endorse and support the fitting of Sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

Warwickshire Fire and Rescue Authority ask you to ensure that access to the site, during construction and once completed, are maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access. A condition for the supply of water for firefighting purposes is likely to be requested by the Fire and Rescue Authority.

### **Refuse and Waste**

An application submission would need to show where bins would be stored and collected. With that being said our standards should be relatively straightforward to achieve on a site such as this.

*The Sustainable Design and Construction SPD notes: 'Designs should consider arrangements for bin collections. Developments without collection areas can result in wheelie bins strewn across public areas until they are reclaimed by residents. The bins can represent a safety risk to pedestrians and vehicles and can be visually unappealing. Designs must have consideration for waste bin storage, there should be sufficient space to accommodate all the different types of bins used for waste collection. Bin stores should be located no more than 25m from the highway (where the bin collection lorry can park) for normal 2 wheeled household bins. Bin storage should not harm the visual amenity of the area, must be managed so that it does not create risk to water, air, soil, plants or animals, should not cause nuisance through odours, and not affect the countryside and or places of special interest.'*

Detailed waste collection arrangements are not known. NBBC's Waste and Refuse have not provided comments at the time of writing.

In line with the current arrangement with NBBC Waste, we are obliged to notify developers of their wheeled bin responsibilities. The re-charge calculation for this development is as follows:

By virtue of Section 46 Environmental Protection Act 1990 (As Amended), NBBC places a requirement for all property developers/ Managing Agents/ Housing Associations to pay for the provision of wheeled bins/ containers for all new housing developments - or alternatively to provide the bins/ containers themselves subject to meeting specifications, identified in the Waste Technical Guidance Document, as agreed by the council.

The Act makes provision under the aforementioned section for a waste collection authority to specify the number and type of receptacles for the collection of household waste and recyclables. The Act does not place a requirement on the council to fund either new bins/containers or their replacement.

A Technical Specification is available on our web pages which details the cost of the containers required for each householder etc.

Technical guidance 'developer charging calculation for this development'

No of premises outlined in this development (5) x £76.00= (£380) (breakdown 1 x 240 ltr household waste bin = £38.00 and 1 x 240 ltr recycling bin = £38.00. Please note these fees may change by the time of application submission. Garden waste receptacles available on subscription = £40.00 per annum.

Further details on the above can be found within the NBBC Technical Guidance Note at:  
[Microsoft Word - NBBC Developer Technical Guidance Notice - reviewed Oct 23 \(002\)](#)

### **Impact on Flood Risk**

No information on flood risk and drainage has accompanied the submission. Policy NE4 of the Borough Plan 2019 relates to managing flood risk, sustainable drainage systems and water quality. The Policy states that new development will be required to implement appropriate sustainable drainage system techniques in order to manage surface water run-off. Surface water run-off should be managed as close to its source as possible, in line with the surface water drainage hierarchy, with surface water sewers being the last resort. Above ground storage should be considered in preference to below ground attenuation due to the additional benefits they offer, such as improved water quality, enhanced biodiversity and amenity/leisure value.

The NPPF states that new development will be required to implement appropriate sustainable drainage system techniques in order to manage surface water run-off. For all sites, surface water discharge rates should be no greater than the equivalent site-specific greenfield run-off rate, unless otherwise agreed by the Lead Local Flood Authority (LLFA). All redevelopment of brownfield sites should seek to remove existing connections to the public sewer for surface water drainage.

Any application should be submitted with sufficient information to demonstrate that the layout and the design of the features proposed would be acceptable in terms of accommodation for a suitably designed drainage strategy for the site. Conditions relating to drainage may be included on any hypothetical approval decision notice.

For additional information on such matters, any queries should be forwarded to WCC Flood Risk Management Team as the Lead Local Flood Authority. Unfortunately the LLFA does not provide free advice, although I would note there are no inherent flood risk concerns with this site.

### **Highway Safety/ Parking Provision**

#### **Parking space dimensions**

In regard to car parking NBBC have adopted the Transport Demand Management Matters SPD which is available on the Council website. The minimum allowable parking space size for off-road parking is 2.4m x 4.8m long. However, the car parking spaces should measure a minimum of 2.5 metres x 5 metres to accommodate larger vehicles. Where parking spaces are adjacent to a wall, fence or a boundary, these should be 3.0 metres wide to ensure clear access around the vehicle. Where these spaces are between walls or fences this dimension should be increased to 3.5 metres wide. A width of 3.5 metres should be applied to the

internal dimensions of a garage or car port, with the overall length of 5.5 metres. The submitted plans appear to adhere to these standards.

#### Residential parking

The car parking space requirements are outlined in Table 1:

<u>Use</u>	<u>Development type</u>	<u>Car parking space requirement</u>
Dwellinghouses outside a town centre (including flats)	1 bed houses/flats	1 per dwelling + 1 unallocated space per 5 dwellings
	2 bed houses/flats	2 per dwelling + 1 unallocated space per 10 dwellings

The cycle parking space requirements are outlined in Table 2:

<u>Use</u>	<u>Development type</u>	<u>Cycle parking space requirement</u>
Dwellinghouses of any size		1 secure space per unit

In accordance with the Council's Air Quality SPD, residential developments are required to provide 1 charging point per dwelling with dedicated parking (16amp), or 1 charging point per 10 spaces of unallocated parking, and ensure appropriate cabling is provided to enable increase for future provision. New developments will be expected to allocate 5% of the total parking provision for blue badge holders. 1 For residential developments, one dedicated motorcycle space will be required for every 20 parking spaces. NB the latter two requirements are not usually insisted upon for developments with small numbers of dwellings.

The car parking standards appear to be met. Cycle parking requirements do not appear to be met. Secure cycle parking measures would be expected to be shown on plans, or this would need to be secured by condition in the event of permission.

Per the above, NBBC's Sustainable Design and Construction SPD notes front of plot parking can lead to a vehicle dominated street scene and should not be the only design solution for parking. Where front of plot parking is used, suitable landscaping should be deployed to enhance street enclosure. This scheme is clearly pre-dominantly car parking to the front of the site. There appears to be opportunities to enhance landscape screening adjacent to enhance street enclosure. Again, orienting a development slightly more clockwise with two pairings of semi-detached properties may allow for a design which would enable parking with more effective landscaping.

At this stage - and particularly without written comments from WCC Highways - it is not possible to provide full advice on highway matters. With that being said I do note a street light is situated to the front of the site on Hillcrest Road which would need to be accounted for in any development plans (this may need to be relocated and subject to condition(s) in the event of planning permission if so). I would also note that WCC Highways are generally averse to large stretches on dropped kerb and may object where this is proposed (this appears potentially necessary for the visitor parking, plot 2 parking and plot 3 parking). Their design guide ([WCCC-1615347118-1503](#)) notes '*vehicular access crossovers should have a width of 3.0 metres (where unbounded) or 3.5 metres (where bounded) where serving one dwelling, and where serving two dwellings a width of 5.0 metres.*' As far as I am aware they are unlikely to support dropped kerbs serving more than 2 dwellings.

#### **Conclusion**

On the basis of the above, the principle of the development is likely to be considered acceptable by Planning Officers (subject to all other planning matters being adequately addressed). However, there are number of concerns with this development, as detailed

above. With that being said I appreciate this scheme is at an early stage and not all matters have been considered in detail yet. The key concerns would be:

- Whether the Council's residential amenity standards can be achieved.
- The loss of key ecology, biodiversity and arboricultural features on site, the value of which is currently unknown and would be informed by surveys etc and technical consultee feedback.

Overall I would recommend considering orienting a development slightly more clockwise with two pairings of semi-detached properties as this may allow for a more comfortable design more in-keeping with the surrounding area in terms of plot size, rear garden access, front drives/ gardens etc. This would also more likely be able to achieve the Council's residential amenity standards. However, I appreciate a 5 dwelling scheme may also be able to achieve these standards and address all other planning matters.

This response is subject to key caveats of:

- any changes to the planning system by Central government.
- the Borough Plan Review progression, and the level of weight that can be afforded to this.
- the Council's 5 year housing land supply position.

If you require any clarification please do not hesitate to contact me.

Please be aware other considerations/ Borough Plan policies are likely to involve developer expense, even if these are separate to a legal agreement. E.g. Policy HS3 states development must facilitate and contribute towards the provision of broadband infrastructure to enable the delivery of broadband services across the Borough. All new major development should give particular attention to the inclusion of Fibre. This may be secured by condition.

Yours sincerely,  
Ben Peffers  
Senior Planning Officer

*Please note planning and land ownership are largely separate matters. Development being permitted development or granted planning permission does not convey any legal or civil right to undertake works that affect land or premises outside of your control. Care should always be taken to ensure no part of a development will encroach on, under or over adjoining land without the consent of the adjoining landowner.*

*Please note these comments represent solely my view on the proposals and are made without prejudice to any decision the Local Planning Authority may make in respect of a subsequent application, and is given without the opportunity to consider all the relevant issues that may arise from consultation or may be expressed by local residents and other interested parties.*

*As a matter of course, requests for pre-application advice will not automatically be treated on a confidential basis. The Freedom of Information Act 2000 requires us to make certain documents available to members of the public, if requested. Pre-application advice may only be treated as confidential if there are clear demonstrable issues of commercial sensitivity or other significant reasons why this information may not be disclosed and a public interest test may be applied. Any enquiry in this category should be clearly marked as confidential and give reasons.*