



Planning Committee

Time and Date

2.00 pm on Thursday, 16th November, 2017

Place

Committee Room 3 - Council House

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Members Declarations of Contact on Planning Applications**

Members are reminded that contacts about any planning applications on this agenda must, unless reported to this meeting by the Head of Planning, be declared before the application is considered.
4. **Minutes of the Meeting held on 19 October 2017** (Pages 3 - 6)
5. **Late Representations**

To be circulated at the meeting.
6. **Outstanding Issues**

There are no outstanding issues.
7. **Application FUL/2017/2308 - Canley Social Club and Institute, Marler Road** (Pages 7 - 36)

Report of the Head of Planning and Regulation
8. **Appeal Progress Report** (Pages 37 - 58)

Report of the Head of Planning and Regulation
9. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

Martin Yardley, Executive Director, Place, Council House Coventry

Wednesday, 8 November 2017

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair carolyn.sinclair@coventry.gov.uk

Membership: Councillors N Akhtar, P Akhtar, R Auluck, R Bailey, S Bains, G Crookes, J McNicholas, C Miks, K Mulhall (Deputy Chair), P Seaman (Chair) and D Skinner

By invitation Councillors L Bigham

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

Carolyn Sinclair
carolyn.sinclair@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Planning Committee held at
2.00 pm on Thursday, 19 October 2017

Present:

Members: Councillor K Mulhall (Chair)
Councillor N Akhtar
Councillor R Auluck
Councillor R Bailey (from Minute 65 onwards)
Councillor S Bains
Councillor G Crookes
Councillor J McNicholas
Councillor C Miks
Councillor D Skinner

Other Members: Councillors Abbott (for item detailed in Minute 64)

Employees (by Directorate):

Place L Albrighton, R Aremu, C Horton, L Knight, T Miller,
C Whitehouse

Apologies: Councillor P Akhtar and P Seaman

Public Business

59. Declarations of Interest

There were no disclosable pecuniary interests.

60. Members Declarations of Contact on Planning Applications

The Members named declared contact on the following applications as indicated:

Application No.	Councillor	From
HH/2017/1968 – 51 Oldham Avenue	All members of the Committee	Councillor Abbott

61. Minutes of the meeting held on 28th September 2017

The minutes of the meeting held on 28th September 2017 were agreed and signed as a true record.

62. Late Representations

The Committee noted a tabled report which summarised late representations and responses on the following:

Application No.	Site	Minute No.
HH/2017/1968	51 Oldham Avenue	64
FUL/2107/2244	133 Station Street East	65
FUL/2017/1948	1 Broomfield Road	67

63. **Outstanding Issues**

There were no outstanding issues.

64. **Application HH/2017/1968 - 51 Oldham Avenue**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the erection of two storey side and single storey rear extensions. The application was recommended for approval subject to conditions.

The Committee also considered a petition objecting to the application, bearing 8 signatures, which had been submitted by Councillor Abbott, a Wyken Ward Councillor. Councillor Abbott attended the meeting together with the petition spokesperson and spoke in respect of the petition. The applicant's agent was invited to the meeting but did not attend.

The late representations report tabled at the meeting provided further clarification on the proposal, detailed additional correspondence received and set out additional conditions proposed in relation to Bat and Nesting Birds and Reptiles and Amphibians.

RESOLVED that planning permission be granted in respect of Application H/2017/1968, subject to conditions outlined in the report and the late representations report.

65. **Application FUL/2017/2244 - 133 Station Street East**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the change of use from 1 dwelling to 2 flats and erection of a single storey rear extension and the installation of external wall insulation. The application was recommended for approval.

The late representations tabled at the meeting indicated that one objection had been received, which expressed concern that the proposed development would set a precedent for conversion of houses to flats in the street; there would be increased noise for the neighbour; damp may arise in neighbouring house due to new upstairs kitchen / bathroom; the bedroom in the loft was a potential fire hazard and that there would be increased demand on sewers. The appraisal of this objection confirmed that, as each application is considered on its own merit, there was no issue of precedent. Issues in relation to sewers, fire safety and potential damp were more appropriately dealt with under Building Regulations.

RESOLVED that the grant of planning permission in respect of Application FUL/2017/2244 be delegated to the Head of Planning and Regulation following the expiry of the consultation period, subject to conditions and subject to receiving no further comments raising new material planning objections to the application.

66. Application HH/2017/1998 - 6 Sunnybank, Abbotts Lane

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the conversion and enlargement of the existing roofspace, to include a box dormer within the dwelling's rear (north-west facing) roof slope. The application was recommended for approval subject to conditions.

Two registered speakers attended the meeting and spoke in respect of their objections to the application. The applicant's agent also attended the meeting and spoke in support of the application.

RESOLVED that planning permission be granted in respect of Application HH/2017/1998 subject to conditions outlined in the report.

67. Application FUL/2017/1948 - 1 Broomfield Road

The Committee considered a report of the Head of Planning and Regulation detailing the above application for a change of use from Osteopath's Clinic / office into four self-contained flats and extensions. The application was recommended for approval subject to conditions.

The Late Representation document set out an amendment to Condition 2 following the submission of amended plans to relocate the bin store and alter the boundary railings to a brick wall. A cross-sectional drawing had also been provided. In addition, reference to the layout drawing plan SH20A and the bin store plan 17A had been added to condition 5; and reference to the layout plan SH20A added to condition 6 with regard to parking / access. The Committee noted that the County Ecologist had requested a bat survey, which had been submitted.

RESOLVED that planning permission be granted in respect of Application FUL/2017/1948 subject to conditions and the amendment detailed above.

68. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved

There were no other items of public business.

(Meeting closed at 3.05 pm)

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Planning Committee Report	
Planning Ref:	FUL/2017/2308
Site:	Canley Social Club and Institute Ltd, Marler Road
Ward:	Westwood
Applicant:	OBARCS no. 5 LLP and CPSC Ltd
Proposal:	Redevelopment of site to provide 38 purpose built student town houses, student management and recreation suite, parking, secure cycle stores and open space
Case Officer:	Anne Lynch

SUMMARY

The application proposes redevelopment of the former social club site for purpose built student accommodation. This will provide accommodation for up to 452 students and will be arranged across 38 town houses comprising 3 and 4 storey units utilising the roof space.

KEY FACTS

Reason for report to committee:	A petition bearing 114 signatures has been submitted objecting to the proposals.
Current use of site:	Vacant site but formerly social club with sports ground.
Cycle spaces	160
Car parking spaces	45
No of units	38
Student rooms	452

RECOMMENDATION

Planning committee are recommended to delegate the grant of planning permission to the Head of Planning, subject to conditions and the completion of a Section 106 agreement relating to NHS contributions, the transfer and maintenance of public open space, cycleway link to Charter Avenue and securing the tenure for student accommodation, and on the expiry of the consultation period, subject to no further representations being received raising material planning considerations that have not already been considered by Planning Committee.

REASON FOR DECISION

The proposal is high quality design improving the character of the area, will not adversely impact upon highway safety or the amenity of neighbours. The proposal accords with Policies BE2, BE21, AM22, AM12 and EM5 of the Coventry Development Plan 2001, Policies DE1, AC1, AC3, AC4, H3, H4 and H10 of the emerging Local Plan, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application proposes the erection of 38 town houses consisting of 6 nine bed houses, 6 ten bed houses and 26 thirteen bed houses. The 6 and 10 bed houses will have eaves heights of 7.03 metres and ridge heights of 10.93 metres and the 13 bed units will have eaves heights of 9.75 and ridge heights of 13.63 metres.

The development will be white textured brick with zinc roofs and window frames coloured to match the zinc roof.

Each dwelling will have a shared common area on the ground floor with communal kitchen, dining and lounge area. Across the development there will be 24 “accessible” bedrooms.

The development will include shared external space and a student management and recreation suite. The management and recreation suite will be three storey with a flat roof and will incorporate a games/common room, group and private study rooms, a laundry room, reception, management and security, post facilities, coffee bar, centralised plant and staff welfare facilities.

Covered and secured cycle parking space will be provided for 160 cycles arranged at the ends of selected blocks of town houses. There will also be 45 vehicle parking spaces within the site and a vehicle drop-off area by the management and recreation suite and bin storage areas adjacent to the town houses.

Vehicular access will be from a single point, reusing the existing access for the social club at the corner of Marler Road and Haycock Green.

The development will also incorporate photo voltaic panels in the roofs of the blocks to the north to achieve 10% on-site renewables.

SITE DESCRIPTION

The site is the former Canley Social Club which has been closed for a number of years and has been subject to vandalism and arson. The site formerly comprised the main sports and social club, pavilion and car park area. It also contained a senior football pitch, bowling green and further hard play area which covered approximately 45% of the overall site area. There is a railway line to the north and residential dwellings to the south, south-east and south-west. There is public open space to the north-east and north-west.

PLANNING HISTORY

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

Application Number	Description of Development	Decision and Date
OUT/2015/0664	Outline application for residential development (discharging access with	Approved 10 th August 2015

	all other matters reserved) for up to 44 dwellings	
FUL/2017/0844	Redevelopment of site to provide 40 purpose built student town houses, student management and recreation suite, parking, secure cycle stores and open space	Withdrawn 6 th July 2017.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Development Plan 2001 (CDP) relevant policy relating to this application is:

- Policy OS4 – Creating a more sustainable city
- Policy OS6 - Change of use of land
- Policy EM5 - Pollution protection strategy
- Policy H1 - People and their housing needs
- Policy H6 – Conversion to Multiple Occupation
- Policy BE2 - The principles of urban design
- Policy BE21 - Safety and security
- Policy AM12 - Cycling in new developments
- Policy AM22 - Road safety in new developments

Emerging Policy Guidance

The Draft Local Plan 2016 to 2031 has been submitted to the Inspectorate, examination hearings and consultation on modifications has concluded and the Inspector's report has been received. The draft plan and report have been published and are a material consideration in the determination of applications. The draft plan and report will be presented to Full Council in December, if recommendations are approved it will become the adopted development plan. Policies within the draft local plan that are relevant include:

- Policy DE1 – Ensuring High Quality Design
- Policy AC1 – Accessible Transport Network
- Policy AC3 – Demand Management
- Policy H3 – Provision of new housing
- Policy H4 – Securing a mix of housing
- Policy H10 – Student Accommodation
- Policy H11 – Homes in multiple occupation
- Policy AC4 – Walking and cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a more sustainable city

CONSULTATION

No objections have been received from:-
Urban Design and Landscape (CCC)

No objection subject to conditions have been received from:
Environmental Protection Officers (CCC)
Highways (CCC)
Parks and Leisure (CCC)
Flood Risk and Drainage (CCC)
Urban Design and Landscape (CCC)
West Midlands Police
NHS

Comments are awaited from:-
Ecology

Immediate neighbours and local councillors have been notified; a site notice was posted on 27th October 2017. A press notice was displayed in the Coventry Telegraph on 12th October 2017.

Two letters of objection have been received, raising the following material planning considerations:

- a) Impact on residential amenity from noise and disturbance. The student hub and the negative impacts it will bring is not needed.
- b) Loss of community facility and nothing put in place for residents.
- c) There is enough student housing in the area already and should be used for family homes.

A petition has been submitted bearing 114 signatures objecting to the proposals and indicating that they want family housing rather than a student village.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, design, impact on residential amenity, highway considerations and safety and security.

Principle of development

Policy H6 of the CDP states that proposals for conversion to, enlargement or alteration of house in multiple occupation will be considered on the basis of:

- The size and character of the property;
- The facilities available for car parking;
- The impact on the amenities of adjoining properties; and
- The cumulative impact on the amenities and character of the surrounding area.

Whilst Policy H6 refers to existing properties the principles are carried forward to the Emerging Local Plan in respect of conversion of existing properties and purpose built HIMOs.

Policy H11 of the Emerging Local Plan states that the development of purpose built HIMOs or the conversion of existing homes or non-residential properties to large HIMOs will not be permitted in areas where the proposals would materially harm:

- a) The amenities of occupiers of nearby properties (including the provision of suitable parking provisions;
- b) The appearance or character of an area; and
- c) Local services.

Policy H10 of the Emerging Local Plan states that purpose-built student accommodation and conversions of residential and non-residential properties to student accommodation will be encouraged where:

- a) It is directly accessible from the universities,
- b) Such development can play a part in the regeneration of the immediate neighbourhoods without disadvantage to local services,
- c) It will not materially harm the amenities of occupiers of nearby properties and
- d) It will reflect and support or enhance the appearance and character of the area.

Policy H10 further indicates that, to support the intended use of the proposals the specified tenure will be secured through a Section 106 agreement. This reflects the fact that should the properties be occupied by other aspects of the city's population then it would be required to contribute to affordable housing and potentially other Section 106 or CIL contributions. The tenure will therefore be secured as part of the s106 agreement.

To be considered directly accessible the accommodation should be situated within easy walking distance of the university or easily accessible by cycling or public transport. It would take approximately 30 minutes to walk between the accommodation and Warwick University and 10 minutes to cycle. The Highways Officer has requested a mechanism to provide a cycleway along Marler Road to link the development to the cycleway on Charter Avenue and the site is within metres from the bus stops on Charter Avenue.

The principle of residential development of the site has already been considered acceptable with the grant of outline planning permission for 44 dwellings. Whilst the approved residential scheme was in outline with matters reserved, the applicants have argued that these could have been occupied as small HIMOs with up to 6 students in each. This is largely correct but 25% of the dwellings would have been allocated for affordable housing so the facility to convert properties to small C4 HIMOs would only apply to 33 of these dwellings under the approved outline scheme.

The proposed scheme will accommodate up to 452 students which is more intensive than the approved outline scheme. However, as the proposals are for purpose-built accommodation it enables consideration of measures for parking, cycle storage, bin storage and a managed scheme with on-site staff.

A local resident has raised an objection due to the loss of community facilities and sports pitches. The loss of this facility has already been considered acceptable with the grant

of the outline permission for residential and having regard to the redevelopment of the Excel sports centre which provides sports and leisure facilities for this area.

The site is located in a residential area with pedestrian access taking approximately 30 minutes to Warwick University and approximately 10 minutes to cycle. The site is in a sustainable location with access to public transport and local facilities. There is no direct conflict with the NPPF's presumption in favour of sustainable development and the principle is considered acceptable subject to consideration of other plan policies.

Design

Policies BE2 and H12 of the Coventry Development Plan and DE1 of the emerging Local Plan seek to ensure a high quality and standard of design and residential environment which recognises existing site features; addresses relationships between buildings and spaces; has the appropriate building details and addresses matters such as proportion, massing and materials; has convenient and safe pedestrian and cycle access; and enhances the character and quality of the local environment.

Policy H3 of the emerging Local Plan seeks a high quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. In terms of sustainability it sets out distances for access to facilities.

Policy H4 of the emerging Local Plan requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

Policy H9 requires residential development to make the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area. Sites outside of the Ring Road (The A4053) should provide a minimum of 35 dwellings per hectare (net) on Previously Developed Land.

The previous application was withdrawn to enable the applicants to address officers' concerns. Those concerns related primarily to the extent of the footprint, the heights and massing of the buildings and safety and security issues. The footprint has now been set back from the public open space to the north to bring it in line with the previous outline consent. The car parking areas previously encroached into the area of open space and these have now been relocated within the development. The heights and massing of buildings have also been revised so that it relates well to the surrounding two storey development and a reduced massing to the western boundary.

The buildings will be three storeys to the front and side of the development with the four storey units located to the northern rear section of the site. The units will utilise the roof space and the changes in site levels will mean that the three storey units will relate well to the surrounding two storey development.

The scheme will have a contemporary design with landscaping which will relate well to the surrounding residential development and improve the overall appearance of this vacant site.

The Urban Design Officer has no objection to the proposals and the design is considered acceptable.

Impact on neighbouring amenity

The previous scheme was not considered acceptable in terms of relationships with existing residential development. The current proposal has addressed these concerns and now achieves the minimum separation distances for new residential development with 20 metres between habitable room windows and in excess of 12 metres from flank elevations to habitable room windows. The separation distances have also been applied in respect of side elevations to ensure no overlooking or loss of privacy to the garden areas of existing dwellings to the west.

A neighbour has raised concerns about the impact on neighbouring amenity. The occupation of the site will be more intensive than the previously approved residential scheme. However, there will be on site management of the premises to address any issues and a student recreation suite for communal activity. Environmental Protection have no objection to the proposals but recommend a condition to require implementation of the recommendations of the noise survey.

Highway considerations

Policy AM22 requires that safe and appropriate access to the highway system together with satisfactory on site arrangements for vehicle manoeuvring so as to ensure safety for all users. The supporting text makes clear that consideration must also be given to the impact of access and manoeuvring arrangements on neighbouring users and the amenity of residents.

Policy AC3 of the Emerging Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene.

The revisions to the scheme have addressed the Highways Officer's previous concerns with the removal of pedestrian access from the front boundary as this, together with the concentration of parking to the north, was considered to encourage on street parking for people wishing to access the southern units. The access will now be from the side of the site by the management building and the parking is arranged around the site where it relates to the buildings.

The Highways Officer has no objection to the proposals subject to the provision of a cycleway along Marler Road linking the site to the existing cycle way on Charter Avenue through an appropriate mechanism and conditions for the formation of the access, provision of cycle parking and for the car parking to be provided prior to occupation. A condition is also recommended for details of the student management plan to be submitted to the local planning authority for approval.

Safety and security

Policy DE1 of the emerging Local Plan seeks to provide attractive, safe and uncluttered spaces. West Midlands Police previously raised objections to the development due to concerns about safety and security of future occupiers, both in terms of on-site arrangements and safety and security travelling on foot to the University. Following withdrawal of the previous application and prior to submission of this application, the

police met with the applicants to outline their concerns more fully and to inform this submission. The scheme now proposes the following safety and security measures:-

- a comprehensive CCTV system with cameras monitoring the site, footpaths, entrances and parking areas with the appropriate signage to draw attention to it;
- on-site management team and 24 hour security with a warden on-site;
- controlled key/fob access into and out of the buildings;
- site boundaries will be defined by 1.1m high brick walls to the southern and eastern boundaries, 1.m high brick walls with fencing above to the northern and western boundaries, landscaping will also be planted to soften the appearance of the walls and fencing, secure cycle parking areas;
- impermeable boundary treatment to discourage 'convenience' parking on Hayton Green;
- fixed windows and mechanical ventilation on certain town houses.

The operators indicate that they will work with Police Community Support Officers and students in safety education initiatives and safer routes schemes. Further details in this respect have been provided to the Police and any final comments will be reported as a late item.

Welcome packs will be available for each tenant including details of the site and how it operates, advice on living within the building and local information. The packs will also provide student tenants with details of public transport, cycle and pedestrian routes and parking locations to enable them to pre-plan their day and expected journey times in a safe manner. A Travel Plan will promote use of the existing shuttle bus, cycling and public transport and highlight safe and well-lit routes. Students will be encouraged to use a "safe route to campus" along Marler Road, Charter Avenue and Mitchell Avenue which has wide footpaths, lighting and is well used affording passing surveillance.

West Midlands Police do not object to the proposals and have provided crime prevention advice to meet the design specifications and physical security measures that are outlined in Secure by Design guides for New Homes 2016. A condition is recommended for those details to be submitted to the local planning authority for approval.

Other considerations

Environmental Protection have no objection subject to conditions for air quality management, ground contamination and noise to ensure the implementation of the recommendations of the noise survey. Conditions are recommended accordingly.

Flood Risk and Drainage have no objection subject to conditions for drainage details and a condition is recommended accordingly.

The entire site is within the Wolfe Road Eco site. Creation of the public open space along the northern edge will have a net increase in the length of hedgerow and the area of semi-improved grassland, scattered scrub within the Eco site. This will also improve habitat connectivity within the Wolfe Road Eco site which extends to the east and west either side of the application site.

The land to the north of the site will provide public open space to link to existing open space to the east and west. This area is to be transferred to the Council with a

maintenance contribution for a ten year period. The draft heads of terms indicates a contribution of circa £32,000. This figure is to be confirmed by the Parks and Leisure team have confirmed that they would be seeking a figure of £32,145.75 to be obtained through a s106 Agreement.

The National Health Service have requested contributions but have yet to confirm the amount. This will also be incorporated into the s106 Agreement and this, together with the contribution for maintenance of open space will be confirmed as late items. Officers therefore seek delegated authority subject to completion of the s106 Agreement.

CONCLUSIONS

The proposals will provide a satisfactory residential environment for existing and future occupiers, measures to address safety and security and will enhance this vacant site. The proposals are not considered to have a detrimental impact on residential amenity or highway safety and accords with Policies BE2, BE21, AM22, AM12 and EM5 of the Coventry Development Plan 2001, Policies DE1, AC1, AC3, AC4, H3, H4 and H10 of the emerging Local Plan, together with the aims of the NPPF and is therefore recommended for approval.

CONDITIONS/REASON

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved documents:

Drawings

10-001 Location Plan
10-002 Block Plan
20-001 Ground Plan
20-010 Recreation Suite Plan
20-011 Recreation Suite Sections
20-012 Recreation Suite Elevations
20-013 Block 1-4 Plans
20-014 Block 1-4 Sections
20-015 Block 1-4 Elevations
20-016 Block 5 Plans
20-017 Block 5 Sections
20-018 Block 5 Elevations
20-019 Block 6 Plans
20-020 Block 6 Sections
20-021 Block 6 Elevations
20-022 Block 7-8 Plans
20-023 Block 7-8 Plans
20-024 Block 7-8 Sections
20-025 Block 7-8 Elevations
20-026 Block 9 Plans

20-027 Block 9 Plans
20-028 Block 9 Sections
20-029 Block 9 Elevations
20-030 Block 10 Plans
20-031 Block 10 Plans
20-032 Block 10 Sections
20-033 Block 10 Elevations
20-034 Block 11 Plans
20-035 Block 11 Plans
20-036 Block 11 Sections
20-037 Block 11 Elevations
The following are the Site Sections
20-038; 20-039; 20-040; 20-041; 20-042; 20-043
20-044; 20-045; 20-046

Landscape Layout 2044/01 Rev C
Drainage Layout D1 Rev F
Tree Protection Plan 5155453-ATK-BHM-ARB001 Rev P2

Reports

Transport & Accessibility Statement - September 2017
Noise Assessment
M & E Strategy and Energy Statement
Drainage Feasibility Report
Drainage Layout
Ecological Impact Assessment
Planning Statement
Design & Access Statement
Arboricultural Impact Assessment - September 2017
Site Investigation Summary
Phase 1 Desk Study
External Lighting Installation Report Rev 02
Assessment and Chemical Classification Report

Reason: *For the avoidance of doubt and in the interests of proper planning.*

3. The development shall proceed in full accordance with details of facing and roofing materials which shall first be submitted to and approved in writing by the local planning authority.

Reason: *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.*

4. No part of the residential development hereby permitted shall be occupied unless and until the bin storage and cycle storage areas have been laid out and provided in full accordance with the approved details and thereafter these facilities shall remain available for use at all times.

Reason: *In the interests of the amenities of the future occupants of the residential*

accommodation and in the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies BE2, OS4 & AM12 of the Coventry Development Plan 2001.

5. The areas indicated on the approved drawings for parking and vehicular manoeuvring space shall at all times be kept free of obstruction and be available for those purposes.

Reason: *To ensure that a satisfactory provision of off-street car parking is maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.*

6. The development shall not commence unless and until details for a package of measures to minimise the impact of the development upon local air quality have been submitted to and approved in writing by the local planning authority. Those measures shall have consideration of the following:-
 - any gas boilers must meet a dry NOx emission rate of <40mg/kWh.
 - 10% of parking spaces should be provided with electric vehicle recharging provisions.

A method statement detailing the control of emissions to air during the construction phase should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. Such a method statement should be in-line with the Best Practice Guidance entitled 'The control of dust and emissions from construction and demolition' produced by the Greater London Authority and London Councils. Details of the proposed hours of works should also be included.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy EM2 of the Coventry Development Plan 2001.*

7. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwater's and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.*

8. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.*

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.*

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 8, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 9.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM6 of the Coventry Development Plan 2001.*

11. Prior to occupation of any residential unit hereby permitted noise mitigation shall be in place in full accordance with the recommendations of the noise report by Bureau Veritas reference 6420745/01 dated 4th September 2017.

Reason: *In the interests of the amenities of the future occupiers of the development in accordance with Policies EM5, H5 and H9 of the Coventry Development Plan 2001.*

12. Prior to occupation of any residential unit hereby permitted safety and security measures shall be in place in accordance with details which shall be submitted to and approved in writing by the local planning authority. The measures shall be in accordance with the guidance set out in Secure by Design 2016 and shall remain in place in accordance with the approved details.

Reason: *In the interests of the safety and security of future occupiers in accordance with Policy BE21 of the Coventry Development Plan 2001 and DE1 of the emerging Local Plan.*

13. No part of the development hereby permitted shall be occupied until such time as the new access has been constructed to the satisfaction of the local planning authority.

Reason: *In the interests of highway safety in accordance with Policy AM22 of the Coventry Development Plan 2001.*

14. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which shall be submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority.

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AM1, EM5 and BE2 of the Coventry Development Plan 2001.*

15. Prior to commencement of development a drainage details shall be submitted to and approved in writing by the local planning authority and shall incorporate the following:
- i. A scheme for the provision of surface water drainage, including open air SuDS with particular emphasis on attenuation techniques. There must be consideration of features such as conveyance swales, for the management of surface water peak flows, biodiversity and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.
 - ii. A detailed strategy for the long-term maintenance of the SuDS and other surface water drainage systems on site.
 - iii. Development discharge rates to be managed to Qbar Greenfield rates minus 20%. The discharge rates for brownfield sites shall be considered as Greenfield in accordance with the SFRA.
 - iv. Provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase.
 - v. Evidence that receiving water bodies or sewers are capable of accepting the attenuated flows specified by the Lead Local Flood Authority and that this will not exacerbate the flood risk on or off site. This will include capacity calculations and outcomes, not just the correspondence from Severn Trent Water Ltd in isolation, accepting the point discharges. Evidence of existing sub catchments within the site are needed to support the connectivity survey and confirm the acceptability of proposed point discharges to the watercourses and infrastructure sewers. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
 - vi. Single discharge points will be discouraged on larger sites, as discharge points are to be located to best mimic the natural discharge condition. Multiple discharge points to watercourses are preferred.
 - vii. Information held by Coventry City Council indicates that the site and site entrance may be subject to surface water flooding during a 1:100 year event. The development must not exacerbate this flood risk and where possible reduce this. On this basis, a site specific flood risk assessment considering surface water and appropriate mitigation measures to manage down this risk will be required.
 - viii. Mapping of the 1 in 100 year surface water flood extents is required, to indicate the exceedance and conveyance flows to inform building floor level design and general ground levels, and to consider flood flow routing off site. This must be submitted to, and agreed by, the Local Planning Authority and Lead Local Flood Authority.
 - ix. Evidence of the 1 in 100 year plus climate change events will be held within the site boundaries.
 - x. An intrusive ground investigation report to establish the depth and type of strata, including percolation results in accordance with BRE 365 and the presence and risk associated with migrant contaminants. Provide evidence of existing groundwater levels and seasonal variation, in order to inform the drainage design.
 - xi. All 'within building plot' drainage must be considered for the incorporation of water re-use systems, such as grey water harvesting, to manage down both peak and total rainfall runoff discharging to sewer systems, watercourses and groundwater.
 - xii. The development must be considered for the implementation of permeable paving outside proposed public highway for the management of total surface water flows, and water filtering in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.

- xiii. The development shall not be commenced until such time as a scheme to install trapped gullies serving the vehicular car access and parking facilities, together with a periodic maintenance plan, has been submitted to, and approved by, the Local Planning Authority.
- xiv. Provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the Public Highway.
- xv. Foul drainage plans.
- xvi. Where new or redevelopment site levels result in the severance, diversion or the reception of natural land drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority.

Thereafter the development shall proceed in full accordance with the approved details.

Reason: *To provide a satisfactory drainage scheme and to reduce the risk of flooding in accordance with Policy EM4 of the Coventry Development Plan 2001.*

[Site Plan](#)

[Location Plan](#)

[Recreation Suite Plans](#)

[Recreation Suite Elevations](#)

[Blocks 1-4 Typical Elevations](#)

[Block 5 Elevations](#)

[Block 6 Elevations](#)

[Blocks 7 + 8 Typical Elevations](#)

[Block 9 Elevations](#)

[Block 10 Elevations](#)

[Block 11 Elevations](#)

[Landscape Layout](#)

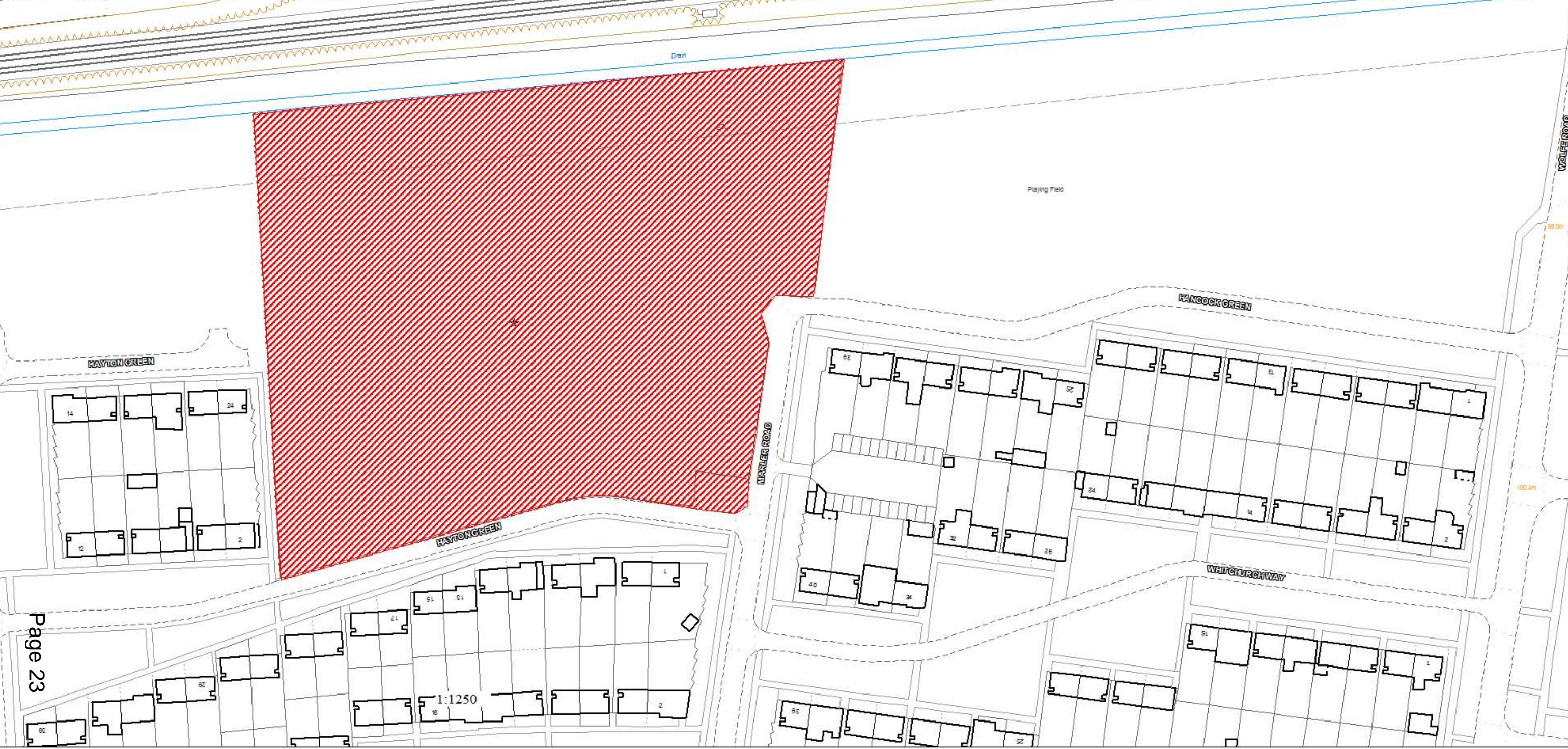
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REFERENCE NUMBER:
FUL/2017/2308



SITE:
CANLEY SOCIAL CLUB & INSTITUTE
MARLER ROAD





Notes
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Application boundary
 Site Area: 18191sqm / 1.8 hectares

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 Llp & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
LOCATION PLAN

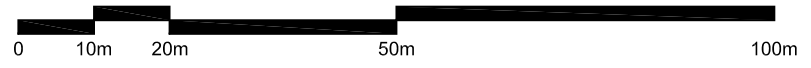
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Project No.	Drawing No.	Rev.
160021	(10)001	P00

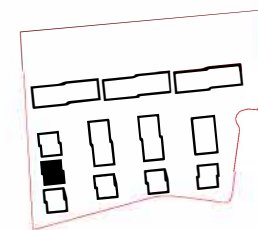
Status
PLANNING



www.haus-collective.com
 studio@haus-collective.com
 30 Bell Street
 Candleriggs Glasgow G1 1LF



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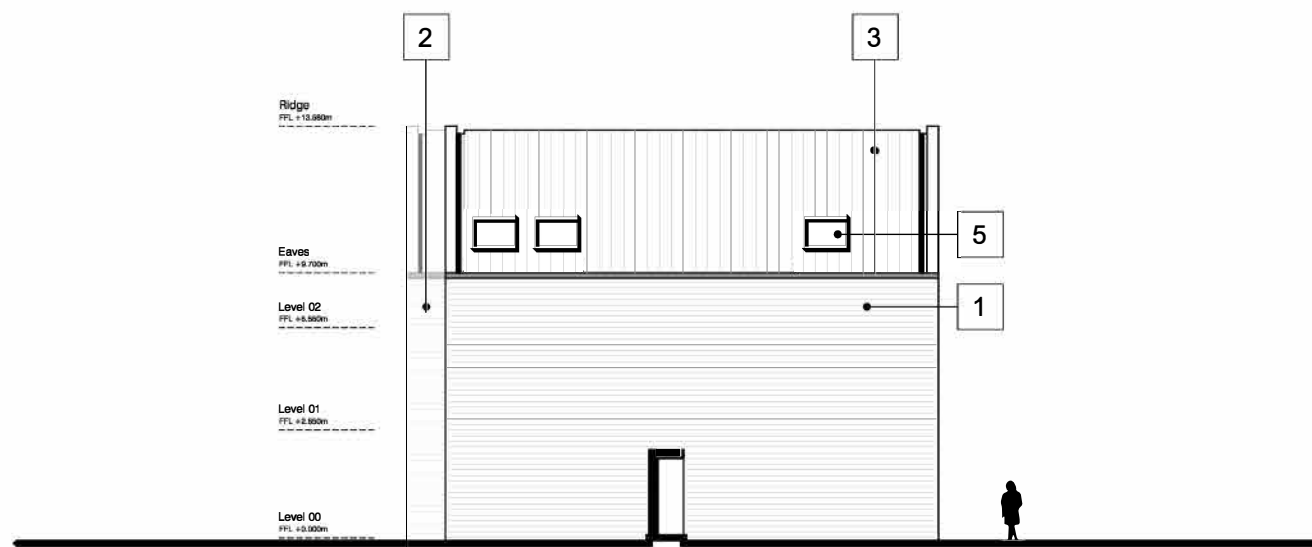
KEY

1. Wienerberger Marziale
2. Wienerberger Pagus Grey
3. Marley Duo Modern Roof Tile - Smooth Grey
4. Openable window
5. Openable rooflight
6. Anodised aluminium doorset: dark grey
7. Perforated aluminium screen: dark grey

To be read in conjunction with drawings (20)016 and (20)017.



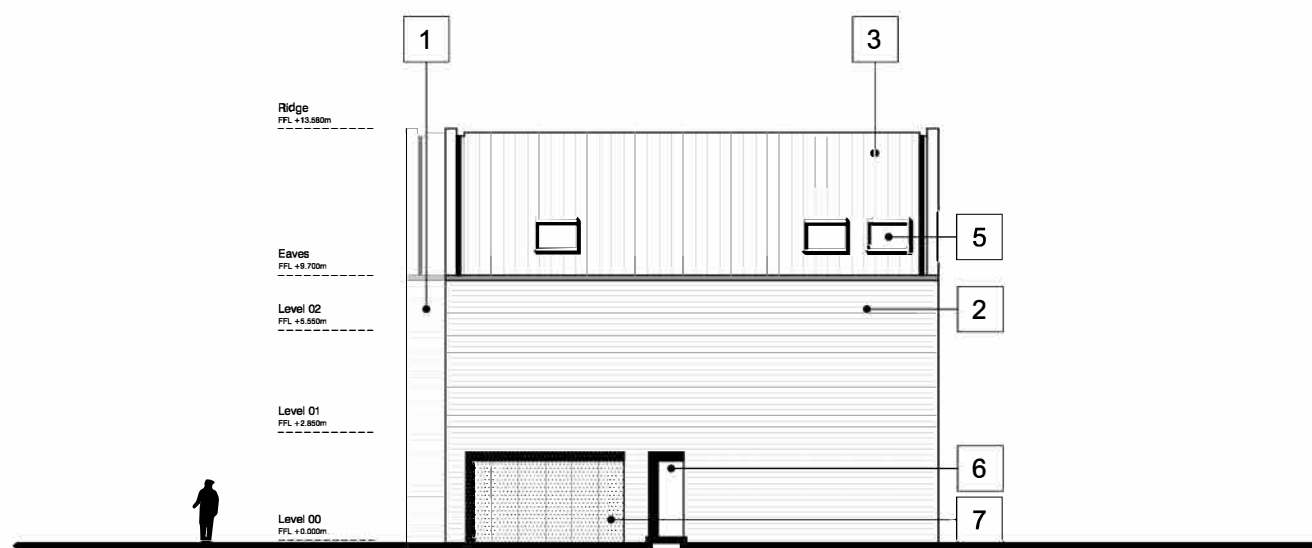
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 LLP & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCK 5 ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)018	P00

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PLANNING

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www.haus-collective.com
 studio@haus-collective.com
 30 Bell Street
 Candleriggs Glasgow G1 1LG

Notes



02	Planning Update & Costing	04.09.17	AT	RB
01	Costing	27.03.17	AT	RB
Rev	Description	Date	By	App
			TM	
			Apr	

COSTING

Warwick Student Village

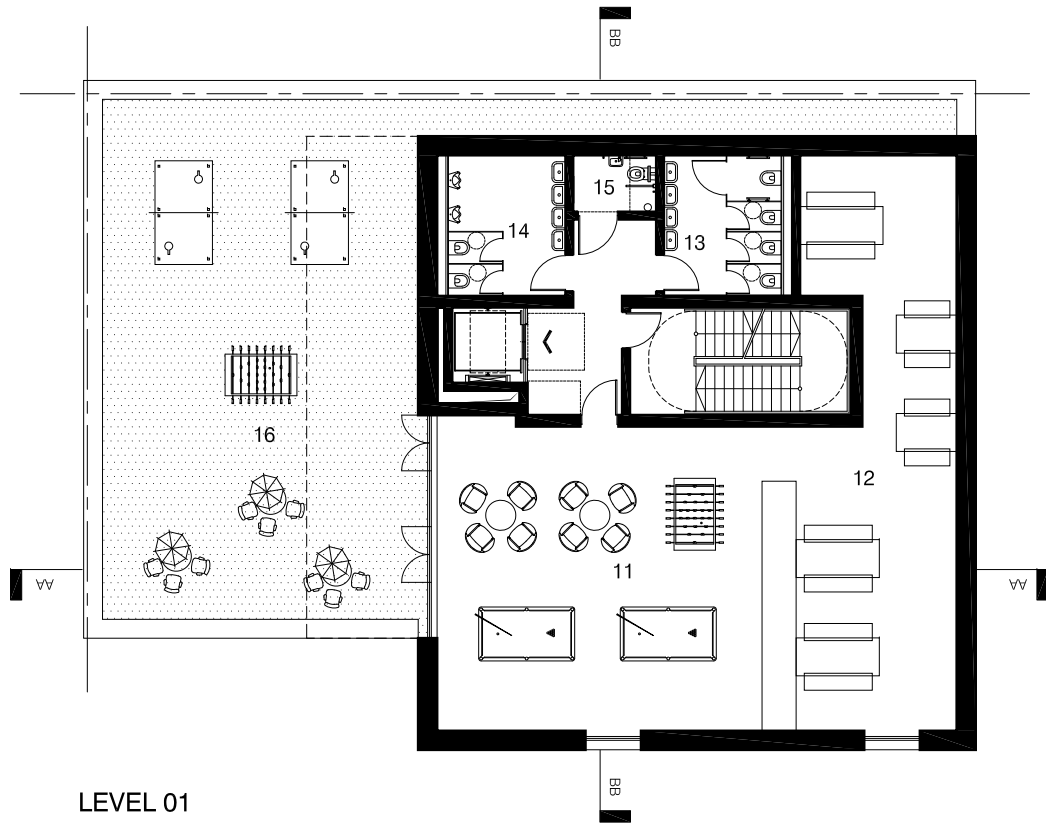


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 T: +44 (0)141 370 3009
 e: info@butler-consult.co.uk
 w: www.butler-consult.co.uk

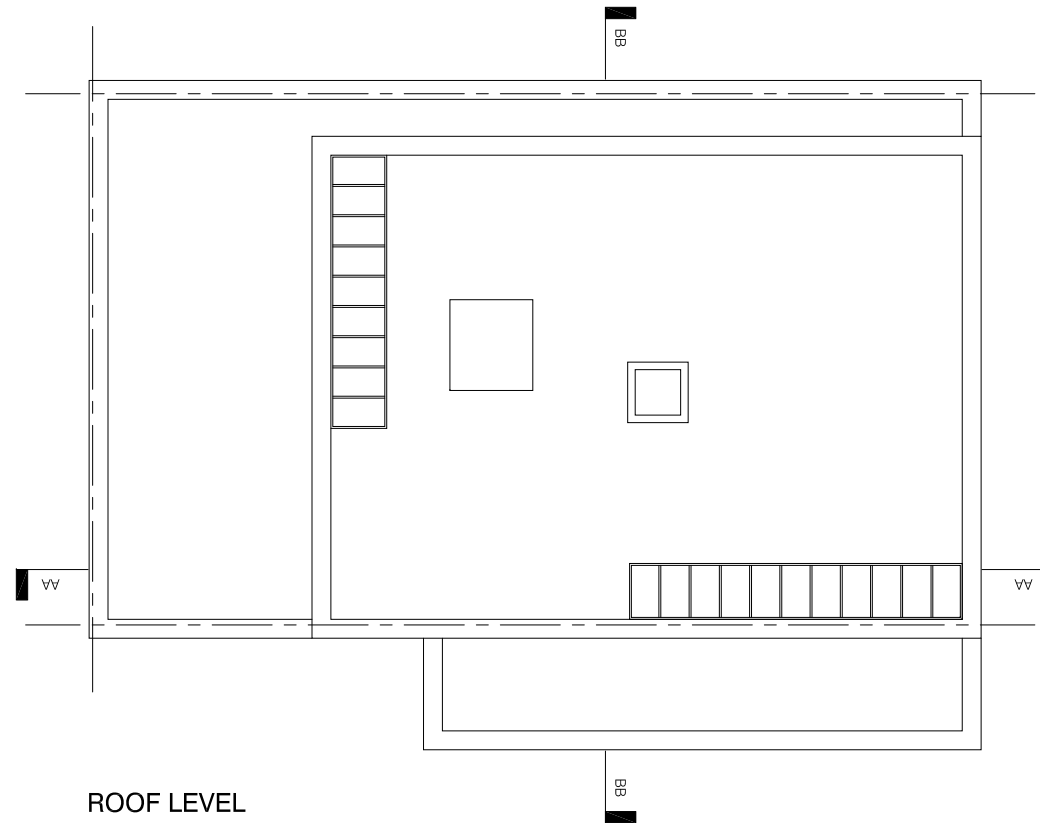
Utilities Layout

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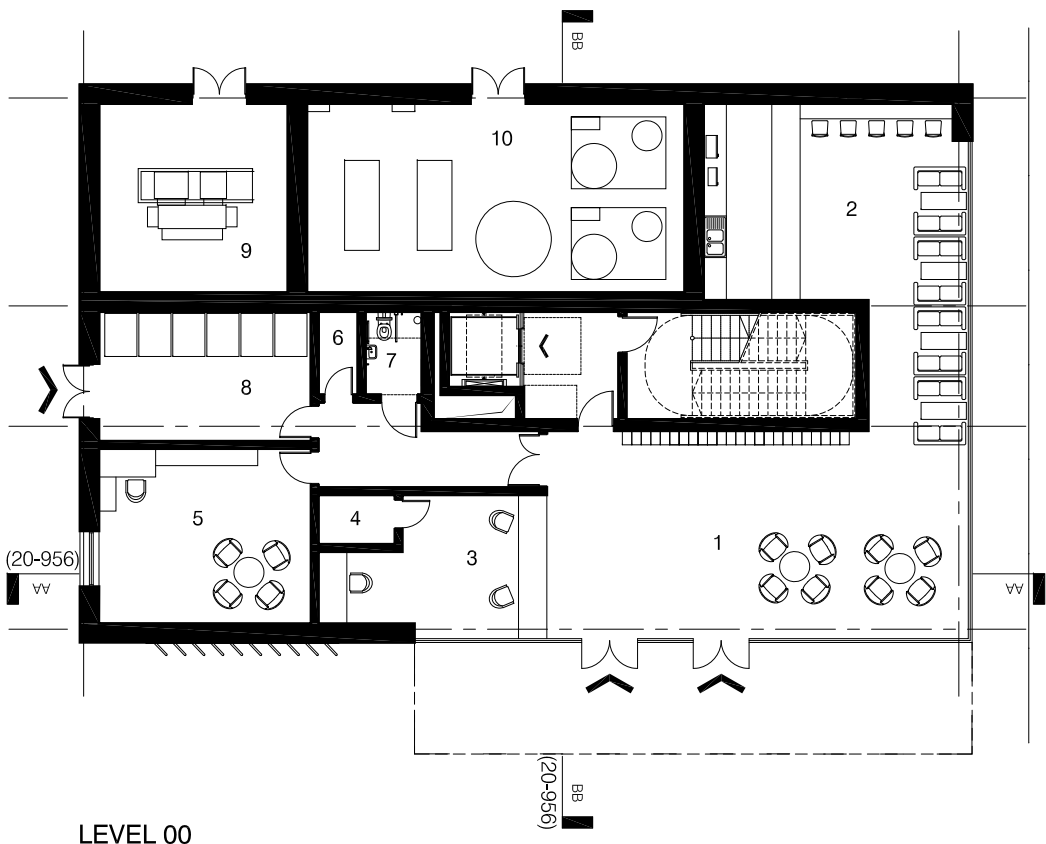
Drawing No.:	Rev:
G1145(50)001	02



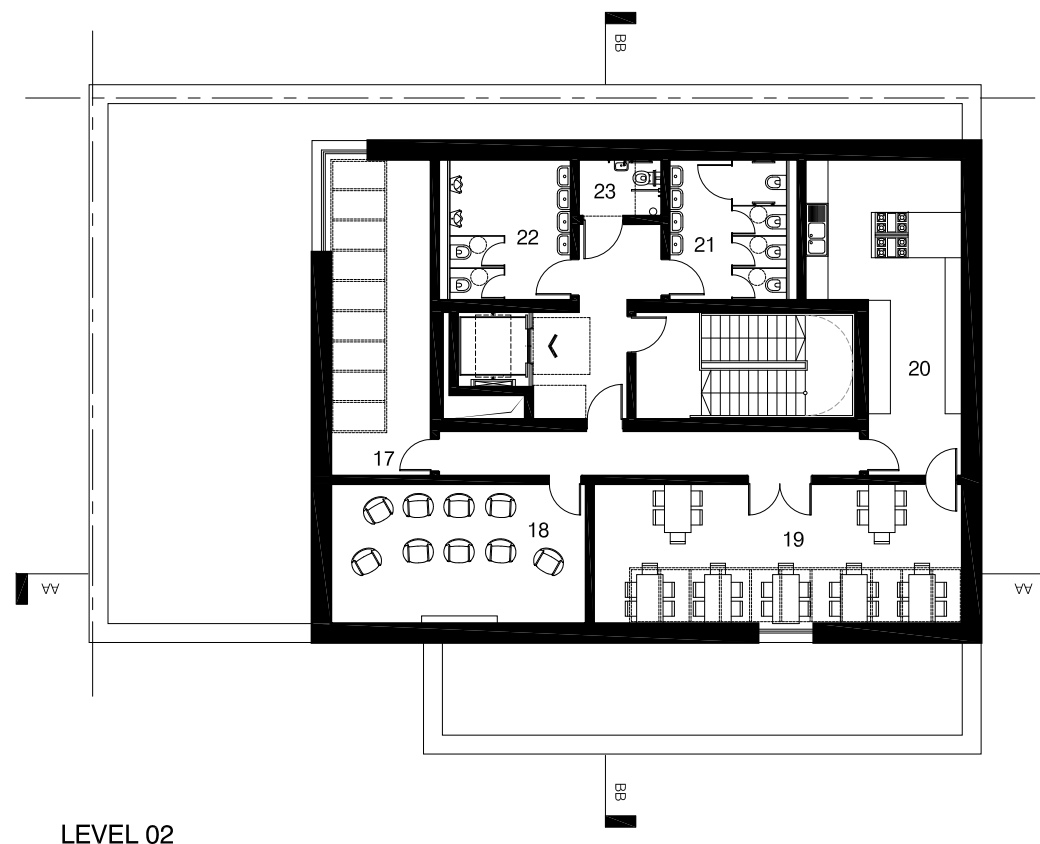
LEVEL 01



ROOF LEVEL



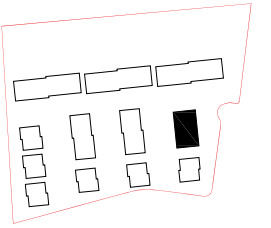
LEVEL 00



LEVEL 02

Notes

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KEY

Ground:

1. Reception/Post
2. Cafe
3. Office
4. Parcel Store
5. Staff Welfare
6. Store
7. Disabled/Staff Wc
8. Laundrette (6 washers & 6 dryers)
9. Sub-station
10. Plant Room

Level 01:

11. Games Room
12. Group Study
13. Toilets Female
14. Toilets Male
15. Disabled WC
16. Outdoor Amenity

Level 02:

17. Private Study
18. Cinema Room
19. Fine Dining
20. Kitchen
21. Toilets Female
22. Toilets Male
23. Disabled WC

Rev No	Description	Date
P00	Issue to planning	08/09/17

Client

Obarcs No5 LLP & CPSC Limited

Project Title

WARWICK STUDENT VILLAGE

Drawing Title

RECREATION SUITE PLANS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)010	P00

Status

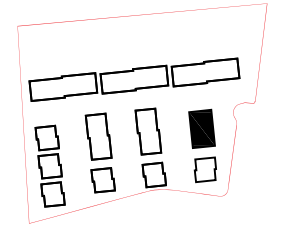
PLANNING

HAUS

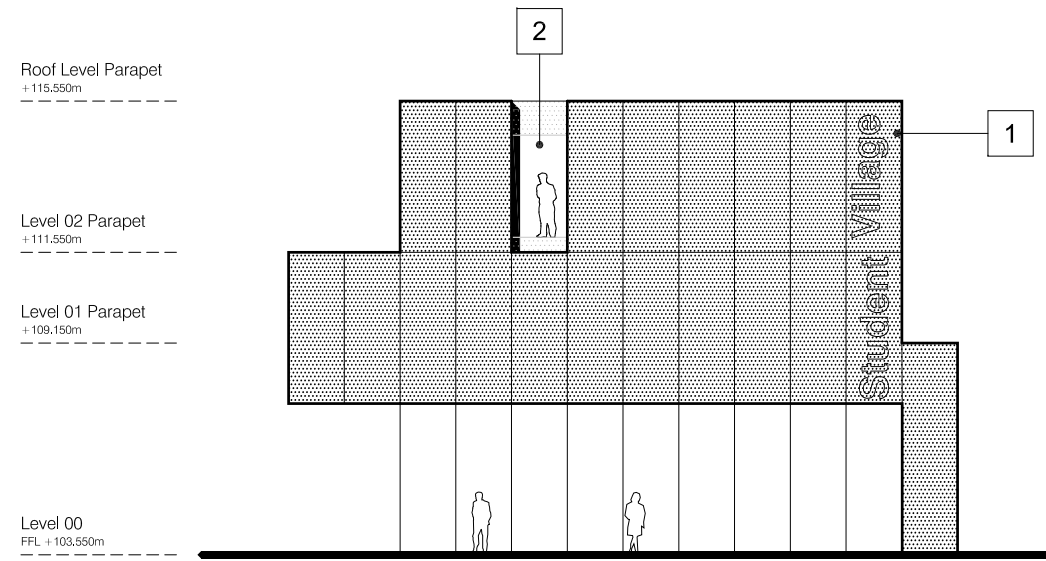
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 studio@haus-collective.com
 30 Bell Street
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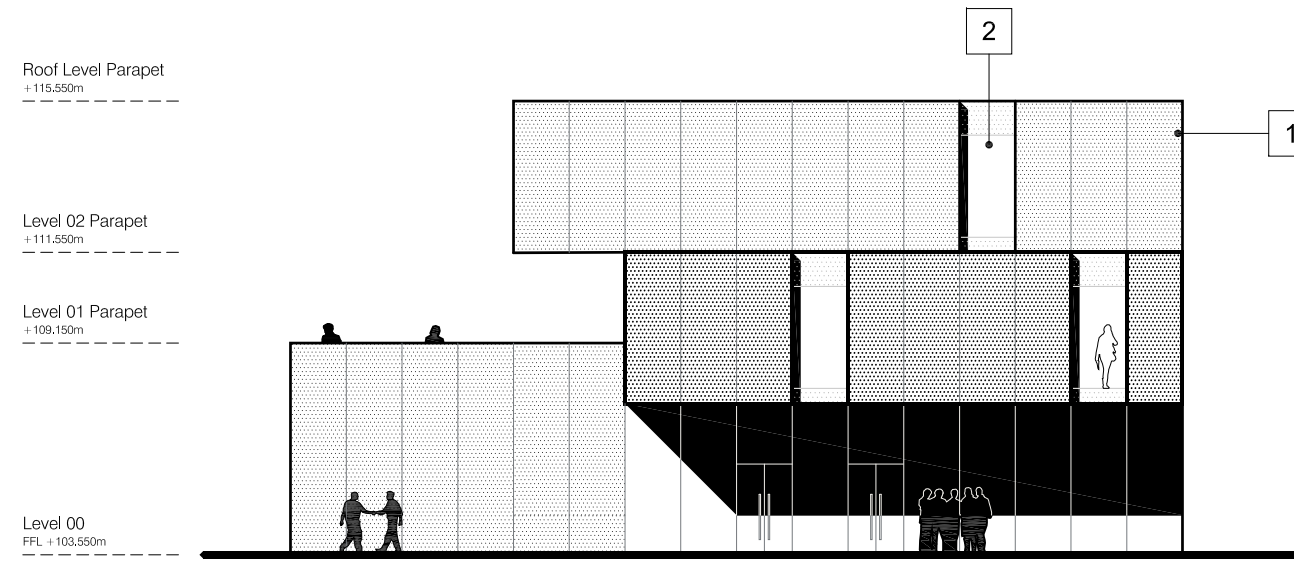
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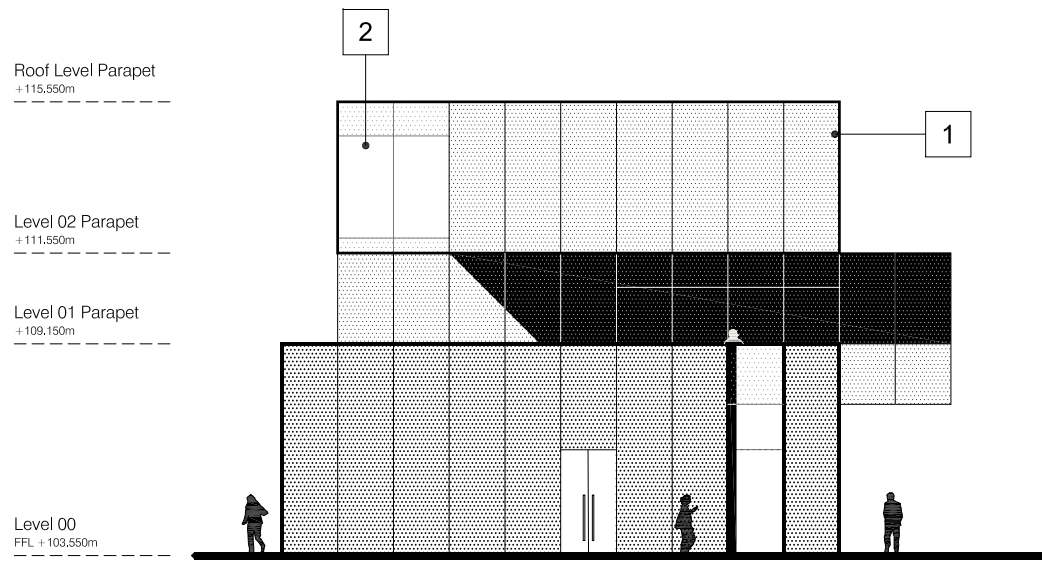
- KEY
- 1. Precast concrete panel
 - 2. Full height glazed panel



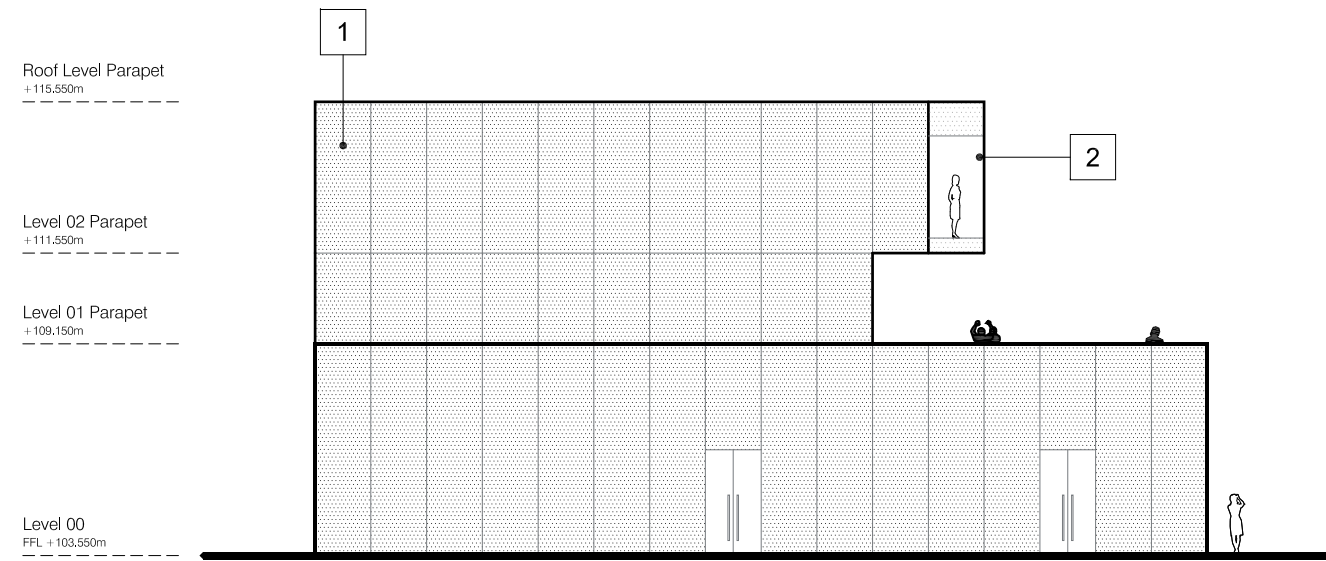
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 LLP & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
RECREATION SUITE ELEVATIONS

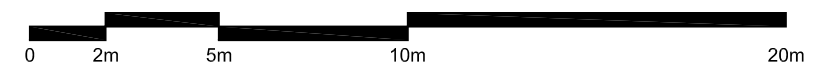
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Project No.	Drawing No.	Rev.
160021	(20)012	P00

Status
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Candleriggs Glasgow G1 1LF





Outline Landscape Specification

Site Preparation

Topsoil conservation
Flail cut and spray out existing grass pitch vegetation prior to stripping topsoil and stockpiling in approved location for use in works.

Imported topsoil and subsoil
Balance of topsoil requirements to be free draining loam top-split topsoil from an approved source, tested by an approved testing station for particle size, pH value and chemical status at Contractor's cost. Subsoil to be a friable material from an approved source for all wildflower planting areas.

Existing trees
No trees within development area are to be retained. Existing tree crowns and rootplates on north and east boundaries to be protected by temporary chesepale fencing with canopy spread in accordance with Ecologist's Report and recommendations of BS 5837:2012 (RPA's). Type of fencing to be approved by local authority Planning. Fencing to be in place before works commence on site.

Existing vegetation to be removed
Tree/hedge/scrub removal in accordance with Ecologist's Report. All timber, branchwood and arisings including root plates taken off site.

Invasive species removal as identified in Ecologist's Report. Details and Specification by others.

Existing services
All services installations to be located, proved and protected prior to any site excavations and for the duration of the works. Service cover alterations as required to finished grades.

Site construction activities
All soft landscape areas to be relieved of compaction due to construction activities prior to site prep and soiling works through deep ripping.

Hardworks

Asphalt road construction to site entrance threshold
Construction to Engineer's details and specification, including 125 x 255mm pc bullnose kerbing (100mm upstand).
80mm depth (160 gauge) Marshall's Tegula concrete block paving strips along car park aisle as definition and speed deterrent. Colour to be confirmed.

Concrete Block paving (permeable) as Shared Surface treatment
80mm depth (160gauge) x 240/160/120 Marshall's Tegula Priora permeable paving system, flat top; colour Harvest to parking bays and 80mm depth (160gauge) x 240mm laid herringbone 90° to kerbs. Colour Fenmark. Grey to parking bays (160gauge) x 160square laid stretching half bond.
Permeable construction to Engineer's details and specification, including pc bullnosed kerbing.

Concrete Slab paving to building entrances (1500 wide paths)
50mm depth 900/600 x 600mm Marshall's Perfecta smooth ground concrete paving, square edge. Natural colour laid stretching half lap. Construction to Engineer's details and specification, including 50 x 200mm pc concrete flat top heel kerb retention.

Reinforced grass paving system as maintenance access to Blocks 1,2,3
Gopla 55 plastic honeycomb cellular reinforcement filled with imported topsoil/ sand mix on 100mm thick 60/40 sand/topsoil bedding on 200mm HCT Type 3 well consolidated graded subbase with Terram geotextile separation layer. Seed on completion with 55gms low maintenance amenity grass seed mix. 50 x 200mm pc concrete flat top kerb edging and ST1 concrete foundation and haunching.

Self binding Gravel path to Ecozone
1500mm wide x 50mm depth (after compaction) self binding gravel, CEDEC Gold as supplied by CED, or equal and approved. Gravel laid on 150mm depth well compacted Type 1 subbase on firm dry proofrolled formation. Formation laid to uniform crossfall.
38mm thick x 1500mm wide pressure treated with preservative, kiln dried European redwood Class C16 standard s edging secured with 50 x 50mm x 450mm pointed one end posts driven at 2metre centres.

Masonry wall to site boundary
1000mm high masonry wall (brickwork to match building materials). North and west development frontages to include 1000mm high galvanised, powder coated metal railings fixed into wallhead, 30 x 30mm solid square intermediate/ end posts with 50 x 8mm thick flat bar to top and bottom and 15 x 15mm square bars as balusters fully seam welded top and bottom at 115mm centres.

Sliding gate to site entrance (vehicular access)/ double leaf (pedestrian access);
double leaf maintenance access and single leaf pedestrian access to north boundary. All security locking systems as required by client.

Metal fencing to hedgerows in garden areas
900mm high (500deep) 50 x 50 x 3.2mm capped end and corner posts/ 50 x 25 x 3.2mm capped intermediate posts galvanised metal posts at nom 2metre centres; powder coated colour to be confirmed; 4nr 4mm galvanised line wires, strained with post fixed radiceurs.

Bench seating to Hub and central space
To be confirmed

Bollards
Allow 3nr 125mm diam x 1000mm high stainless steel bollards in concrete foundation.

Softworks

Specimen tree planting to main avenue
900mm deep x 2.0m square pits backfilled with suitable site won/ imported free drainage loam topsoil (500 depth) and imported subsoil (400 depth). Allow for 100mm depth 20mm clean gravel drainage layer at base/ 300 diam gravel collar brought up to underside of rootball. Install 60mm diam perf upvc pipe as aeration/irrigation loop around rootball and cap at surface. Ameliorants, incl peat free compost, slow release fertiliser at planting. Trees underground guyed.
Species- Pyrus calleryana Chanticleer (pear), 16/18cm girth, 2.2m clear stem, hessian rootballed, PC Sum E150/tree.

Specimen tree planting to southern gardens
900mm deep x 2.0m square pits backfilled with suitable site won/ imported free drainage loam topsoil (500 depth) and imported subsoil (400 depth). Allow for 100mm depth 20mm clean gravel drainage layer at base/ 300 diam gravel collar brought up to underside of rootball. Install 60mm diam perf upvc pipe as aeration/irrigation loop around rootball and cap at surface. Ameliorants, incl peat free compost, slow release fertiliser at planting. Trees underground guyed.
Species- Betula pendula (birch), 16/18cm girth, feathered, hessian rootball, PCSum E105/tree

Specimen tree planting to central garden/site entrance
900mm deep trench x length varies backfilled with suitable site won/ imported free drainage loam topsoil (500 depth) and imported subsoil (400 depth). Allow for 100mm depth 20mm clean gravel drainage layer at base/ 300 diam gravel collar brought up to underside of rootball. Install 60mm diam perf upvc pipe as aeration/irrigation loop around rootball and cap at surface. Ameliorants, incl peat free compost, slow release fertiliser at planting. Trees underground guyed.
Prunus avium Plena (gean), 16/18cm girth, 2.2m clear stem, hessian rootballed, PC Sum E35/tree

Root containment (if instructed)
2mm thick x 12metre wide HDPE rootbarrier membrane set vertically as separation membrane between trees and services (where required).

Mixed hedge planting to site boundary
450mm deep x 1000mm wide prepared and drained trenches of imported topsoil, ameliorate with peat free compost and slow release fertiliser at 70gm/linear metre. 80/100cm 12mm thick collar, well feathered transplants in three staggered rows at 7m/2. 50mm depth 20/0 well composted bark mulch to finish.
Species- Acer campestre (field maple), 30%; Corylus avellana (hazel), 25%; Carpinus betulus (hornbeam), 25%; Cornus sanguinea (Dogwood), 10%; and Viburnum opulus (Guelder Rose), 10%.

Evergreen hedging to block subdivisions
450mm deep x 1000mm wide prepared trenches of imported topsoil planted with 80/100cm high 5l pot grown in two offset rows at 5/linear metre, ameliorate with peat free compost, and slow release fertiliser, cut back at planting. 50mm depth 20/0 well composted bark mulch to finish.
Species- Escallonia Donnard Seedling

Low clipped hedging as privacy strips to building frontages
450mm deep x nom 1500mm wide prepared beds of imported topsoil on cross ripped formation, planted with 40/60cm 3litre container grown plants in offset rows at 5/m2, ameliorate with peat free compost, and slow release fertiliser. 70gm/m2, cut back at planting, 50mm depth 20/0 well composted bark mulch to finish.
Species-Lonicera nitida Maigrun

Specimen shrub planting
450mm deep x nom 1500mm diameter prepared pits of imported topsoil on cross ripped formation, ameliorate with 50litres peat free compost, and slow release fertiliser, 70gm/m2 per pit, cut back at planting as directed, 50mm depth 20/0 well composted bark mulch to finish.
Species- Amelanchier canadensis 150/175cm high multistemmed (Min 35stems), containerised/ hessian rootballed specimen shrub, underground guyed.
Species- Viburnum burkwoodii ameliorate with peat free compost, and slow release fertiliser, 70gm/m2, cut back at planting, 50mm depth 20/0 well composted bark mulch to finish.

Ground cover planting
450mm deep imported free draining topsoil on ripped profiled formation, incorporating peat free compost (Greenwaste to PAS100) and slow release fertiliser at 70gm/m2. 2litre pot grown/ 2yr crowns plant material planted at 7/m2. Beds finished with 50mm depth well composted 20/0 bark mulch.
Mixed herbaceous- Species to be confirmed.
Ornamental grasses- Species to be confirmed.

Turf to courtyard gardens
150mm deep site won topsoil/ imported topsoil on approved ripped formation (due to site construction activities). Formation laid to minimum falls to shed water. Supply and lay Rowllawn Medallion, or equal rye free turf. 3 cuts sward established, weed free prior to completion.

Amenity grass to entrance verges
150mm deep site won topsoil/ imported topsoil on approved ripped formation. Formation laid to minimum falls to shed water. Ameliorate with 100gm lime and 70gm slow release fertiliser/m2. 50g Germinall Landscaping Mixture A22 Low Maintenance seed mix at 50gm/m2. 3 cuts prior to completion (Cutting height 20-50mm).

Meadow grass to Ecozone
100mm depth site won/ imported approved clean free draining subsoil over prepared and profiled formation with Germinall (100% UK native wild flora mix) WFG4- Neutral Soils wildflower mix at 5gm/m2. 2/3 cuts depending on sowing time. Refer to Suppliers recommendations. Sward fully established prior to completion (40-70mm mowing height). Area to be protected by fencing until successful germination.

Land drainage to garden areas
Provision to be advised.

Establishment Maintenance Regime (per 12 month period)

Specimen trees- Check stability/underground guying 6 visits/ Fertiliser 1 visit/ Crown prune 1 visit/ Aeration 1 visit/ watering to field capacity in periods of drought, as required

Hedging- Hand weeding/spot treatment 6 visits/ fertiliser 1 visit/ trim to top and sides 1 visit/ light forking 1 visit/ residual herbicide 1 visit/ watering to field capacity in periods of drought as required/ top up bark mulch 1visit

Specimen shrubs- Check stability/underground guying 6 visits/ Fertiliser 1 visit/ Crown prune 1 visit/ Aeration 1 visit/ watering to field capacity in periods of drought, as required

Ground cover- Hand weeding and forking 8 visits/ fertiliser 1 visit/ pruning 1 visit/ forking 1 visit/ top up bark mulch 1 visit

Turf- Cuts (cut no lower than 35mm), including edging 18 visits/ fertiliser 2 visits/ selective herbicide 1 visit/ aeration 1 visit/ edging (with iron) water to field capacity as required in periods of drought

Amenity grass path to Ecozone- Cuts (cut no lower than 35mm), including edging 18 visits/ fertiliser 2 visits/ selective herbicide 1 visit/ aeration 1 visit/ edging (with iron) water to field capacity as required in periods of drought

Dry Meadow grass -Cuts 2 visits, including lift arisings/ selective spot treatment to remove pernicious weeds 2 visits

Site wide- Remove litter and debris 52 visits; Pavings- Remove weedgrowth from pavings 4 visits; Check and clean out footpath gullies 12 visits.

Metal fencing- metal fencing restrain 4 visits (report damage); Brick masonry boundary wall (Metal railings) 4 visits (report damage); Bench seating- clean down all surfaces- 4 visits (report damage);

Plant replacements- Joint inspection with contractor/client at end of growing season after completion to agree responsibility for replacement of all dead /failing plant material.

REVISION	NOTES	DATE	CHECKED
C	Updated to reflect Architect's site plan;	05/09/2017	JF
B	Updated to reflect Architect's site plan (rev 01);	18/08/2017	JF
A	Updated to reflect latest architect's site layout; specification and maintenance schedule added	31/05/2017	JF
-	First Issue	24/03/2017	JF

INFORMATION

OBARCS No5 LLP AND CPSC LIMITED
WARWICK STUDENT VILLAGE
LANDSCAPE LAYOUT

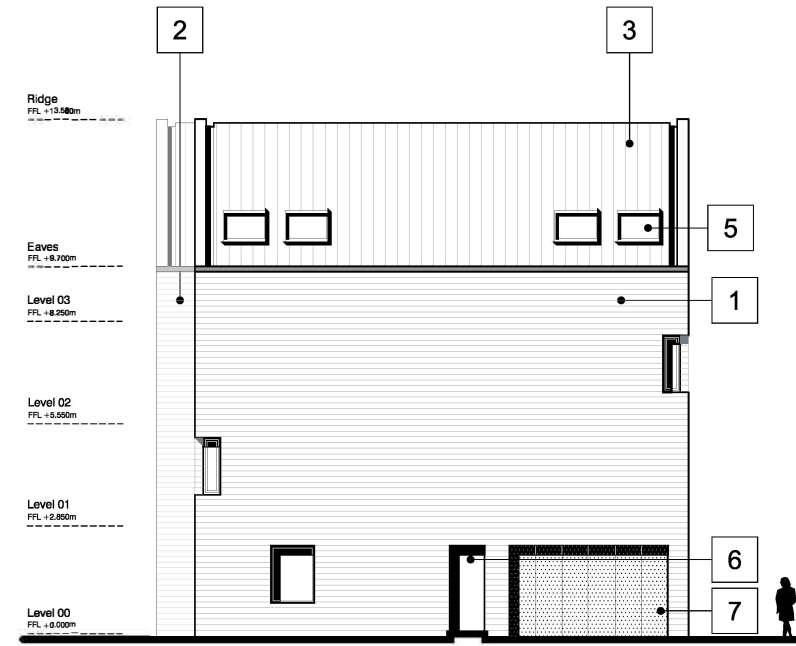
SCALE 1:500 @ A1
DRG NO: 2044 / 01

IAN WHITE ASSOCIATES LANDSCAPE ARCHITECTS
3A Forrest Road
Stirling, FK8 1JH
T: 01786 446444
F: 01786 446441
E: studio@iastirling.co.uk





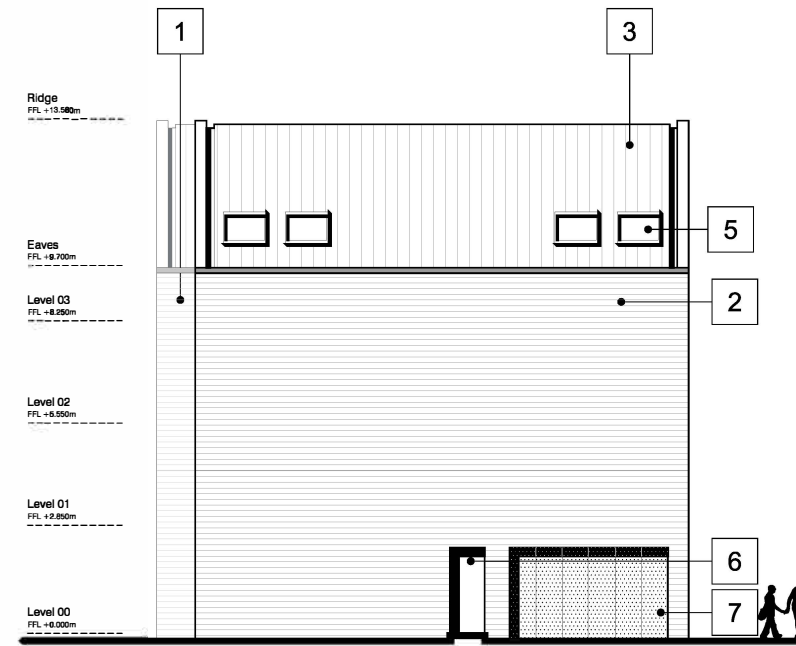
WEST ELEVATION



NORTH ELEVATION



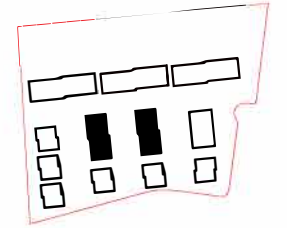
EAST ELEVATION



SOUTH ELEVATION

Notes

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KEY

- 1. Wienerberger Marziale
- 2. Wienerberger Pagus Grey
- 3. Marley Duo Modern Roof Tile - Smooth Grey
- 4. Openable window
- 5. Openable rooflight
- 6. Anodised aluminium doorset: dark grey
- 7. Perforated aluminium screen: dark grey

To be read in conjunction with drawings (20)022, (20)023 and (20)024.

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 LLP & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCKS 7 + 8 TYPICAL ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)025	P00

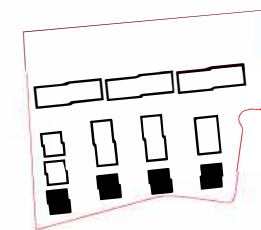
Status
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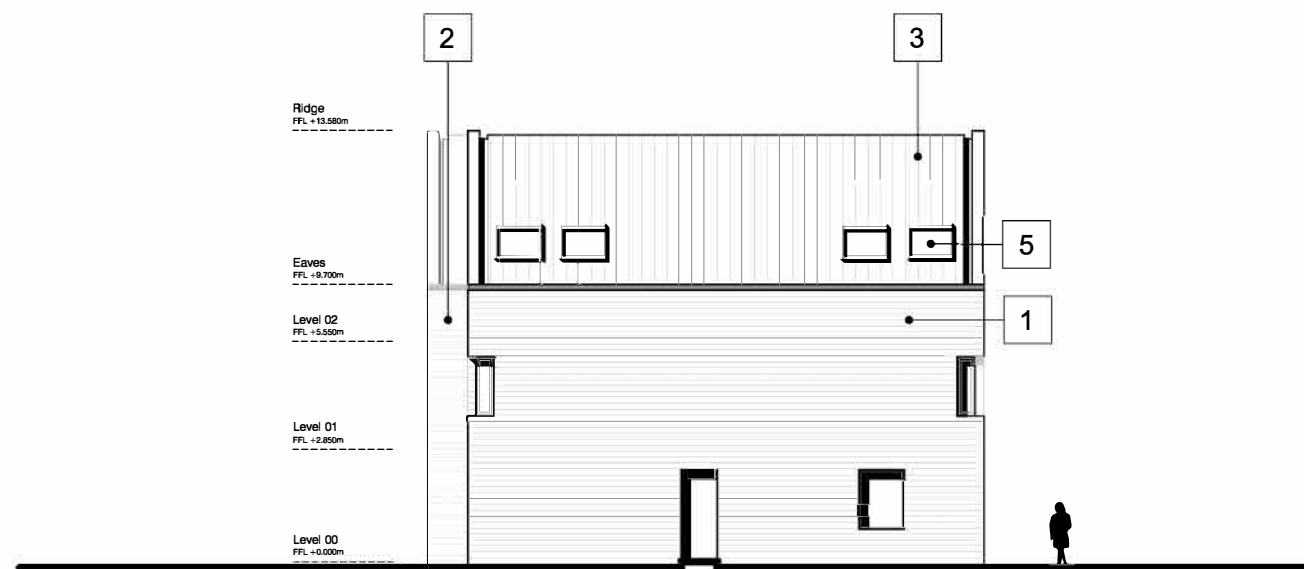
- KEY
1. Wienerberger Marziale
 2. Wienerberger Pagus Grey
 3. Marley Duo Modern Roof Tile - Smooth Grey
 4. Openable window
 5. Openable rooflight
 6. Anodised aluminium doorset: dark grey
 7. Perforated aluminium screen: dark grey

NB: Block 4 mirrored

To be read in conjunction with drawings (20)013 and (20)014.



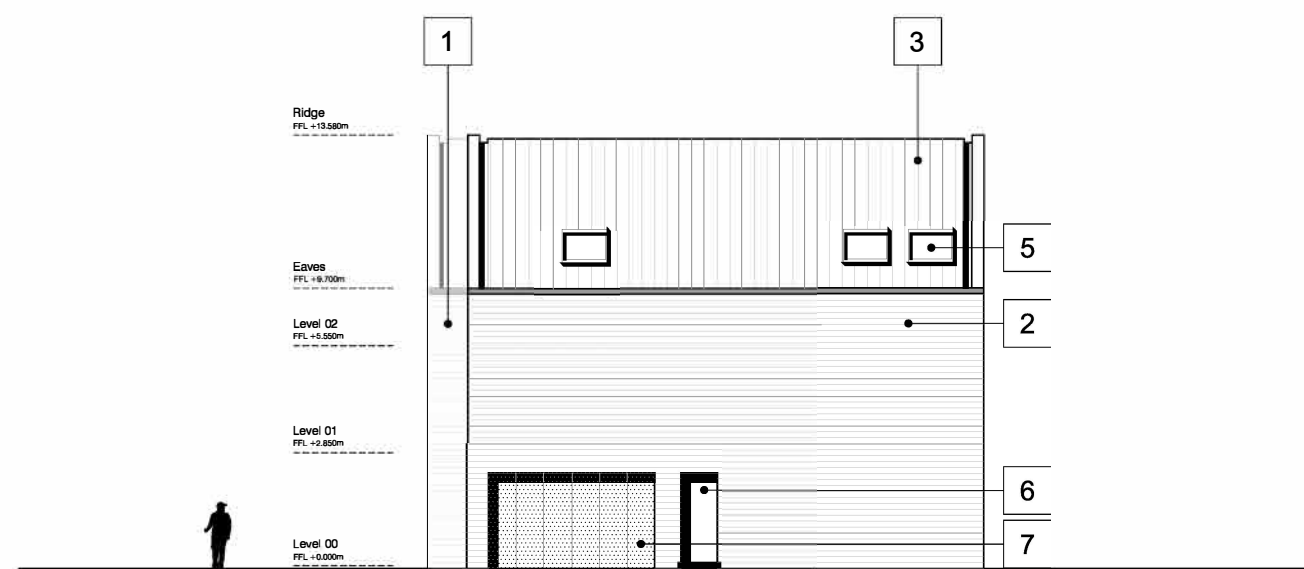
EAST ELEVATION



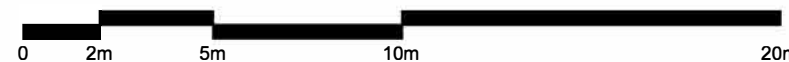
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



Rev No	Description	Date
P00	Issue to planning	08/09/17

Client
Obarcs No5 LLP & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCKS 1 - 4 TYPICAL ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

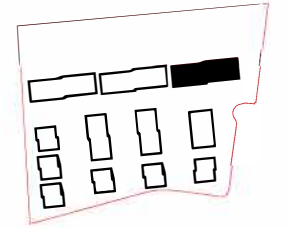
Project No.	Drawing No.	Rev.
160021	(20)015	P00

Status
PLANNING

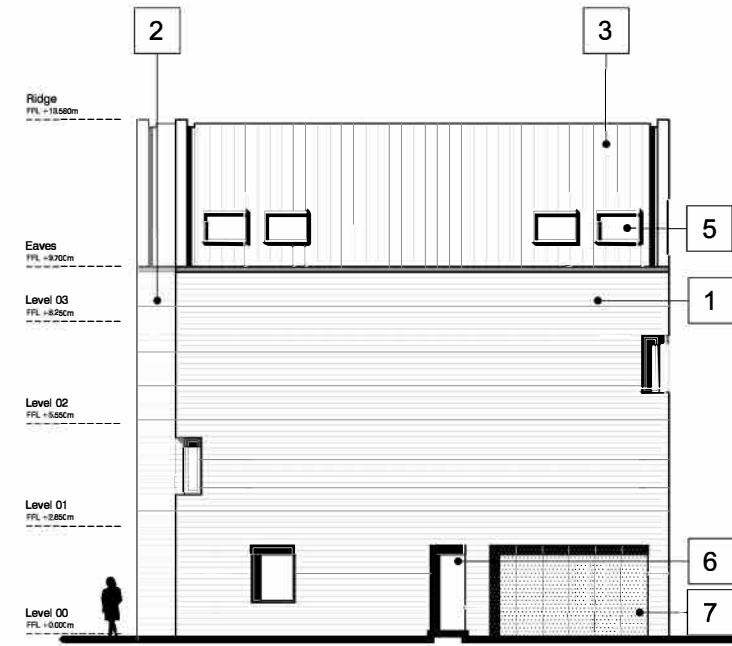
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SOUTH ELEVATION

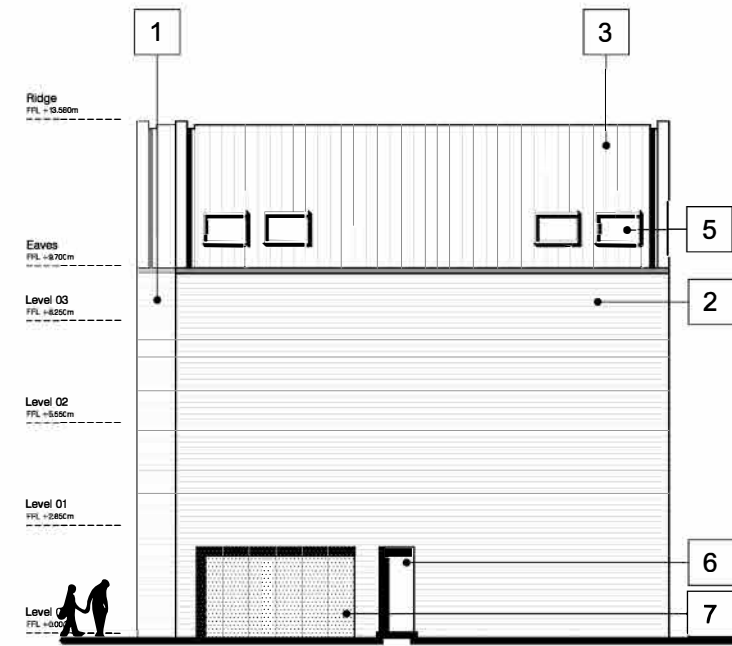


WEST ELEVATION

- KEY
1. Wienerberger Marziale
 2. Wienerberger Pagus Grey
 3. Marley Duo Modern Roof Tile - Smooth Grey
 4. Openable window
 5. Openable rooflight
 6. Anodised aluminium doorset: dark grey
 7. Perforated aluminium screen: dark grey
- To be read in conjunction with drawings (20)034, (20)035 and (20)036.



NORTH ELEVATION



EAST ELEVATION

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 Llp & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCK 11 ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)037	P00

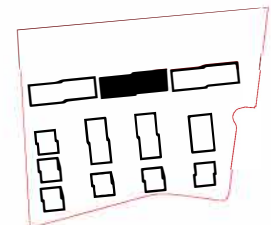
Status
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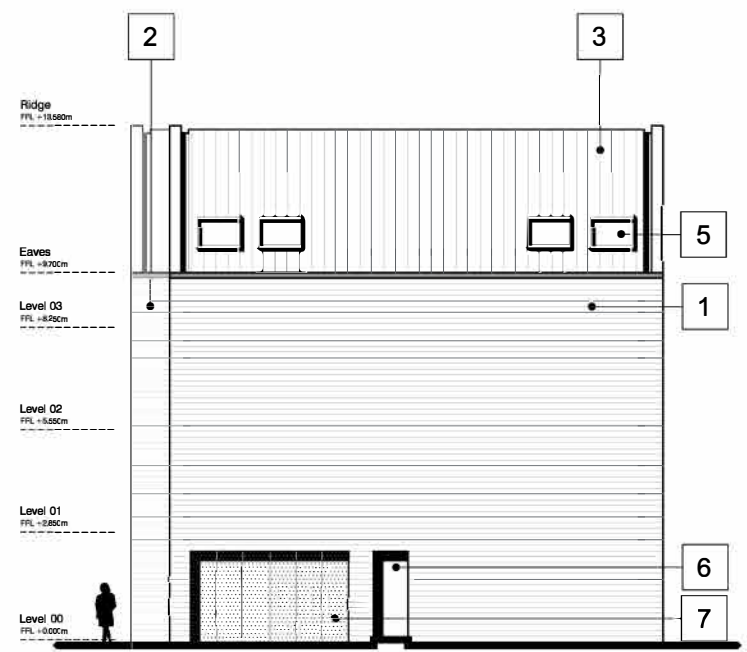
Notes
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- KEY
1. Wienerberger Marziale
 2. Wienerberger Pagus Grey
 3. Marley Duo Modern Roof Tile - Smooth Grey
 4. Openable window
 5. Openable rooflight
 6. Anodised aluminium doorset: dark grey
 7. Perforated aluminium screen: dark grey
- To be read in conjunction with drawings (20)030, (20)013 and (20)032.



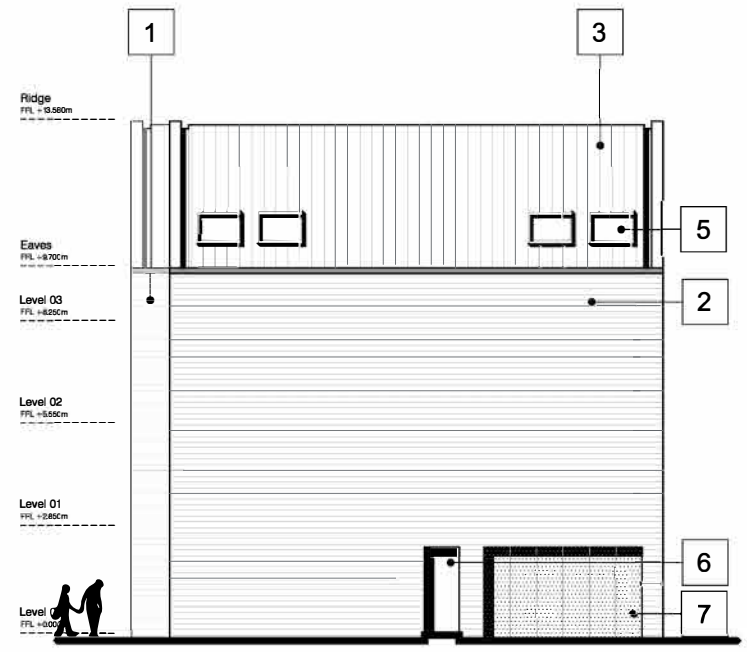
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 Llp & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCK 10 ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)033	P00

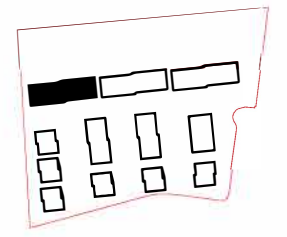
Status
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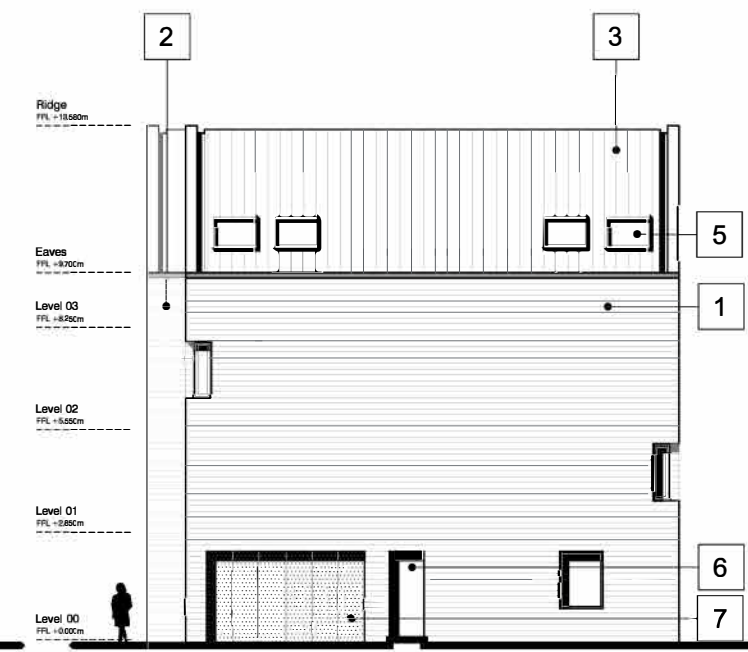
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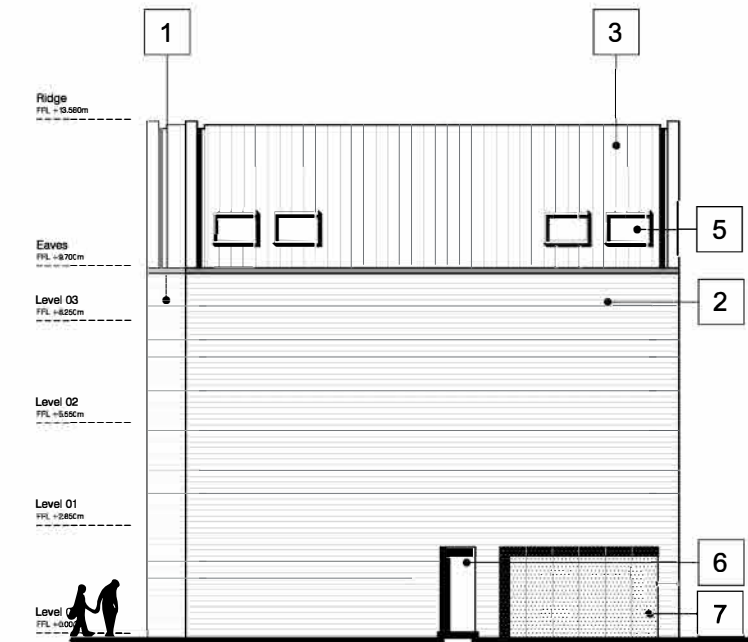
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

- KEY
1. Wienerberger Marziale
 2. Wienerberger Pagus Grey
 3. Marley Duo Modern Roof Tile - Smooth Grey
 4. Openable window
 5. Openable rooflight
 6. Anodised aluminium doorset: dark grey
 7. Perforated aluminium screen: dark grey
- To be read in conjunction with drawings (20)026, (20)027 and (20)028.

P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 Llp & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCK 9 ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)029	P00

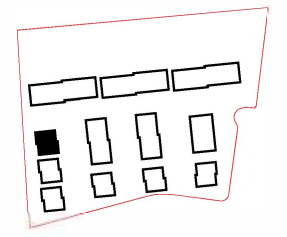
Status
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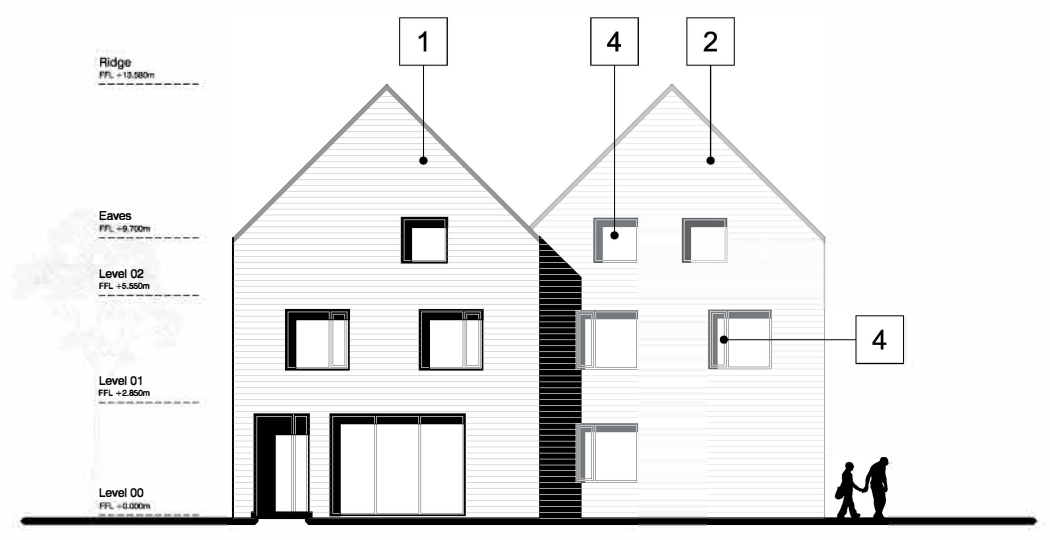
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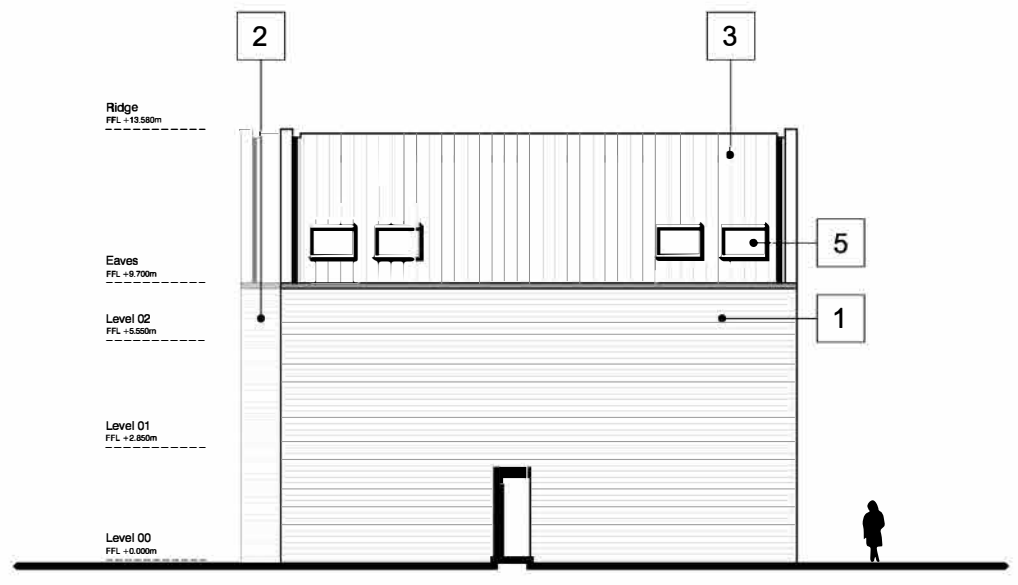
Notes
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- KEY
1. Wienerberger Marziale
 2. Wienerberger Pagus Grey
 3. Marley Duo Modern Roof Tile - Smooth Grey
 4. Openable window
 5. Openable rooflight
 6. Anodised aluminium doorset: dark grey
 7. Perforated aluminium screen: dark grey
- To be read in conjunction with drawings (20)016 and (20)017.



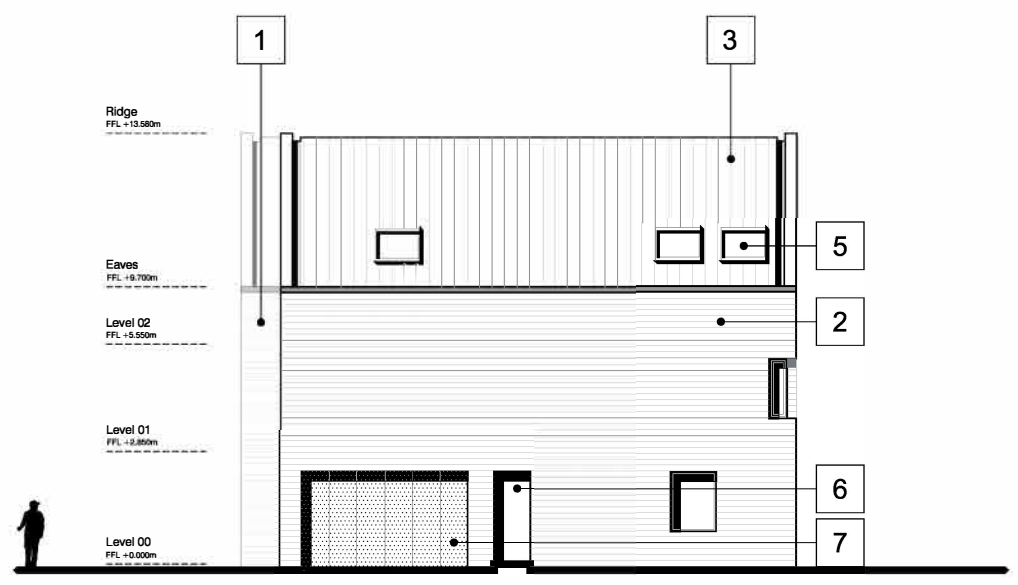
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



P00	Issue to planning	08/09/17
Rev No	Description	Date

Client
Obarcs No5 LLP & CPSC Limited

Project Title
WARWICK STUDENT VILLAGE

Drawing Title
BLOCK 6 ELEVATIONS

Scale	Size	Date	Drawn	Checked
1:200	A3	08/09/17	HR	MH

Project No.	Drawing No.	Rev.
160021	(20)021	P00

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PUBLIC

COMMITTEE REPORT

APPEAL PROGRESS REPORT

PURPOSE OF THE REPORT

The purpose of this report is to inform Members of appeals lodged and determined in the period 1st September 2017 to 31st October 2017.

RECOMMENDATION

That the report is noted.

INTRODUCTION

Members are requested to note the appeal decisions of either the Secretary of State or the relevant Inspector that has been appointed to determine appeals within the defined period.

In line with the parameters above the report sets out the main issues of the appeals and summarises the decisions. Where claims for costs are made and/or awarded, either for or against the Council, the decisions have been included within the report.

BACKGROUND INFORMATION

When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition then they could have appealed against the condition at the time it was originally imposed.

Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.

MONITORING

Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee. The lack of any monitoring could encourage actions that are contrary to the Council's decision,

possibly resulting in poor quality development and also costs being sought against the Council.

FINANCIAL & LEGAL CONSIDERATIONS

An appeal may be determined after a Public Inquiry, a Hearing or most commonly written representations. It is possible for cost applications to be made either by the appellants against the Council or vice versa if it is considered that either party has acted in an unreasonable way.

It is possible for decisions, made by Inspectors on appeal to be challenged through the courts. However, this is only if it is considered that an Inspector has erred in law, for instance by not considering a relevant issue or not following the correct procedure.

A decision cannot be challenged just because a party does not agree with it. A successful challenge would result in an Inspector having to make the decision again following the correct procedure. This may ultimately lead to the same decision being made.

It is possible for Inspectors to make a 'split' decision, where one part of an appeal is allowed but another part is dismissed.

SUMMARY OF APPEALS IN PERIOD OF 1 SEPTEMBER TO 31 OCTOBER 2017

No. APPEALS PENDING	20
No. APPEAL DECISIONS RECEIVED	10
No. ENFORCEMENT APPEALS LODGED	2
No. ENFORCEMENT APPEAL DECISIONS RECEIVED	2
No. OFFICER DECISIONS ALLOWED	0
No. MEMBER DECISIONS ALLOWED	2

Site Address:	18 The Riddings
Reference Number:	HH/2017/0771
Description:	Erection of two storey side and single storey side and rear extension and detached outbuilding
Decision Level:	Delegated
Decision:	Refused on 19/05/2017
Appeal Decision:	<i>Dismissed on 01/09/2017</i>

Summary of Decision

The main issue is the effect of the proposal on the character and appearance of the host building and surrounding area.

The Riddings is a quiet residential road containing bungalows, detached and semi-detached dwellings of varying style and character. Properties are set in reasonably

sized plots generally set back, although the semi-detached appeal property is located towards the front of the plot creating a sense of enclosure.

The proposed extension includes a double height side extension that would appear to double the width of the property. The Inspector recognises that the design would be in keeping with the host dwelling but considers the extension would appear as a prominent and bulky addition and would not appear subservient, unbalancing the semi-detached pair.

The appellant's view is that the unusual orientation would reduce its visual prominence but the Inspector considers that the two storey addition would introduce a discordant feature into the local townscape contrasting with the otherwise mostly consistent angle of dwellings to the road frontage.

The Inspector notes that the appellant has sought to design a scheme which retains the parking area in front of the dwelling but this does not outweigh the design concerns identified and he concludes that the proposal would have a detrimental effect on the character and appearance of the host building and surrounding area in conflict with Policies H4 and BE2.

Site Address:	20 Exminster Road
Reference Number:	FUL/2017/0205
Description:	Proposed three-bedroom dwelling on land adjacent to 20 Exminster Road
Decision Level:	Delegated
Decision:	Refusal on 20/03/2017
Appeal Decision:	<i>Dismissed on 05/09/2017</i>

Summary of Decision

The main issues are the effect of the proposal on the character and appearance of the area and whether the proposal would result in harm to highway safety with particular regards to the visibility splay proposed.

The Inspector notes that the residential properties on Exminster Road are set back giving the area a spacious character. No. 20 is one of the few detached houses in the area and given its position, close to and on a bend in the road, is in a prominent position within the street. The new dwelling would create a semi-detached property which would complement the prevalence of semi-detached houses in the area. The Inspector considers that the 'principle elevation of the dwelling would be narrower than No.20 and the dwelling would be within close proximity of the street, lacking the frontage that existing properties have. Together with the prominent position of the site, the development would appear overly dominant and incongruous, harmful to the spacious character of the area.' He notes that the new dwelling would occupy the existing garden to No.20 and concludes that the layout of the development would be harmful and in conflict with Policies H9, BE2 and H12 of the CDP and the NPPF.

With regard to highway safety, the Inspector notes that the new dwelling would intersect the 43m visibility splay required under the Manual for Streets at a point

that would have a material impact on a driver's visibility when exiting the site whereby drivers would need to pull out into the road to see if there is any oncoming traffic. In view of the width of the pavement which limits the space for vehicles and pedestrians and the additional restriction the bend in the road places on visibility, he consider the absence of a wide visibility splay would not be acceptable in this location and concludes that the visibility splay proposed would not provide a safe and suitable access in would therefore be in conflict with Policy AM22.

Site Address:	1 Aldrin Way
Reference Number:	FUL/2017/0518
Description:	Change of use to HMO with 8 bedrooms (sui generis) and erection of single storey rear and side extension and proposed new roof over garage area
Decision Level:	Planning Committee
Officer Recommendation:	To grant planning permission
Decision:	Refusal on 13/04/2017
Appeal Decision:	<i>Allowed on 27/09/2017</i>

Summary of Decision

The main issue is the effect of the proposed change of use to a HMO, on the living conditions of nearby neighbours in respect of noise and disturbance.

The appeal property is a bungalow located on Aldrin Way near to its junction with Bransford Avenue and occupies an extensive plot. The Inspector notes that there is demand for student accommodation due to the nearby campus of the University of Warwick and that the property has been occupied as a small HMO (Use Class C4). He appreciates that the pattern of activity within a HMO would be different to that associated with a family house and that a property occupied by 8 individuals would result in a more intense and varied pattern of development which could manifest in additional noise and disturbance for adjoining neighbours.

However, the Inspector concludes that as the property is physically detached from its neighbours with those at the front and rear fronting onto Bransford Avenue and the front access and driveway to No.1 being separated from No.3 with the communal areas being located away from the side gable of the closest property at No.3 that the potential areas of activity are enclosed or located away from nearby dwellings and therefore the use of the property as a HMO for 8 residents would not be harmful to the living conditions of nearby residents in respect of noise and disturbance and would not conflict with Policy H6 of the CDP.

The lack of off-street parking for the proposed use was raised by various third parties but the Council did not raise any concerns in this respect. The Inspector notes that the appeal site is near to bus stops and within walking distance of the University campus and Cannon Park Shopping Centre and as such the main parties agree that the appeal site is in a sustainable location.

Representations also show strong concern from some of the local community over the significant number of dwellings being occupied by students in the locality of the appeal site. However, the Inspector is not persuaded that the use of the appeal

property as a HMO would individually or cumulatively affect the character of the wider area.

The Inspector concludes that, 'having taken into account the submitted representations at the application and appeal stages, and all evidence before me, I fail to be persuaded that the objections raised, taken individually or collectively, outweigh my findings in relation to the main issue...[and] the appeal should be allowed.

Conditions are imposed relating to: time limit for commencing development; development to be carried out in accordance with approved plans; use of matching materials; no use to commence until cycle and bin storage areas provided; and restriction on number of residents to no more than 8.

Site Address:	79 Wyley Road
Reference Number:	FUL/2016/2274
Description:	Erection of two single storey dwelling units
Decision Level:	Delegated
Decision:	Refusal on 12/12/2016
Appeal Decision:	<i>Dismissed on 04/10/2017</i>

Summary of Decision

The main issues are the effect of the proposed development on: highway safety in respect of on-street parking provision; the character and appearance of the surrounding area; and the living conditions of the residents of 79 Wyley Road with regard to provision of outdoor amenity space.

In looking at highway safety the Inspector notes that the development would not have any provision for off-street parking and that future residents would be reliant on on-street parking. Although there are not formal parking restrictions most properties are reliant on on-street parking given its terraced nature which gives a high potential demand for parking. The addition of two dwellings would have the potential to generate additional demand for on-street parking and the Inspector considers this could result in a shortage of available space which in turn would have the potential for inconsiderate or obstructive parking which would have the potential to cause obstruction to traffic flow. He concludes on this issue that the proposed development would be likely to pose a risk to highway safety in respect of on-street parking provision, contrary to Policy AM22 of the CDP.

In looking at character and appearance the Inspector notes that the garden is unusual within the context of the area in that the rear area of land extends at right angles to the rest of the plot behind the rear gardens of several other properties. The dwelling would be small single storey units set within small plots and backland in nature, contrary to the existing pattern of development. However, the Inspector considers that the unusual size and shape of the site gives scope for introducing a different form of development from the norm and that their modest height and discrete nature would be appropriate in this particular location as they would not be clearly visible from public vantage points in terms of disrupting the general

character and appearance of the wider area and would accord with Policies BE2 and H12 of the CDP.

In terms of the impact of the development on living conditions, the garden for No.79 would be considerably smaller than existing and in comparison with others in the vicinity, but the Inspector considers the remaining space would still be usable and open enough for sitting out and would therefore not harm the living conditions of the residents of No.79 with regard to the provision of outdoor amenity space.

The Inspector concludes that although the proposal would not cause unacceptable harm to the character and appearance of the surrounding area or to the living conditions of the residents of No.79 with regard to the provision of outdoor amenity space, this does not deflect from his finding that the proposed development would be likely to pose a risk to highway safety in respect of on-street parking provision and therefore the appeal is dismissed.

Site Address:	103 and 105 Longfellow Road
Reference Number:	HH/2017/0333
Description:	Two storey rear extensions to both dwellings and single storey rear extension to 105 Longfellow Road
Decision Level:	Delegated
Decision:	Refusal on 30/03/2017
Appeal Decision:	<i>Dismissed on 05/10/2017</i>

Summary of Decision

The main issue is the effect of the proposal on the character and appearance of the area. No concerns were raised with regard to the extension to the rear of No.103 and the Inspector has dealt with the appeal on the basis of the concerns for No.105.

No.105 is a terraced property on the corner of Longfellow Road and Mellowdew Road with the rear elevation visible from Mellowdew Road. The proposal would extend the rear of No.105 with ground and first floor extension, the first floor being the full width of the property up to the roof's ridge. The Inspector considers such an extension would be disproportionately large compared to the scale of the existing property and would appear overly dominant and incongruous in the street and harmful to the open character of the corner.

The Inspector notes that there is already a large outbuilding visible from the street and this together with the existing single storey extension makes the site heavily developed. He considers that extending the property at first floor level would create an excessive amount of built development within the plot which would create a cramped form of development that would detract from the more open and spacious arrangement of buildings and extensions evident within the area. The Inspector concludes that the development would be harmful to the character and appearance of the area.

Site Address:	9 John Grace Street
Reference Number:	HH/2017/1008
Description:	Conversion of existing garage to ancillary accommodation existing house
Decision Level:	Delegated
Decision:	Refusal on 14/06/2017
Appeal Decision:	<i>Dismissed on 09/10/2017</i>

Summary of Decision

The main issues are the effect of the development on: the character and appearance of the area; and the living conditions of neighbouring residents and future occupiers.

The appeal property is a terraced property, which was formerly the end of terrace on a corner plot but a new house has been built adjoining No.9 and the original garden subdivided. The garage remains within the garden of No.9 but its former access to Hermits Croft has been incorporated into the garden of the new house.

The garage is constructed mainly of brick with a flat roof and the proposal is to convert this to living accommodation with windows facing towards the rear of No.9. The Inspector considers that this detached single storey unit would be out of place in the area which is typified by rows of two-storey terraced houses with rear gardens and that the changes to the appearance of the garage would be visible in the street scene and it would appear as a discordant feature which would have an adverse impact on the character of the area.

In looking at living conditions, the Inspector notes that the windows of the converted garage would face the main house giving views into the rear garden area and ground floor rooms of the neighbouring house. Although a fence is proposed he considers that such a high and dominant structure would present a poor outlook. Furthermore there would be views from the rear windows of the new house into the converted garage, particularly at first floor level and the Inspector considers that the new accommodation would be overlooked and there would be a lack of privacy for future occupiers. In regard to this matter the Inspector concludes that the development would have an adverse effect on the living conditions of neighbouring residents and future occupiers with regard to privacy and would not accord with Policies BE2, H9 and H12 of the CDP.

Site Address:	81 Far Gosford Street
Reference Number:	FUL/2016/2988
Description:	Installation of an ATM (retrospective) and external roller shutter
Decision Level:	Planning Committee
Officer Recommendation:	Refusal
Decision:	Refusal on 24/03/2017
Appeal Decision:	<i>Dismissed on 11/10/2017</i>

Summary of Decision

The appeal decision relates to two appeals; one against the Council's refusal to grant planning permission (Appeal B) and the other against the Council's decision to issue an enforcement notice (Appeal A).

The main issues are the same in both appeals; the effect of the development on the character and appearance of the Far Gosford Street Conservation Area; and whether the design and location of the ATM is such that it would be likely to compromise the safety and security of those using and servicing it.

The property is within the Far Gosford Street Conservation Area and is a single storey retail unit within a row of similar units which sit to the front of a late Georgian or early Victorian terraced row. The Inspector notes that whilst a number of unsympathetic additions have been made to the shop frontages the row maintains a good degree of symmetry and a number of original features are still in situ and it makes a positive contribution to the Conservation Area.

The Inspector considers that the development that has been undertaken is extremely unsympathetic. It is prominently located to one side of the central entrance door, disrupting the balanced proportions of the unit and represents additional clutter which fails to respect the traditional form and function of the retail unit. The Inspector considers that the roller shutter housing is prominent and does not reflect the original proportions of the shop front and the shutter door is constructed from galvanised metal which is a material unsympathetic to the traditional palette of timber framed windows. He notes that the roller shutter is contrary to the advice set out in the 'Design Guidance on Shopfronts for Conservation Areas and Historic Buildings' SPG and overall finds that the development has caused significant harm to the external appearance of the shopfront, the associated row and to the character and appearance of the Conservation Area and is contrary to the aims of Policy BE9 of the CDP.

Looking at crime and safety, the Inspector has serious concerns about the location of the ATM which is directly next to a dark and seemingly unlit alleyway. He finds the position of the alleyway an obvious cause for concerns and finds it difficult to conclude that any serious thought was given to the safety of those using the ATM before deciding to locate it in such a position. A revised plan proposed installation of a CCTV camera over the ATM but the Inspector was not clear how this would be monitored and moreover would not be able to detect or identify an individual situated within the recess of the alleyway. He is not satisfied that such measures would be sufficient to off-set the serious concerns related to the fundamental unsuitability of the location and concludes on this matter that the location of the ATM fails to provide a safe environment for those using the service, contrary to the aims of Policy BE21 of the CDP.

The Inspector concludes that 'the development has caused harm to the character and appearance of the Conservation Area. Whilst the harm is significant in terms of its effect on the individual unit it is less than substantial in the context of the heritage asset taken as a whole. Notwithstanding that point, having regard to the statutory duty to preserve or enhance conservation Area, the harm is a matter that attracts substantial weight. I have also identified significant concerns relating to crime and personal safety. The weight I attach to any economic benefit is limited

and accordingly that matter does not amount to a public benefit that outweighs the harm to the heritage asset and the other harm identified.

The appeal against the Council's refusal to grant planning permission (Appeal B) is dismissed and that appeal against the Council's decision to issue an enforcement notice (Appeal A) is dismissed and the enforcement notice is upheld.

Site Address:	230 Swan Lane
Reference Number:	ENF/2017/00016
Description:	The use of the land as a large house in multiple occupation (sui generis); and extensions and alterations to form roof enlargement to the rear north eastern facing and south eastern facing roof slopes, with associated elevational alterations
Appeal Decision:	<i>Dismissed on 16 March 2017</i>

Summary of Decision

The appeal is against an enforcement notice issued on 20/04/2017, the requirements of which are:

Permanently cease the unauthorised use of the Land as a large house in multiple occupation (sui generis) and restore the property to a single dwellinghouse of a similar layout to that which was in situ before the unauthorised change of use took place; permanently remove from the Land all facilities and equipment associated with the unauthorised use and permanently remove from the Land all building materials and waste arising from compliance with this requirement.

Demolish in their entirety the unauthorised extensions and alterations forming the roof enlargement; reinstate the northeastern facing and southeastern facing roof slopes of the building to a size and appearance similar to that which was in situ before the unauthorised development took place using facing and roof materials similar to those used predominantly on the original building; reinstate the elevations of the building to an appearance similar to that which was in situ before the unauthorised development took place using facing materials similar to those used predominantly on the original building; and permanently remove from the land all building materials and waste arising from compliance with this requirement.

The period for compliance is six calendar months.

The inspector considers the main issues of the appeal under Ground A to be: the effect of the extensions and alterations on the character and appearance of the property and the surrounding area; the effect of the extensions and alterations on the living conditions of residents of No.232 Swan Lane with respect of visual impact and loss of light; and the effect of the conversion to a large HMO on the living conditions of neighbouring residents with particular regard to matters of noise and disturbance and additional demand for on-street parking.

Looking at character and appearance of the area, the Inspector considers that 'having regard to its materials, dimensions, height and profile, the extension represents an unsympathetic addition that contrast with, and causes harm to, the character of the original building and the adjacent row. The harm is emphasised by the prominent location at the corner of Swan Lane and Heath Road' and concludes

that the development represents poor design and should be refused as it is contrary to Policies H4 and BE2 of the CDP.

In looking at the effect of the extension on No.232 Swan Lane, the Inspector notes that this property has a rear facing bedroom window close to the boundary and that the development will appear extremely oppressive when viewed from this window and the rear yard. On this matter he concludes that the overbearing impact would have a harmful effect on the living conditions of No.232.

Although the appellant has referred to the HMO as being for 7 people, the property contains 8 bedrooms and a HMO licence has been granted on the basis of occupation by no more than 9 residents. On the basis of this information the Inspector considers the impact based on a level of occupancy of 8 people. He recognises that the property could be occupied by up to 6 people under Class C4 but finds a material difference between occupation by up to 6 people and occupation by 8 or 9 individuals. The property is in an area of tightly packed terraced houses and the Inspector considers that the increased use resulting from additional residents is likely to have an adverse effect on those living nearby in terms of additional noise and disturbance and concludes that this is 'precisely the kind of terraced property that policy H6 seeks to avoid being used as a HMO. It is likely that the use of the property has and would continue to cause harm to the living conditions of neighbouring residents, contrary to the aims of the policy and the requirements of Policy EM5 of the CDP.'

The Inspector concludes that 'the extension to the property has caused harm to the character and appearance of the area and to the living conditions of the residents of the adjacent property at No.232 as a result of its overbearing impact and effect on outlook. It is difficult to segregate the effects of the operational development from the effects of the use. The use of the property as an 8 bedroom HMO has only been made possible as a result of the extension. Without that unacceptable and harmful addition it is unlikely that the property could accommodate more than 6 people. That, of itself, is an indication that the original property was of a scale that was unsuited to the use proposed. Taking account of the size of the dwelling, its proximity to other dwellings and the tightly packed nature of the surrounding street pattern I also conclude that the property is not of sufficient size to accommodate the number of occupants without having unacceptable impacts on the living conditions of neighbouring residents by way of noise and disturbance.'

Site Address:	34 Cannon Hill Road
Reference Number:	FUL/2017/0623
Description:	Erection of two storey side extension, change of use from a single dwelling to a house in multiple occupation (Sui Generis) and a detached single storey storage building
Decision Level:	Planning Committee
Officer Recommendation:	To grant planning permission
Decision:	Refusal on 25/04/2017
Appeal Decision:	<i>Allowed on 16/10/2017</i>

Summary of Decision

The main issues are the effect of the proposal on: the living conditions of neighbouring occupants with particular reference to noise and disturbance; highway safety; and the character and appearance of the surrounding area.

The appeal site is a large detached property in a residential. No.36 has been subject to an allowed appeal for a change of use to a house in multiple occupation. The Inspector notes that an important consideration in this case is a fall-back position which allows the property to be occupied by up to 6 people. In this light the proposal would add two more occupants.

During his site visit the Inspector notes that No.34 is a large detached property with larger rear garden and that taking into account the separation distances involved and the relatively minor increase in occupants proposed, he concludes that the proposal would not lead to a material increase in noise and disturbance, which is reinforced by the absence of any substantive evidence of noise and disturbance at No.36 which has been operating as a HMO for 8 occupants.

Policy H6 requires HMOs to be considered on the basis of cumulative impact on amenity. Beyond No.36, no other HMO properties within the vicinity are drawn to the Inspectors attention and in the light of this and generous sizes of No.34 and No.36 he cannot conclude that the proposal would lead to a cumulatively harmful effect on amenity.

Looking at highway safety, concern is raised that the parking proposed is insufficient and that on-street parking would increase within the vicinity of the site, near a school and at a t bend in the road. The proposal would be served by two off street parking spaces and covered storage for six bicycles.

The Inspector notes that the on-street parking reduces the width of Cannon Hill road and that on-street parking is likely to increase in the early evening. However, the fall-back position allows the property to be occupied by up to 6 people and the Inspector does not consider that the addition of two occupants at the property is likely to lead to a material increase in the need for vehicular parking spaces. Furthermore, he comments that the site occupies an accessible location in relation to bus services and the University and that no objection has been raised by the Highway Authority and that no substantive evidence is provided to demonstrate that any additional on street parking associated with the proposal would have a detrimental effect on highway safety.

In looking at the impact on the character and appearance of the area, the Inspector noted that the HMO at No.36 was not visually distinguishable from surrounding residential properties so could not conclude that the proposal would have a cumulatively harmful effect on the character of the surrounding area.

Concerns were raised regarding the ability of the Council to ensure that conditions could be complied with but the Inspector see no reason to conclude that the Council would be unable to enforce them. The creation of additional bedrooms would require consent. The Inspector is clear that the appeal has been considered

on its own merits and concludes that the appeal should be allowed with conditions relating to: restricted timescale for implementation; development to be carried out in accordance with plans; residents management plan to be submitted prior to occupation; premises shall not be occupied by more than 8 residents; parking spaces shall be kept available for use; no occupation until cycle storage provided; construction materials to be similar to existing; and no occupation until bin storage provided.

An application for the award of costs is partly allowed

The National Planning Practice Guidance (PPG) advises that irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

The appellant contends that the Council have demonstrated unreasonable behaviour by not taking into account a recent and similar appeal decision at the adjacent site not the professional advice provided by its officers. In addition, the appellant contends that the reasons for refusal were broad and general and not based on sound planning reasons.

The Council did not provide a response to the cost claim, but the Inspector is satisfied that the Council have a reasoned basis for concern regarding noise and disturbance in the light of Policy H6. He is also satisfied that it was a legitimate part of the Council’s duty to take into account public representation and based on the proximity of the site to the primary school the Council had a reasoned basis for refusal regarding car parking in the locality.

However, the Inspector concludes that there was no substantive reasoning or evidence put forward by the Council to defend the reason for refusal relating to cumulative effect of the proposal on the character of the area. No concerns were raised regarding the effect of the two storey extension and the bins store would be located at the rear of the site. In the Inspectors view, the Council behaved unreasonably by not providing sufficient justification or evidence in relation to its reason for refusal relating to the cumulative effect of the proposal on the character of the residential area and as a result the appellant has incurred unnecessary and wasted cost in having to contend this reason for refusal.

Site Address:	71-73 Rochester Road
Reference Number:	FUL/2016/2994
Description:	Change of use from residential elderly care home to House in Multiple Occupation (two cluster flats with 21 bedrooms) with minor external alterations
Decision Level:	Delegated
Decision:	Refusal on
Appeal Decision:	<i>Dismissed on 17/10/2017</i>

Summary of Decision

The main issues are the effect of the proposal on highway safety and the effect on the living conditions of neighbouring residents with respect to noise and disturbance.

Beechwood House is located on the corner of Rochester Road and Ravencragg Road. To the front of the property is hardstanding which can accommodate no more than three cars. In addition to this there is one space in front of the site on Rochester Road and a number alongside the site in Ravencragg Road. The Inspector notes that at peak times Rochester Road is heavily parked with few spaces remaining close to the site.

The accommodation would be managed by Warwick University and the appellant suggests it could limit occupation of the building, but in the Inspectors view there would be no way to control the number of cars based at the site. The Inspector considers that the proposal would be likely to generate peaks in parking demand at the same time as the neighbouring houses when on-street capacity is at its lowest and although he notes that parking standards in the emerging Local Plan in relation to student accommodation and care homes, on the basis of the evidence before him, he considers the proposal would lead to a considerable increase in the pressure for on-street parking close to the site.

The Inspector summarises that 'due to its poor accessibility from the University and the city centre, the development would lead to significant increase in traffic generated by the site. This would result in an increase in on-street parking close to the site, to the extent that the free flow of traffic would be inhibited and highway safety adversely affected' failing to accord with Policy AM22 of the CDP.

Looking at living conditions, the Inspector notes that the proposal would accommodate considerably younger and more mobile occupants than presently and it is likely that there would be more comings and goings than present and likely later at night. In the Inspectors view the noise from comings and goings from a greater number of vehicles than at present and possibly later at night would be likely to cause unacceptable noise and disturbance to neighbouring occupiers, contrary to Policies H6 and EM5 of the CDP.

Site Address:	17 Grafton Street
Reference Number:	FUL/2017/0814
Description:	Change of use to seven-bedroom HMO and erection of rear roof dormer (retrospective)
Decision Level:	Delegated
Decision:	Refusal on 25/05/2017
Appeal Decision:	<i>Dismissed on 18/10/2017</i>

Summary of Decision

The main issues are the effect of the development on: the character and appearance of the area; and the living conditions of occupiers of neighbouring properties in terms of outlook, noise and disturbance.

The appeal property is in a row of terraced houses with two storey outriggers. The rear dormer is L-shaped and occupies much of the roof space of the main roof and outrigger roof. The Inspector considers the lack of set back from the eaves and end gable of the outrigger means that the dormer window effectively forms a third storey when seen from the rear which results in very large and overly dominant addition to the roof that is not subservient.

The appellant argues that a dormer constructed as permitted development would have a similar visual effect but the Inspector gives little weight to this argument as a fall back position and concludes on this issue that the development in terms of the rear dormer has an adverse effect on the character and appearance of the area, contrary to Policies H4 and BE2 of the CDP.

In looking at living conditions, the Inspector notes that the dormer has a negative impact on the outlook from windows at the rear of 15 Grafton Street.

In looking at the use of the property as a HMO, the appellant argues that the fall back position would allow the property to be occupied by up to 6 residents without planning permission. The Inspector recognises that the use of a property by seven unrelated occupants is likely to generate a greater variety of movements and noises than the use of a property occupied by a single family of up to the same number of people due to the likely differences in daily activities between the two uses. However, he takes into account the fall back position of six unrelated occupants and considers the difference in noise and disturbance between six and seven people is likely to be limited and insufficient to make a difference to the living conditions of occupiers of neighbouring properties in terms of noise and disturbance.

On this issue the Inspector concludes that 'the change of use to a seven-bedroom HMO results in an acceptable effect on the living conditions of occupiers of neighbouring properties in terms of noise and disturbance' and would accord with Policy H6 of the CDP.

He concludes that 'while the change of use to a seven-bedroom HMO results in an acceptable effect on the living conditions of occupiers of neighbouring properties in terms of noise and disturbance, the rear dormer causes adverse effects on the character and appearance of the area and the living conditions of occupiers of 15 Grafton Street in terms of outlook. For the above reasons, and having regard to all matters raised, I conclude the appeal should be dismissed.'

PLANNING APPEAL PROGRESS REPORT – SUMMARY TABLE

CURRENT APPEALS LODGED

Application Reference & Site Address	Case Officer	Type	Appellant	Proposal	Progress & Dates
FUL/2016/2506 <i>75-77 Albany Road</i>	<i>Shamim Chowdhury</i>	Written Representations	Mr Murphy	Change of use to A1 retail (retrospective application)	Lodged date: 25/04/2017 Start date: 20/09/2017 Questionnaire/ Statement: 18/10/2017
FUL/2017/0563 <i>215 The Farmhouse Beechwood Avenue</i>	<i>Anne Lynch</i>	Written Representations	Mr Mohammed	Retention of existing marquee on a temporary basis for 2 years	Lodged date: 12/06/2017 Start date: 11/09/2017 Questionnaire/ Statement: 22/09/2017
FUL/2017/0745 <i>27 Camden Street</i>	<i>Anne Lynch</i>	Written Representations	Mr Tee	Retention of storage buildings, fencing and hard surfacing	Lodged date: 29/06/2017 Awaiting start date
LDCP/2017/0762 <i>27 Camden Street</i>	<i>Anne Lynch</i>	Written Representations	Mr Tee	Lawful development certificate for use of the land for general storage of vehicles and materials and ancillary repair of stored vehicles	Lodged date: 29/06/2017 Awaiting start date
FUL/2017/0077 <i>1 Empire Road</i>	<i>Anne Lynch</i>	Written Representations	Mr Singer Garagelets	Provision of 32 replacement domestic garages	Lodged date: 01/07/2017 Start date: 10/08/2017 Questionnaire/ Statement: 16/08/2017

ADV/2017/0790 219-237 Foleshill Road	<i>Nigel Smith</i>	Written Representations	Mr Page	Erection of 48-sheet LED advertising display measuring 6m by 3m	Lodged date: 03/07/2017 Start date: 05/09/2017 Questionnaire/ Statement: 12/09/2017
FUL/2017/0498 12 Milton Street	<i>Anne Lynch</i>	Written Representations	Mr Fordham	Erection of detached house	Lodged date: 25/07/2017 Start date: 08/09/2017 Questionnaire/ Statement: 22/09/2017
FUL/2017/0619 389 Green Lane	<i>Liam D'Onofrio</i>	Written Representations	Mr Thadwal	Erection of new dwelling adjoining 389 Green Lane	Lodged date: 10/08/2017 Start date: 10/10/2017 Questionnaire Statement: 17/10/2017
FUL/2017/1007 657 Stoney Stanton Road	<i>Nigel Smith</i>	Written Representations	Mr Shah	Change of use of ground floor from residential to butchers shop (A1) and erection of outbuilding, external staircase and two storey rear extension and installation of rear dormer window. First floor to be a flat.	Lodged date: 12/08/2017 Start date: 02/10/2017 Questionnaire/ Statement: 09/10/2017
S73/2017/1184 New Century Park Allard Way	<i>Anne Lynch</i>	Hearing	Mr Goodwin	Variation of condition 22 (to enable occupation of 200 units prior to completion of Copsewood Grange and Lodge) : imposed on application reference OUT/2012/0888 for phase II development for up to 329 residential units	Lodged date: 21/08/2017 Start date: 10/10/2017
HH/2017/0939 216 Lythalls Lane	<i>Rebecca Grant</i>	Written Representations	Mr Aujla	Erection of detached garage/ garden store	Lodged date: 26/08/2017 Awaiting start date
FUL/2017/1451 59 Clay Lane	<i>Shamim Chowdhury</i>	Written Representations	Mr Ramzan	Change of use from retail shop (use class A1) to hot food takeaway (use class A5) and installation of external extraction flue	Lodged date: 30/08/2017 Start date: 05/10/2017 Questionnaire/ Statement: 12/10/2017

FUL/2017/0442 12 Wren Street	<i>Liam D'Onofrio</i>	Written Representations	Mr Earp	Change of use from a dwellinghouse (C3 Use) to 6 independent bedsits (Retrospective)	Lodged date: 18/09/2017 Awaiting start date
FUL/2017/1685 37 Heath Crescent	<i>Shamim Chowdhury</i>	Written Representations	Mr Kismet	Change of use of ground floor from retail (Use Class A1) to hot food takeaway (Use Class A5)	Lodged date: 20/09/2017 Awaiting start date
FUL/2017/0212 83 Kirby Road	<i>Andrew Cornfoot</i>	Written Representations	Stone and Stone Property Ltd	Erection of first floor rear extension and new external staircase to create two one-bedroom flats (Use Class C3) and minor elevational alterations to existing flats	Lodged date: 25/09/2017 Awaiting start date
TP/2017/1984 3 Staircase Lane	<i>Robert Penlington</i>	Written Representations	Cowle	Works to TPO Tree – Oak – Remove all dead wood from the tree and cut back overgrown branches that are encroaching on the house to a distance of 4 metres from the front of the property	Lodged date: 09/10/2017 Awaiting start date
HH/2017/1318 4 Sylvan Drive	<i>Alan Lynch</i>	Written Representations	Dr Ahmed	Erection of rear and side extensions with dormer and alterations	Lodged date: 09/10/2017 Awaiting start date
FUL/2017/0952 <i>Aylesford Intermediate Care Centre</i> Aylesford Road	<i>Nigel Smith</i>	Written Representations	Mr Patel Aylesford Coventry Limited	Demolition of former care centre and erection of 189 beds student accommodation	Lodged date: 11/10/2017 Awaiting start date
TEL/2017/0713 <i>The Painted Lady</i> Longfellow Road	<i>Rebecca Grant</i>	Written Representations	Cornerstone Telecommunications	Application for prior notification of proposed development by telecommunications code system operators	Lodged date: 11/10/2017 Awaiting start date
HH/2017/0018 11 Stoneleigh Road	<i>Shamim Chowdhury</i>	Written Representations	MR Seth	Erection of two sets of gates and railings	Lodged date: 23/10/2017 Awaiting start date

APPEAL DECISIONS RECEIVED

Application Reference Site Address	Case Officer	Type	Appellant	Proposal	Appeal Decision & date
HH/2017/0771 18 The Riddings	Shamim Chowdhury	Written Representations	Mr Bassnett	Erection of two storey side and single storey side and rear extension and detached outbuilding	Decision : DISMISSED 01/09/2017 Decision type: <i>Delegated</i>
FUL/2017/0205 20 Exminster Road	Liam D'Onofrio	Written Representations	Mr Holcroft	Proposed three-bedroom dwelling on land adjacent to 20 Exminster Road	Decision : DISMISSED 05/09/2017 Decision type: <i>Delegated</i>
FUL/2017/0518 1 Aldrin Way	Liam D'Onofrio	Written Representations	MRs Zhang	Change of use to HMO with 8 bedrooms (sui generis) and erection of single storey rear and side extension and proposed new roof over garage area	Decision : ALLOWED 27/09/2017 Decision type: <i>Planning Committee</i>
FUL/2016/2274 79 Wyley Road	Nigel Smith	Written Representations	MRs Rai	Erection of two single store dwelling units	Decision : DISMISSED 04/10/2017 Decision type: <i>Delegated</i>
HH/2017/0333 103 and 105 Longfellow Road	Andrew Cornfoot	Written Representations	Mr Singh	Two storey rear extensions to both dwellings and single storey rear extension to 105 Longfellow Road	Decision : DISMISSED 05/10/2017 Decision type: <i>Delegated</i>
HH/2017/1008 9 John Grace Street	Alan Lynch	Written Representations	Mr Wanis	Conversion of existing garage to ancillary accommodation existing house	Decision : DISMISSED 09/10/2017 Decision type: <i>Delegated</i>
FUL/2016/2988 81 Far Gosford Street	Andrew Cornfoot	Written Representations	Cardtronics UK Ltd	Installation of an ATM (retrospective) and external roller shutter	Decision : DISMISSED 11/10/2017 Decision type: <i>Planning Committee</i>

FUL/2017/0623 34 Cannon Hill Road	<i>Rebecca Grant</i>	Written Representations	Mr Kaung	Erection of two storey side extension, change of use from a single dwelling to a house in multiple occupation (Sui Generis) and a detached single storey storage building	Decision : ALLOWED 16/10/2017 Decision type: <i>Planning Committee</i> An application for the award of costs was ALLOWED IN PART
FUL/2016/2994 71-73 Rochester Road	<i>Nigel Smith</i>	Written Representations	Mr & Mrs Peggs	Change of use from residential elderly car home to House in Multiple Occupation (two cluster flats with 21 bedrooms) with minor external alterations	Decision : DISMISSED 17/10/2017 Decision type: <i>Delegated</i>
FUL/2017/0814 17 Grafton Street	<i>Anne Lynch</i>	Written Representations	Mr Yunis	Change of use to seven-bedroom HMO and erection of rear roof dormer (retrospective)	Decision : DISMISSED 18/10/2017 Decision type: <i>Delegated</i>

ENFORCEMENT APPEAL DECISIONS RECEIVED

Ref. and site address	Case Officer	Type	Appellant	Works	Decision and date
ENF/2017/00016 230 Swan Lane	Marcus Fothergill	WR	MR O P Fan	The use of the land as a large house in multiple occupation (sui generis); and extensions and alterations to form roof enlargement to the rear north eastern facing and south eastern facing roof slopes, with associated elevational alterations	Enforcement notice upheld 11/10/2017
ENF/2017/00017 81 Far Gosford Street	Marcus Fothergill	WR	Cardtronics UK Ltd	Installation of an Automated Teller Machine (ATM) and external roller shutter and associated shutter box to the front, south eastern facing elevation of the building fronting onto Far Gosford Street	Enforcement notice upheld 11/10/2017

Note: WR – Written Representations

IH – Informal Hearing

PI – Public Inquiry

HAS – Householder Appeals Service

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