

7<sup>th</sup> February 2014

## **PLANNING COMMITTEE - 19<sup>TH</sup> FEBRUARY 2014**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 19<sup>th</sup> February 2014 in the Council Chamber, Town Hall, Rugby.

Andrew Gabbitas  
Executive Director

***Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

### **A G E N D A**

#### **PART 1 – PUBLIC BUSINESS**

1. Minutes.  
To confirm the minutes of the meeting held on 29<sup>th</sup> January 2014.
2. Apologies.  
To receive apologies for absence from the meeting.
3. Declarations of Interest.  
To receive declarations of –
  - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
  - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
  - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
6. Delegated Decisions – 10<sup>th</sup> January 2014 to 30<sup>th</sup> January 2014.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

***Any additional papers for this meeting can be accessed via the website.***

The Reports of Officers (Ref. PLN 2013/14 – 15) are attached.

### **Membership of the Committee:-**

Councillors Ms Robbins (Chairman), Mrs Avis, Butlin, Cranham, G Francis, M Francis, Mrs New, Pacey-Day, Sandison, Srivastava, Helen Walton and M Walton.

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic and Scrutiny Services Officer (01788 533524 or e-mail [claire.waleczek@rugby.gov.uk](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic and Scrutiny Services Officer named above.*

*The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website ([www.rugby.gov.uk/speakingatplanning](http://www.rugby.gov.uk/speakingatplanning)).*

**RUGBY BOROUGH COUNCIL  
PLANNING COMMITTEE – 19<sup>TH</sup> FEBRUARY 2014  
REPORT OF THE HEAD OF PLANNING AND CULTURE  
APPLICATIONS FOR CONSIDERATION**

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Planning applications for consideration by Committee are set out as follows:

- (i) applications recommended for refusal with the reason(s) for refusal (pink pages)
- (ii) applications recommended for approval with suggested conditions (yellow pages).

**RECOMMENDATION**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for Refusal

There are no applications recommended for refusal to be considered.

### Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
1	R13/2322	61 Ratliffe Road, Rugby Single storey rear extension. Single-storey garage to front.	3
2	R13/2118	The Heathfield, 10 Bilton Lane, Rugby, CV22 6PT Outline permission for the erection of 3no. 2-storey dwellings, together with associated works (all matters reserved).	10
3	R13/1169	Ambulance Station, Brownsover Lane, Rugby, CV21 1HY Erection of 29 dwellings with associated access, parking, landscaping and works.	19
4	R14/0142	42 Lime Tree Avenue, Rugby, CV22 7QT Demolition of existing bungalow and garage and erection of two storey dwelling. Variation of condition 2 of R13/0375 to amend siting of dwelling in relation to neighbouring properties.	35
5	R13/2227	2 Ridge Drive, Rugby Conversion of existing double garage to ancillary habitable accommodation.	42

**Reference number: R13/2322**

**Site address: 61 Ratliffe Road, Rugby**

**Description: Single storey rear extension. Single-storey garage to front.**

**Case Officer Name & Number: Nigel Reeves – 01788 533629**

### **Site Description**

No.61 Ratliffe Road is a detached brick built bungalow which is sited within the Rugby Urban Area. It comprises one of a number of similar properties grouped around the end of Ratliffe Road, which is a cul de sac. There is public footpath from the end of Ratliffe Road leading to Overslade Manor Drive, which runs alongside the side boundary of the application property. The rear gardens of the application property, plus a number of other bungalows on Ratliffe Road, back onto the highway verge running alongside Overslade Manor Drive.

A number of two-storey detached properties are located in Rochberie Road to the north as well as in Overslade Manor Drive to the south-west, which are located in a well landscaped setting. There are a significant number of mature trees plus some more recent planting along the verges on each side of Overslade Manor Drive.

The existing garden to the rear of the application property slopes gradually downhill to Overslade Manor Drive. The rear garden has been subdivided by a close boarded fence. There are a number of small fruit trees in this garden.

### **Proposal Description**

Planning permission is now sought for following:

- the erection of a single-storey extension to the rear of the existing bungalow and garage extending to 7.0m to the rear. The extensions will be constructed in bricks and tiles to match the existing. The development will retain the existing flat roofed garage, but this is proposed to be converted into a separate utility room. The extension will comprise a pitched roof set with its ridge line set at 90 degrees to the ridge line on the existing bungalow (measuring 2.5m in height to the eaves and 4.6m to the ridge), and will contain an open-plan kitchen and living room.
- A single-storey garage will be located in the front garden accessed off the existing driveway from Ratliffe Road and measuring 2.2m in height to the eaves and 3.8m to the ridge, with a pyramidal roof design.

The application has been amended during the course of its consideration and the proposed rear access onto Overslade Manor Drive, the triple garage in the rear garden and a significantly larger side and rear extensions have been deleted from the proposal.

### **Relevant Planning History**

Planning permission was refused for the erection of a new one and a half storey dwelling, with access from Overslade Manor Drive, in May 2012 (R11/2425). The refusal was on the grounds of its impact on the character and appearance of the area and impact on residential amenity due to potential overlooking of adjoining properties from first-floor rooflights in the proposed dwelling.

The subsequent appeal (APP/E3715/A/12/2184609) was dismissed in April 2013.

## Technical Consultation Responses

WCC Highways – no objection to amended plans. The proposed garage would result in a tight space for the manoeuvring of vehicles, however the highway authority would not require vehicles to leave in a forward gear (they do not do so at present).

WCC Ecology – no objection subject to informative that care is needed when removing any roof slates on the existing roof to check if any bats are present.

WCC Tree Officer – some trees have recently been planted further down Overslade Manor Drive and there are plans to plant further trees in the section of verge adjacent to the application site. This section is devoid of tree cover compared to the rest of this road, and additional planting would maintain the continuity of tree cover. Planting is intended to be carried out in Nov/Dec 2014.

## Third Party Responses

Councillors – Representations received from Councillors Avis and Sandison raising the following concerns:

- there is no reason why extensions to and the existing bungalow needs a rear access onto Overslade Manor Drive, unless the intention is to turn the side and rear extensions into a separate dwelling in the future and to achieve an outcome that was previously attempted in the earlier refused application.
- the size of the extensions double the size of the existing property and are not subordinate to the main property. They are massive in footprint area, will dominate the neighbouring properties and be out of keeping with adjacent properties
- this leads to the conclusion that the future intention is for the structure to become two separate semi-detached dwellings for onward sale
- the current application is a subtle attempt to circumvent the will of Rugby Borough Council and local planning controls and should be refused

Neighbours – 33 letters of objection to the originally submitted proposal (containing the proposed access onto Overslade Manor Drive and substantially larger extensions):

- plans are very sketchy and show no proper detail
- very concerned about proposals to cross the existing verge in Overslade Manor Drive – out of character with surroundings
- would set precedent for other householders in Ratcliffe Road and would be difficult to resist applications for similar accesses from these properties onto Overslade Manor Drive
- access will be adjacent to public footpath linking Ratcliffe Rd and Overslade Manor Drive, which is well used by children and parents going to school, dog walkers etc – this will lead to increased danger
- will double the footprint of the existing house
- access crosses verge in RBC ownership – question whether correct ownership certificate has been submitted with application
- verge is not highway verge but is adopted by RBC – it is an important landscape amenity that benefits the area – its loss would be detrimental
- the new garage and access in the rear garden would cause additional hard surfacing and visual intrusion
- Design of proposed extension is poor and would be an incongruous feature in the streetscene
- Vehicle access should be from Ratcliffe Rd
- Highway danger – access is close to bend in road with poor visibility and where parking occurs – young children also often play in this area
- 61 Ratcliffe Rd already has sufficient parking on frontage – no need for additional access/garage
- Similar proposal has already been refused
- Loss of green areas and vegetation which help to absorb rainwater
- Extension is very large and out of character with other buildings in the area

- Application property is around 1.4m higher than our property – the proposed extension being so close to the boundary would lead to overshadowing and shading of our garden
- Concerns that rear garden and proposed garage would be used for commercial purposes – noise and disturbance could result
- Further surface water run-off onto our property may result
- Proposed extension is too close to footpath making it very dark

2 letters of representation regarding the amended plans making the following points:

- amended plans have fully addressed my previous concerns
- whilst the extension is still larger than I would like it does give all parties most of what they want
- the proposal still doubles the size of the property without shading too much of our garden
- our main objection to the proposed access from Overslade Manor Drive has been removed from the scheme. This will allow some tree planting along this part of the verge

Mark Pawsey MP has also written to the Borough Council supporting the concerns of local constituents regarding this proposal.

## **Relevant Planning Policies and Guidance**

### Core Strategy

CS16 Sustainable Design

### Saved Local Plan Policies

E6 Biodiversity

T5 Parking Facilities

### Other Documents

Planning Obligations SPD

Sustainable Design and Construction SPD

### National Policy

National Planning Policy Framework (NPPF)

## **Assessment of Proposals**

In the assessment of this application, the determining factors are:

- the impact of the proposed development on the qualities,
- effect on the character and amenity of the area,
- the impact on the amenity of neighbouring properties,
- the impact on protected species, and,
- the impact on parking provision/highway safety.

### Impact on the Qualities, Character and Amenity of the Area

Part 7 of the NPPF (Requiring Good Design) emphasises the importance of good design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Similarly, the Sustainable Design and Construction SPD states that the siting, size and design of an extension must not dominate the existing building and should be sympathetic with and appear subservient to the original dwelling.

The proposed extension has been significantly reduced in size from a depth of 12.3m (overall) to a depth of 7.0m. It has also been reduced on its northern side, so that it now lines up with the existing side wall of the bungalow, rather than projecting closer to the side boundary, which is also considered to be important to prevent an over-dominant impact on such a long length of public footpath. As a result of

the amendments, the rear wall of the proposed extension will now project only 0.3m beyond the rear wall of a similar sized rear extension at No. 59 Ratliffe Road that was permitted in 2005 (R05/0686).

The design of the revised proposal will now appear to be more in keeping and will not now dominate the original dwelling. It will also be constructed in bricks and tiles to provide a proper match. The introduction of a gabled roof onto the proposed rear extension, mirrors the design found on the recently built rear extension at No. 59.

The proposal has also been amended to provide a garage in the front garden, removing the potential need for a rear access off Overslade Manor Drive (as previously proposed). The garage walls are set inside the boundary by 400mm and is only slightly higher than the adjacent boundary fence. The combined effect of its positioning and the pyramidal roof design, is to reduce any potential over-bearing impact on the users of the adjacent footpath. Some smaller ornamental trees will be lost, but these are not of a quality or size to warrant their retention.

It is therefore considered that the proposed development represents an acceptable quality of design that will not have an adverse impact on the qualities, character and amenity of the area in accordance with Part 7 of the NPPF, Policy CS16 of the Core Strategy and the Sustainable Design and Construction SPD.

#### Impact Upon the Amenity of Neighbouring Properties

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The closest property to the proposed extension is No.59 Ratliffe Road. Whilst this neighbouring property has no windows on its side elevation facing toward the application site, it has a rear facing patio window serving a bedroom within relatively close proximity to the shared boundary. Having conducted the 45 degree guideline assessment from the centre point of this window (which was not breached by the proposed extension) it is not considered that it will have a significant impact on this property by reason of an overbearing or overshadowing impact or loss of privacy.

Nos. 1 and 2 Rocheberie Road are positioned to the north of the application property, separated by a public footpath. They are sited at a slightly lower level and their rear elevations face the application property. The nearest part of the proposed rear extension as amended (the north-west corner) will be positioned at a distance of 22m from the rear wall of No.1 and 23m from the rear wall of No.2. This separation distance in conjunction with hedgerows in these gardens and the existing 2.0m high close-boarded fences running along both sides of the footpath, will prevent the proposal having an over-bearing impact on these properties.

The proposed garage will be sited at a distance of 12m from the rear elevation of No. 52 Ratliffe Road, which is a bungalow. This separation distance coupled with the existing 2.0m high close-boarded fence running along both sides of the footpath, will prevent the proposal having an over-bearing impact on this property.

It is therefore concluded that the proposed development (as amended) will not cause a significant loss of amenity to neighbouring properties in accordance with the relevant section of Policy CS16.

#### Impact on Protected Species

Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things. In addition, Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. The County Ecologist has raised no objection to the application, subject to the inclusion of a precautionary note that care must be taken when removing any tiles from the existing roof to check for the presence of any bats as well as to avoid works that would cause disturbance to nesting birds.

It is therefore considered that the proposed development will not have an adverse impact on biodiversity in accordance with Part 11 of the NPPF and Saved Local Plan Policy E6.

#### Impact on Parking and Highway Safety

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development. The application dwelling is a 3-bed unit and as such the SPD states that two parking spaces should be provided within the site.

There is at least 3 parking spaces plus a garage space on the site frontage. Although the existing garage will be converted, this will be replaced by a new garage in the front garden. Sufficient parking provision will still be available within the application site – 1 garage space plus 3 parking spaces on the driveway - following the construction of the development.

The proposal therefore complies with the contents of Saved Local Plan Policy T5 and the contents of the Planning Obligations SPD.

#### Other Matters

The originally submitted plans indicated a proposed access from the rear garden onto Overslade Manor Road, across the existing highway verge. This is a D classification road and is thus not considered to be classified as a highway for planning purposes (Classes A – C).

As a result, planning permission would not be required to create a new access under Schedule 2, Part 2 (Minor Operations) Class B of the T&CP (General Permitted Development) Order 1995 which allows the formation, laying out and construction of a means of access to a highway, which is not a trunk road or a classified road, where that access is required in connection with development permitted by any other class in this Schedule (apart from Part 2 Class A – construction of gates, walls, fences and other means of enclosure).

The originally submitted plans also indicated a proposed triple garage in the rear garden, which is accessed via the above. Provided that; no part of this building exceeds 2.5m in height (as it is positioned within 2.0m from the curtilage boundary), it is not located on land forward of the principal elevation of the dwelling and the total amount of ground covered by all buildings is not more than 50% of the total area of the curtilage (plus other minor criteria), then the proposal could be built as 'permitted development' under Schedule 2, Part 1, Class E of the 2008 amendment to the above order. This is also subject to the proviso that the building is for a purpose incidental to the enjoyment of the dwelling-house as such (i.e. it could not be used as a separate unit of residential accommodation).

This opinion has been confirmed by the Council's solicitor.

The views and concerns of local residents regarding the precedent that would be created and the impact on the existing landscape features in the locality, by the creation of a new access across this road, are noted. The introduction of a new access would start to fragment the existing verge and thus would have a detrimental impact on the character and appearance of the locality. Technically though, the local planning authority has no control over these works and instead separate consent for works within any part of the highway (including the provision of a new access across this verge) is required from the highway authority – Warwickshire County Council.

Warwickshire County Council raised no objection about this on highway safety grounds, but it is understood they do have certain additional amenity criteria regarding the acceptability of new highway accesses.

Rugby Borough Council have identified this verge for future tree planting works during the 2014/2015 planting season, to maintain the continuity of tree cover along Overslade Manor Drive, which is currently very extensive and contributes to the character of the area. The area of verge to the rear of Nos.59 and

61 is more open and only contains one tree in a fairly poor condition. The presence of future tree planting proposals within this verge may carry some weight in a future decision by Warwickshire County Council, if a request to create a new access is made in the future.

**Conclusion:**

The latest amendments to the scheme reducing the size of the proposed extension and re-locating the garage to the front garden using the existing vehicular access off Ratliffe Road, has overcome earlier concerns about the excessive size of the proposed extension and its impact on the character of the locality and residential amenity.

**Recommendation:**

Approve subject to appropriate conditions.

**DRAFT DECISION**

**APPLICATION NUMBER**

R13/2322

**DATE VALID**

16/12/2013

**ADDRESS OF DEVELOPMENT**

61 Ratliffe Road  
Rugby  
CV22 6HB

**APPLICANT/AGENT**

Mrs Beverley Bates  
Beverley Bates  
25 Main Road  
Kilsby  
Rugby  
Northamptonshire  
CV23 8XR  
On behalf of Mrs Linda Reynolds

**APPLICATION DESCRIPTION**

Single storey rear extension. Single-storey garage to front.

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

**CONDITION 1:**

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

**REASON:**

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

**CONDITION 2:**

The facing materials to be used on the external walls and roof of the extension and garage shall be of the same type, colour and texture as those used on the existing dwelling.

**REASON:**

In the interest of visual amenity.

**CONDITION 3:**

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

5/47/13 Rev A received by the LPA on 15/1/2014

2/47/13 Rev A received by the LPA on 15/1/2014  
4/47/13 Rev A received by the LPA on 15/1/2014  
1/47/13  
3/47/13

**REASON:**

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**INFORMATIVE 1:**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works.

Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible.

N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE 2:**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**Reference number: R13/2118**

**Site address: The Heathfield, 10 Bilton Lane, Rugby, CV22 6PT**

**Description: Outline permission for the erection of 3no. 2-storey dwellings, together with associated works (all matters reserved)**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Description of proposed development**

The application seeks outline permission with all matters reserved for the erection of 3no. detached 2-storey dwellings together with associated works. The proposed development also seeks to retain and existing outbuilding to serve plot 3.

### **Description of Site**

The site occupies a corner plot location along Bilton Lane, located within Dunchurch with is identified with the Core Strategy as a Main Rural Settlement. The site currently comprises of a detached bungalow with access off Bilton Lane, with a detached garage. Along the western and southern boundaries of the site is a mature deciduous hedgerow, and along the northern boundary of the site with the neighbouring property 10a Bilton Lane is a 2.5m high conifer hedgerow. The immediate area is a suburban estate comprising of properties of varying styles and types with the neighbouring property no. 6 a detached bungalow.

### **Third Party Comments**

Neighbours Objections (6)

- Not in keeping with the rural environment and landscape of this part of Dunchurch
- With dominant to neighbouring bungalow of 10a Bilton Lane
- Obscures views and light into the windows within the side elevation of 10a Bilton Lane facing to application site
- Alternative would be two or three bungalows
- The dwelling house (The Coach House) referred to within Design and Access statement is located at the opposite end of Bilton Lane, and a considerable distance from the proposed development and as such not relevant to the immediate vicinity of The Heathfield
- Will be dominant and overwhelming
- The pseudo-period facades and general style would be at odds with the character of all the surround properties and visually inappropriate
- Overlook the garden and patio area of No. 12 Bilton Lane.
- Unacceptable loss of privacy
- Out of keeping with adjacent properties being: Numbers 15, 17, 10a, 10b, 6a all of which are bungalows
- Dwarf surrounding properties
- The 3 drives which would carry a minimum of 6 vehicles would exist onto a blind corner.
- Cramped development
- Intrusive and unattractive

Dunchurch Parish Council

The Parish Councillors are concerned that the proposed properties would be an over development of the site. We feel that bungalows would be a more suitable solution. We are also aware of the concerns of the neighbours with regard to such a large development of this plot.

### **Third Party Comments on amendments (objections 5)**

- The elevation of the proposals is inconsistent, adjacent properties are bungalows in character and lend themselves to no loss of light and intrusion of privacy.
- there will be no chance of turning within the drive unless the drives themselves are extended by at least ten metres into the site.
- The minor changes noted to the roof line in the recent plan re-submission suggest a cavalier attitude on the part of the architects to the genuine concerns raised over this planning application.
- Amendments do not address concerns raised
- Minor cosmetic changes to the design have no effect on previous comments

### **Technical Consultation Responses**

WCC Highways                      no objection subject to conditions relating to the construction of the vehicular access

Severn Trent                      no objection

Environmental Service            no objection subject to conditions relating to an asbestos survey being required

WCC Ecology                      no objection (following submission of bat survey) subject to informative

WCC Archaeology                no objection    unlikely to have a significant archaeological impact.

### **Relevant planning policies/guidance**

RBC Local Development Framework

#### Core Strategy

CS1 – Development Strategy	complies
CS16 – Sustainable Development	complies
CS19 – Affordable Housing	complies
CS20 – Local Housing Needs	complies

#### Saved Polices of the Local Plan 2006

E6 – Biodiversity	complies
T5 – Parking Facilities	complies

### **Assessment of proposal**

#### Principle of development

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference. CS1 states “It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy.” Dunchurch is identified as a Main Rural Settlement by Core Strategy policy CS1. Development is therefore permitted within the village boundaries but local housing needs are prioritised over market housing. Local housing needs are covered by Core Strategy policy CS20 which sets out a presumption in favour of local housing

needs development in Main Rural Settlements where it is proven to meet the identified needs of local people. The policy sets out the criteria against which a local connection for those claiming to be in housing need will be established and seeks to ensure that the occupancy of such development will remain available to eligible local people in perpetuity. It is explained in paragraph 9.16 of the Core Strategy that evidence of local housing need will be identified in a Housing Needs Survey produced by the local community or the Borough Council. A report of a study into the local housing need across a range of affordable housing tenures for Dunchurch Residents was produced by Midlands Rural Housing in October 2011. The study identifies an immediate (those with a need within 2 years) need of six local housing need dwellings (3 x 2 bed social rented, 2 x 2 bed shared ownership and 1 x sheltered housing unit) in Dunchurch for those with a local connection. The local need identified by this survey is proposed to be met through development elsewhere within the village and as such there is no longer a need to meet this identified local need. In any respect, given the small scale nature of the development and the site, meeting these local need targets would threaten the financial viability of the scheme. Policy CS20 supports this approach by stating that in circumstances where the provision of these requirements is likely to threaten the financial viability of a development scheme, the Council will consider a reduced provision.

Core Strategy policy CS19 sets out a target affordable housing provision of 40% on sites exceeding 1ha in size or capable of accommodating 30 or more dwellings. The proposed development is less than 0.5ha and 15 dwellings as such no affordable housing target would be required from this development.

It is therefore considered that market housing is acceptable on this site and therefore the principle of development complies with policy CS1, CS19 and CS20.

#### Visual amenity

The pattern of development within the immediate area comprises of a mixture of housing types and designs. Given that this is an outline application with all matters reserved including appearance; the main issue for consideration is whether 2-storey detached dwellings would be in keeping with the immediate area. The site occupies a corner plot location, from the indicative scheme submitted illustrates that a scale and form of development is achievable based on a 2-storey format dropping to 1½ storey in elements with the dwelling closest to the neighbouring bungalow being that of a dormer arrangement. This would respect the scale and character of the surrounding area and surrounding properties.

The provision of 3 no. 2-storey dwelling houses on the application site is considered acceptable and would be capable of siting comfortably within the streetscene and would not have an adverse impact upon the character and appearance of the area in accordance policy CS16 of the Core Strategy, subject to reserve matters being submitted in respect to appearance.

#### Residential amenity

In terms of residential amenity, policy CS16 seeks to ensure that development does not have a materially harmful impact upon the amenities of neighbouring properties.

#### No. 10a Bilton Lane

This neighbouring property is sited to the north of the application site. The boundary treatment along this northern boundary includes a 2.5m high conifer hedgerow. The proposed dwelling closest to this neighbouring property would be 1 metre from the boundary and 5 metres from this neighbouring dwelling house.

The proposed indicative scheme submitted has been amended, with the scale, massing and design of the dwelling house (plot 3) close to this neighbouring property shown as been reduced to a dormer arrangement (eaves height 4 metres, ridge height 7 metres).

This neighbouring property has expressed concerns upon the scheme as amended relating to the loss of light to side facing windows which serve the kitchen and dining area. This kitchen is served by an additional north facing window. The dining area is accessed from the lounge through an open archway and as such an element of natural light would serve this dining area from the rear of the property.

Taking the above into consideration, that being, the amended scheme and the sources of natural light serving the dining area and kitchen, together with the orientation of the application site, it is considered that for most of the daylight hours, light would still be retained within the dining area and kitchen of the neighbouring property.

The design of the proposed dwelling (plot 3) with its low eaves height and hipped roof is such that it would not appear overbearing or unduly dominant.

As such it is considered that the proposed development would not have an adverse impact upon the amenities of this neighbouring property.

#### No. 12 to 16 Bilton Lane

The proposed dwelling would be sited approximately 19 metres from the rear boundary. Taking into account the distance of the proposed dwellings to the rear boundary and the mature screening along this boundary it is not considered that the proposed development would have an adverse impact upon these neighbouring properties in terms of overlooking.

It is therefore considered that the proposed development would not have an adverse impact upon the amenities of these neighbouring properties in accordance with policy CS16.

#### Access and parking

The proposal seeks to utilise the existing access to serve one of the plots and form to additional accesses off Bilton Lane to serve the two remaining plots. Whilst the application is outline only and details relating to access are reserved, WCC Highways have no objection to the proposed development subject to conditions.

For the purposes of assessing car parking standards the application site is within an area of low access as set out with the Council's Planning Obligation SPD Appendix two. This SPD stipulates that for residential dwellings of 4 bedrooms or more, the minimum car parking standards required is 3 car parking spaces. Each dwelling would have five bedrooms with an integrated garage and on-site parking on the drive for two further cars. The proposed therefore complies with the car parking stands as set out within the SPD.

#### Biodiversity.

Following the submission of a Protected Species Report it is considered that the proposed development would not impact upon protected species or habitats in accordance with saved policy E6.

#### **Recommendation**

Approval subject to conditions.

**APPLICATION NUMBER**

R13/2118

**DATE VALID**

18/12/2013

**ADDRESS OF DEVELOPMENT**

The Heathfield  
10 Bilton Lane  
Dunchurch  
Rugby  
CV22 6PT

**APPLICANT/AGENT**

Hb Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH  
On behalf of Mr Martin Hackley

**APPLICATION DESCRIPTION**

Outline permission for the erection of 3no. 2-storey dwellings, together with associated works (all matters reserved)

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

**CONDITION 1:**

Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**REASON**

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

**CONDITION 2:**

The development hereby permitted must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**REASON:**

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

**CONDITION 3:**

Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout,
- b - Scale,
- c - Appearance,
- d - Landscaping
- e - Access

**REASON:**

To ensure that the details of the development are acceptable to the Local Planning Authority.

**CONDITION: 4**

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Amended Site Plan dwg. No. 72.13.06A received by the LPA on the 7th January 2014

Site Location Plan Dwg. No. 72.13.01

**REASON:**

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

**CONDITION 5:**

The details required to be submitted in accordance with Condition 3(c) above shall include full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

**CONDITION 6:**

The details required to be submitted in accordance with Condition 3(d) above shall include full details of all proposed hard and soft landscaping. The approved hard landscaping shall be carried out concurrently with the construction of the proposed dwelling and completed prior to its occupation. The approved soft landscaping shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, or becomes in the opinion of the LPA seriously damaged or defective, another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

**REASON:**

To ensure the proper development of the site and in the interest of visual amenity.

**CONDITION 7:**

The details required to be submitted in accordance with Condition 3(d) above shall include details of the proposed treatment of the site boundaries, including details of any proposed walls, fences or other means of enclosure. The agreed details shall be

implemented concurrently with the construction of the dwelling and completed prior to its occupation.

**REASON:**

To ensure the details of the development are satisfactory to the Local Planning Authority in the interests of the amenities of the immediate locality.

**CONDITION 8:**

The details required to be submitted in accordance with Condition 3(a) above shall include details of the proposed accommodation for car parking which shall be provided in accordance with the agreed details prior to occupation of the dwelling and shall be retained permanently for the accommodation of vehicles of persons residing in or calling at the property and shall not be used for any other purpose.

**REASON:**

In order to ensure that satisfactory parking and access arrangements are maintained within the site.

**CONDITION 9:**

The vehicular access to the site shall not be used until it has been constructed to include the following requirements all of which are specified in 'Transport and Roads for Developments - The Warwickshire Guide 2001 (published by Warwickshire County Council).

A) A minimum width of 3.0 metres for a single access and 5.0 metres for a shared access; with a gradient not steeper than 1 in 10 and hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway carriageway.

B) Gates and barriers opening into the site and not being placed within the vehicular access any closer than 5.5 metres from the near edge of the highway carriageway.

C) Visibility splays for vehicles having been provided with an 'x' distance of 2.4 metres and 'y' distances of 25 metres as measured from the centre of the access. No structure, erection, trees or shrubs exceeding 0.9 metres in height shall be placed, allowed to grow or be maintained within the visibility splays so defined.

D) The access not reducing the effective capacity of any highway drain, and not allowing surface water to run off the site onto the highway.

**REASON:**

In the interest of highway safety.

**CONDITION 10:**

No development shall commence unless and until details of Dust Mitigation Measures have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interest of health and safety.

**INFORMATIVE 1:**

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday - Friday - 7.30 a.m. - 18.00 p.m.,

Saturday - 8.30 a.m. - 13.00 p.m.

No work on Sundays & Bank Holidays.

**INFORMATIVE 2:**

Bats can be found in many buildings, even those that initially appear to be unsuitable or have been subject to a bat survey and found no evidence. Therefore if any evidence of bats is found on site, work should stop while a bat survey is carried out by an experienced bat worker, and any recommendations made following the survey are undertaken. It should also be noted that as bats are a mobile species and can move into a property with potential access at any time. If the works are not undertaken within two years of the date of the survey (by May 2015), an additional survey may be required to ascertain if bats have started to utilise the features in the meantime. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000, and are also deemed a European Protected Species.

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

Consideration should be given to the provision of suitable bat and bird boxes within the new build or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to loss of roost, nest and foraging sites as a result of development. However a variety of bat and bird species use boxes and they can be particularly useful in the urban environment, where natural nesting places can be scarce. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use.

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or berry/fruit producing species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**Reference number: R13/1169**

**Site address: Ambulance Station, Brownsover Lane, Rugby, CV21 1HY**

**Description: Erection of 29 dwellings with associated access, parking, landscaping and works.**

**Case Officer Name & Number: Karen McCulloch, 01788 533623**

**Description of site**

This application relates to the former ambulance station which is located on Brownsover Lane, outside of the Conservation Area. The ambulance station is a sui generis use.

The ambulance station building is a mostly single storey building with a taller two storey central section and is centrally located in the site. There are areas of hard surfaced parking and manoeuvring areas around the building.

The application site slopes down towards the south and west resulting in Brownsover Lane being at a higher level than the building and hard surfaced areas.

The site is surrounded by palisade fencing, however this is not located on the side or rear boundaries of the site. Areas of landscaping which fall within the site are outside of this fencing. There are many mature trees located within these areas and between the hard surfaced areas and the palisade fencing. These provide a screen and reduce the prominence of the site. There are also mature trees on the site frontage.

There is no built development immediately adjacent to the site. Leicester Road is to the rear of the site and landscaping associated with the Leicester Road roundabout is to one side. To the other side and opposite is agricultural land. To the north east, accessed from the Leicester Road roundabout is the entrance to the Rugby Gateway site.

There is a telecommunications mast and equipment located in the eastern corner of the site. This is enclosed by green security fencing and is accessed through the site.

**Description of proposals**

This application was originally for the erection of 30 dwellings, however amended plans have been received which reduce the proposals to 29 dwellings. These will comprise 21 houses, 14 two-bed and 7 three-bed and 8 flats, 4 one-bed and 4 two bed.

These will all be provided as affordable housing with 10 houses (plots 1-5 and 25-29) being shared ownership and the other properties being social rent.

The properties will all be two storey and will be built of a mix of brick and render. Features such as gables, porches, chimneys and curved headers are proposed.

The access to the site will remain in the same position as the existing ambulance station access, this will lead to a T shaped cul-de-sac. Access to the telecommunications mast will be maintained through the cul-de-sac. Off-street car parking is proposed in parking bays to the front of properties.

### Technical consultation responses

Housing	Support	
Warks Police	No objection	Suggest measures to improve security
WCC Ecology	No objection	Subject to conditions
WCC Archaeology	No comment	
WCC Planning contributions	Comment	Request education & library
WCC Highways informatives	No objection	Subject to conditions &
Tree Officer	No objection	Subject to conditions & s106
Landscape Officer	No objection	
Environmental Health informatives	No objection	Subject to conditions &
Severn Trent	No objection	Subject to condition
Warks Fire & Rescue	No objection	Subject to condition

### Third party comments

- Councillor Edwards                      Objection
- In favour of affordable housing but do not consider this is the correct site;
  - Proposal is very high density for a rural plot;
  - Housing will be fully occupied and there will be a lot of children;
  - There is nowhere for the children to play and gardens are small;
  - Site is close to Leicester Road and a telecommunications mast;
  - Development will affect Conservation Area and rural character;
  - Increased traffic;
  - No emergency access;
  - Only access to amenities is along the dual carriageway, there are no bus stops and residents will become isolated;
  - Affordable housing should be part of mixed developments;
  - Site should remain as employment land.

### Relevant planning policies and guidance

#### Rugby Borough Core Strategy, 2011

CS1	Conflicts*	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions
CS19	Complies	Affordable Housing

\* See report

#### Rugby Borough Local Plan, 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities
H11	Complies	Open space provision in residential developments in the urban area
LR1	Complies	Open Space standards

Planning Obligations SPD, 2012

Housing Needs SPD, 2012

Sustainable Design and Construction SPD, 2012

National Planning Policy Framework, 2012 (NPPF)

### **Assessment of proposals**

The key issues to assess in relation to this application include whether the principle of the development is acceptable, the impact on visual amenity, residential amenity, highway safety and ecology.

#### Principle of development

The application site falls within the countryside immediately adjacent to the boundary of the urban area.

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy with the most sustainable locations considered ahead of those further down the hierarchy.

Although the site is located within the countryside, which is a fifth priority location for development, it is bordered by the Gateway Sustainable Urban Extension site, where development is currently on-going, and the existing urban area boundary as defined on the Core Strategy proposal map. It is considered that the Gateway site will form part of the urban area boundary in the future.

As the site will be nestled between two residential areas and close to public transport and facilities that will be provided by the Gateway development it is considered that the site is sustainably located and is an appropriate location for development. The proposal would also result in the redevelopment of a previously developed site for a wholly affordable housing development scheme.

The principle of the development in this location is therefore considered acceptable, despite the conflict with policy CS1. Approval of the proposal should not, however, be taken to represent a relaxation of policy generally towards residential development in the countryside but that the decision is taken in the light of all material considerations in respect of the specific merits of this particular case.

#### Visual amenity, landscaping and design

The application site currently contains wide landscaped buffers which contain many mature trees. These significantly reduce the prominence of the site and provide a buffer between the site and Leicester Road.

The application as initially submitted proposed 30 dwellings and would have involved the removal of the majority of the mature trees. This was not considered acceptable due to the impact of removing the trees.

Amended plans were received which reduce the number of dwellings proposed to 29. The amended plans move the properties away from the site boundaries; this allows a band of trees to be retained on the site boundaries. These will provide a buffer and ensure that the development will not have a significant adverse impact on visual amenity or the character of the area. Landscape plans have also been provided which show additional tree planting within the rear gardens.

The amended proposals were discussed with the Council's Tree Officer who raised no objection but commented that additional tree planting should be carried out off-site, perhaps within the highway at Leicester Road, to mitigate for the loss of trees. An off-site planting scheme was submitted which showed tree and shrub planting close to the Leicester Road roundabout. This has been discussed with the Highway Authority, Warwickshire County Council who advised the scheme as submitted could not be implemented due to underground services and high maintenance costs but they do not object to the principle of tree planting within highway land.

The s106 agreement can be used to ensure that a suitable planting scheme is secured and to allow any necessary maintenance contribution to be paid. The Tree Officer has no objection to this approach, subject to conditions relating to tree protection and the planting of replacement trees within the site, as shown on the landscape plan.

The Council's Landscape Officer raised no objection to the proposed landscaping scheme and this is considered acceptable in accordance with saved policy GP2.

The proposed dwellings will be a mix of brick and render and will all be two storey. These will include features such as gables, canopy porches, and chimneys to add interest to the development. It is considered that the design of the properties is acceptable and the relevant part of policy CS16 is complied with.

#### Ecology

Due to the removal of trees initially proposed the County Ecologist objected to the application. They commented on the amended plans which include the retention of many trees and requested information regarding whether any works are proposed to trees with bat potential and on the suitability of nearby ponds to support Great Crested Newts. Additional information was provided and the County Ecologist is satisfied that no further newt surveys are required and that the works will not affect trees with bat potential. It is therefore considered there will not be an adverse impact on protected species.

The County Ecologist also commented that the proposals tree removal would impact on the biodiversity of the site and that off-site planting would mitigate for this loss. They commented that the proposed off-site planting scheme was acceptable, however as detailed above this cannot be carried out. As detailed above off-site planting can be secured through the s106 and the County Ecologist advised that this approach is acceptable.

Conditions were also requested regarding an ecological mitigation and enhancement scheme, lighting and tree protection. Subject to these conditions the development is acceptable in terms of the impact on protected species and complies with saved policy E6.

#### Impact on amenity

As there are no residential properties close to the site there will not be an adverse impact on existing residents in terms of loss of light or privacy.

The development has been designed to ensure that future residents are not adversely affected in terms of overlooking or loss of light and suitable separation distances are achieved between properties.

Environmental Health raised no objection to the application subject to conditions, including a requirement for a noise assessment to be provided and mitigation to be agreed.

Subject to these conditions it is not considered there will be an adverse impact on the amenity of future residents and the relevant part of policy CS16 is complied with.

### Sustainable design and construction

Core Strategy policies CS16 and CS17 refer to sustainable design and reducing carbon emissions and these requirements are also contained within the Sustainable Design and Construction SPD.

CS16 states that sustainable drainage systems (SUDS) should be used where possible and that developments should meet specified the water conservation standards.

The application form specifies that surface water will drain to the main sewer system; this is currently the arrangement with the ambulance station. As the site is currently drained without the use of SUDS it is considered that mains drainage is appropriate in this case. No objection has been received from Severn Trent Water, subject to a condition.

This policy also states that residential developments should meet the water conservation standards within Code Level 4 of the Code for Sustainable Homes, a condition can be attached to ensure that this requirement is met.

Policy CS17 states that as a minimum developments of 10 or more dwellings shall include equipment to reduce carbon dioxide emissions by at least 10%. A condition can be used to ensure this requirement is complied with.

### Highways and parking provision

The Highway Authority, Warwickshire County Council, objected to the original application on the basis that parking spaces were proposed too close to the access and this would result in vehicles reversing into the public highway.

The Highway Authority commented on the amended plans and raised no objection subject to conditions. This includes a requirement for the provision of a footpath linking the site to Lower Lodge Avenue to the north. This is in accordance with policy CS11.

A total of 48 car parking spaces are proposed, 2 per dwelling. In this location the Council's parking standards, contained within the Planning Obligations SPD require 1.5 spaces per one or two bedroom property and 2 spaces per three bedroom property, a total requirement of 47 spaces. The level of parking proposed slightly exceeds these standards and is considered acceptable.

Cycle parking for the houses could be accommodated in rear gardens and details of a covered cycle store to serve the flats have been provided. The parking provision is therefore considered acceptable in accordance with saved policy T5.

### Affordable housing & Planning Obligations

Policy CS19 requires 33.3% of units on a development of this size to be provided as affordable housing. The affordable housing requirement for this development would therefore be 10 units.

However, the applicant intends for 100% of the development to be provided as affordable. Although this exceeds the target requirement contained within policy CS19 this is not in itself in conflict with the requirements of policy CS19.

Comments have been received from colleagues in the Housing department who support the development which will help meet the housing needs within the borough, particularly the need for one-bedroom properties.

Policy CS10 and the Planning Obligations SPD state that financial contributions may be sought to mitigate against the impacts of a development.

Guidance contained within Circular 05/05 – Planning Obligations and the Community Infrastructure Regulations state that in order for obligations to be taken into account they must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonable related in scale and kind to the development.

If contribution requests do not comply with these criteria it is not considered that the contribution can be required by the Council.

Due to the size of the proposed development limited on-site public open space is proposed. A contribution was therefore requested towards improvement works and maintenance of the nearby Swift Valley country park. This request complies with the above tests and saved policies H11 and LR1.

Contributions were also sought towards education provision, as requested by Warwickshire County Council, and indoor sports in accordance with the Planning Obligations SPD. These comply with the above tests and policy CS10.

Warwickshire County Council also requested contributions towards library facilities however information to support this request in relation to the additional demand placed on existing facilities or how the contribution would be spent was not provided and it is not considered that this request can be supported.

Policy CS10 and the NPPF both state that the viability of development should be taken into account and the NPPF states that development should not be subject to such a scale of obligations that the ability for the development to be carried out is threatened.

A viability appraisal was submitted in relation to the application, this states that as the development proposes 100% affordable housing to provide the required contributions would render the development unviable. This appraisal was based on the lower profit margins required by registered providers compared with private developers.

The Council have assessed this appraisal and have asked for clarification regarding some points included within the appraisal. However, it is considered that the general contents and findings of the report are acceptable, if additional information is provided which changes this view an update will be provided at Committee.

The provision of affordable housing to meet the Council's housing needs must be balanced against the fact that the development is not able to deliver the level of planning obligations required. It is considered, in this case, that the development is acceptable without the s106 contributions and this is in accordance with policy CS10.

As a key factor in the viability is the provision of 100% affordable housing it is considered reasonable to include a requirement in the s106 agreement for all the housing to be provided as affordable housing and remain so in perpetuity.

### **Recommendation**

Approval subject to conditions and s106 agreement.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R13/1169

### **DATE VALID**

30/09/2013

### **ADDRESS OF DEVELOPMENT**

AMBULANCE STATION  
BROWNSOVER LANE  
BROWNSOVER  
RUGBY  
CV21 1HY

### **APPLICANT/AGENT**

Stuart Lymer  
Barnett Ratcliffe Partnership  
The Old Library  
Rowley Street  
Stafford  
ST16 9RH  
On behalf of Mr Reuben Flynn, Waterloo  
Housing Group

### **APPLICATION DESCRIPTION**

Erection of 29 dwellings with associated access, parking, landscaping and works.

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

#### CONDITION: 1

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

#### REASON:

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

#### CONDITION: 2

The development shall not be carried out other than in accordance with the amended plans Location Plan - 1341/PL/01/B, Housetype C - 1341/PL/05/A, Housetype D - 1341/PL/06/A, Flattype F1 - 1341/PL/07/B, Flattype F2 - 1341/PL/09/A and Proposed Cycle Store - 1341/PL/13 received by the Local Planning Authority on 23rd December 2013, Proposed Timber Sheds - 1341/PL/19 received by the Local Planning Authority on 3rd January 2014, the amended Site Layout - 1341/PL/03/G received by the Local Planning Authority on 13th January 2014 and the Detailed Planting Plan - D4218.001 received by the Local Planning Authority on 27th January 2014.

#### REASON:

For the avoidance of doubt.

#### CONDITION: 3

Notwithstanding the details shown on the approved plans, unless otherwise agreed in writing by the Local Planning Authority, the materials used shall as detailed below in accordance with the agent's e-mail of 27th January 2014:

Plots 10-15 & 17-24 - Ibstock Ivanhoe Antique red brick;

Plots 3, 4, 5, 7, 8, 9, 25 & 26 - Hanson Hampton Rural blend red brick;

Plots 1,2,6,16 & 27-29 - Smooth through coloured white render;

All plots - Forticrete Gemini slate grey concrete interlocking tile.

#### REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

**CONDITION: 4**

Unless otherwise agreed in writing by the Local Planning Authority the finished floor levels of buildings and ground levels shall be provided in accordance with the amended Proposed Site Layout - 1341/PL/03/F received by the Local Planning Authority on 23rd December 2013.

**REASON:**

To ensure the proper development of the site.

**CONDITION: 5**

The cycle store shall be provided in accordance with Proposed Cycle Store plan - 1341/PL/13 received by the Local Planning Authority on 23rd December 2013 before the first occupation of any flat.

**REASON:**

In the interest of visual and residential amenity.

**CONDITION: 6**

No built development shall commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

**REASON:**

To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimize the risk of pollution.

**CONDITION: 7**

The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

**REASON:**

In the interests of fire safety.

**CONDITION: 8**

Unless otherwise agreed in writing by the Local Planning Authority the dwellings hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to Code Level 4 of the Code for Sustainable Homes (i.e. a maximum indoor water consumption of 105 litres per person per day.)

**REASON:**

In order to ensure water efficiency through sustainable design and construction.

**CONDITION: 9**

The development shall not be first occupied unless and until details of the equipment and technology to be incorporated to achieve carbon emission reductions, including the submission of an Energy Performance Certificate, have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be

implemented in accordance with the approved details and shall be retained in working order in perpetuity.

**REASON:**

To ensure energy efficiency is achieved through sustainable design and construction.

**CONDITION: 10**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, or E of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

**REASON:**

In the interest of visual amenity and to protect the surrounding trees.

**CONDITION: 11**

The first floor kitchen window to be formed in the side elevation of plot 12/13 shall not be glazed or reglazed other than with obscure glass.

**REASON:**

To protect the residential amenity of neighbouring properties.

**CONDITION: 12**

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

**REASON:**

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality and biodiversity.

**CONDITION: 13**

No demolition shall commence unless and until a full Asbestos Survey of buildings to be demolished has been submitted to and approved in writing by the Local Planning Authority. Demolition shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interest of health and safety.

**CONDITION: 14**

No development shall commence unless and until details of Dust Mitigation Measures have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interest of health and safety.

CONDITION: 15

No built development shall commence unless and until a full noise survey and assessment, including any mitigation works has been submitted to and approved in writing by the Local Planning Authority. Works shall not be carried out other than in accordance with the approved mitigation measures.

REASON:

In the interest of residential amenity.

CONDITION: 16

No machinery shall be operated, no construction works shall be carried out and no construction traffic shall enter or leave the site outside the hours of 07.00 hours and 18.00 hours Monday to Friday, nor outside the hours of 08.00 hours and 13.00 hours on Saturdays, nor at any time on Sundays or Bank Holidays unless approved in writing in advance with the Local Planning Authority.

REASON:

To protect the amenity of nearby residents.

CONDITION: 17

No development shall commence unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of the amenity of nearby residents and the area.

CONDITION: 18

Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) An investigation and risk assessment 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, groundwaters 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.

(b) 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.

(c) 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.

(d) 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 (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), 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 (c).

**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 waters, 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.

**CONDITION: 19**

No development shall commence unless and until an ecological mitigation and enhancement scheme has been submitted and approved in writing by the Local Planning Authority.

This shall include: a method statement for works with regard to nesting birds and invasive species, timing of works, native species planting of trees and shrubs and details of biodiversity enhancement features including bat and bird boxes to be installed within the development.

The works and ecological enhancement shall thereafter be carried out in accordance with the approved details.

**REASON:**

In the interest of biodiversity.

**CONDITION: 20**

No development hereby permitted shall commence and nor shall any equipment, machinery or materials be brought onto the site unless and until the tree protection measures and tree pruning/removal works identified in the Arboricultural Impact Assessment - TEP.4129.002 received by the Local Planning Authority on 6th December 2013 have been implemented to the satisfaction of the Local Planning Authority.

Construction exclusion zones around retained trees should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them. All tree works should be carried as per BS3998:2010 (Tree work: recommendations). No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots,

other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

**REASON:**

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

**CONDITION: 21**

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

**REASON:**

To maintain and enhance continuity of tree cover to ensure the proper development of the site and in the interest of visual amenity.

**CONDITION: 22**

The vehicular access to the site shall not be used until it has been constructed to include visibility splays for vehicles having been provided with an 'x' distance of 2.4 metres and 'y' distances of 90 metres to the right on egress and 215 metres to the left on egress (as measured from the centre of the access). No structure, erection, trees or shrubs exceeding 0.6 metres in height shall be placed, allowed to grow or be maintained within the visibility splays so defined.

**CONDITION: 23**

The proposed roads and footways serving the development hereby permitted shall be designed in accordance with the requirements and standard specifications of the Highway Authority as described in 'Transport and Roads for Developments, The Warwickshire Guide 2001' (published by Warwickshire County Council) and any subsequent amendments.

**REASON:**

In the interest of highway safety.

**CONDITION: 24**

During the construction period, adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

**REASON:**

In the interest of highway safety.

**CONDITION: 25**

No built development shall commence unless and until details of the design and construction of the proposed roads and footways serving the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include large scale plans and cross and longitudinal sections showing design, layout, construction of the accesses and roads together with surface water drainage to outfall.

No dwelling shall be first occupied until the roads and footways have been constructed (to basecourse level) in accordance with the approved details.

**REASON:**

In the interest of highway safety.

**CONDITION: 26**

Unless otherwise agreed in writing by the Local Planning Authority, no dwelling shall be first occupied unless and until a public footway has been constructed between the site and the junction of Brownsover Lane and Lower Lodge Avenue; in accordance with details to be approved in writing by the Local Planning Authority.

**REASON:**

In the interest of highway safety.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**INFORMATIVE: 1**

This development is subject to a s106 legal agreement.

**INFORMATIVE: 2**

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering.

This can be downloaded at:

[http://www.rugby.gov.uk/site/scripts/documents\\_info.php?documentID=223&categoryID=200295](http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295) .

Alternatively, you can contact the Street Naming and Numbering Team for an application form at: [SpecialistSupport@rugby.gov.uk](mailto:SpecialistSupport@rugby.gov.uk) or by ringing 01788 533885

**INFORMATIVE: 3**

The glazing, doors and lighting to dwellings should be designed in a manner to ensure the occupiers do not become victims of crime of anti-social behaviour.

**INFORMATIVE: 4**

The noise mitigation proposed in relation to condition 14 must ensure that the internal noise climate for each dwelling achieves compliance with BS 8233:1999 'Sound insulation and noise reduction for buildings - Code of practice'.

Internal noise levels to be achieved in all habitable areas attributable to external noise sources with windows shut and adequate room ventilation provided: 30 dBLAeq 16 hour between 07:00 and 23:00 hours, 30 dBLAeq between 23:00 and 07:00 hours and 45 dB LAMax between the hours of 23:00 and 07:00. For external communal areas (e.g. gardens), noise levels should achieve the World Health Organisation's suggested level of 55 dB LAeq (07:00 to 23:00) contained in their 'Guidelines for Community Noise' document.

**INFORMATIVE: 5**

The Construction Method Statement required by condition 16 shall include details of:

- The control of noise and vibration emissions from construction activities including groundwork and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;
- Measures to reduce mud deposition offsite from vehicles leaving the site.

INFORMATIVE: 6

The applicant is advised to give due regard to the advice contained in BS5228:2008: Noise and vibration control on construction and open sites.

This Authority also wishes to draw your attention to the Considerate Constructors Scheme. This is a voluntary Code of Practice, driven by the construction industry, which seeks to:-

- Minimise any disturbance or negative impact (in terms of noise, dirt and inconvenience) sometimes caused by construction sites to the immediate neighbourhood
- Eradicate offensive behaviour and language from construction sites
- Recognise and reward the contractor's commitment to raise standards of site management, safety and environmental awareness beyond statutory duties

For further information contact:-

Considerate Constructors Scheme, PO Box 75, Ware. SG12 9LN

Tel 0800 783 1423, [www.considerateconstructors.co.uk](http://www.considerateconstructors.co.uk)

INFORMATIVE: 7

The value and usefulness of the asbestos survey can be seriously undermined where either the client or the surveyor imposes restrictions on the survey scope or on the techniques/methods used by the surveyor. Information on the location of all asbestos containing materials (ACMs), as far as reasonably practicable, is crucial to the risk assessment and management. Any restrictions placed on the survey scope will reduce the extent to which ACMs are located and identified, incur delays and consequently make managing asbestos more complex, expensive and potentially less effective.

It should be noted that demolition contractors are required to inspect a site. Where the presence of asbestos is suspected then the Health and Safety Executive (HSE) and Environment Agency has to be notified and special waste regulations must be complied with. Asbestos contaminated waste is required to be removed to a designated waste management site licensed to take asbestos. A consignment note for the national inspectorate is required for each load and a paper trail of movements of such waste is kept.

INFORMATIVE: 8

The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions.

INFORMATIVE: 9

The demolition of the building may cause noise nuisance to local residents. Demolition should only be permitted between the hours 0800 - 1800 Monday-Friday, Saturday 0900 - 1600, none on Sundays or bank holidays.

INFORMATIVE: 10

In relation to condition 11 lighting should be directed away from the trees and hedgerows and be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
- the brightness of lights should be as low as legally possible;
- lighting should be timed to provide some dark periods;
- connections to areas important for foraging should contain unlit stretches.

INFORMATIVE: 11

During the construction period, no vehicles calling at the site or being in the control of the developer/occupier or Contractors employed by the developer/occupier shall be loaded, unloaded or parked on the highway (Brownsover Lane - D3059). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

INFORMATIVE: 12

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the [applicant{s}/ developer{s}] must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE: 13

Before any improvement works required by this planning permission are commenced to the existing highway, the developer shall enter into an Agreement under Section 38 of the Highways Act 1980 with the Highway Authority (Warwickshire County Council).

INFORMATIVE: 14

The Highway Authority will not consider drawings or inspect works relating to the adoption of highways under Section 38 of the Highways Act 1980, unless all relevant details of the highways concerned have already been approved in writing by the District Planning Authority in consultation with the Highway Authority as required by conditions imposed on the appropriate planning permission under the Town and Country Planning Act 1990. Developers are advised that no consideration of drawings for technical approval will be carried out until the developer has paid the non-returnable sum of £1000 in respect of the technical checks.

INFORMATIVE: 15

The Highway Authority, will not adopt any estate roads until they, together with the means of access to them, have been laid out and constructed in accordance with the principles and standards as set out in 'Transport and Roads for Developments - The Warwickshire Guide 2001 (published by Warwickshire County Council) and any subsequent amendments. An application to enter into a Section 38 Highway Works Agreement should be made to the Development Group, Warwickshire County Council, Environment & Economy Directorate, Shire Hall, Warwick, CV34 4SX. The applicant{s}/ developer{s} are advised the approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. Developers are advised that no inspection of highway works being proposed for adoption will be carried out until a Section 38 Agreement has been completed.

INFORMATIVE: 16

The development for which planning permission is hereby permitted requires that part of the public highway be stopped-up by a Statutory Order made under Section 247 of the Town and Country Planning 1990. This permission does not authorise the stopping-up of the highway concerned or guarantee that it will be done. Before the development is commenced the applicant/developer must apply to the Department

for Transport, National Transport Casework Team, Citygate, Gallowgate, Newcastle upon Tyne NE1 4WH, for an Order to be made.

**INFORMATIVE: 17**

Unless the developer has entered into an agreement with the appropriate Sewerage Authority or its agent authority for the adoption, under Section 104 of the Water Industry Act 1991, of all sewers contained or passing within the limits of a highway, the Highway Authority will not complete an agreement to adopt that highway under Section 38 of the Highways Act 1980.

**INFORMATIVE: 18**

Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

**INFORMATIVE: 19**

In view of the nearby record, care should be taken when clearing the ground prior to development. If evidence of great crested newts is found during development, work should stop immediately while Natural England are contacted on 0845 601 4523 for advice on the best way to proceed. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act , the Countryside and Rights of Way Act 2000 and are also deemed European Protected Species. Where newts are present a license might be necessary to carry out the works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523.

**Reference number: R14/0142**

**Site address: 42 Lime Tree Avenue, Rugby, CV22 7QT**

**Description: Demolition of existing bungalow and garage and erection of two storey dwelling. Variation of condition 2 of R13/0375 to amend siting of dwelling in relation to neighbouring properties.**

**Case Officer Name & Number: Karen McCulloch, 01788 533623**

This application is being reported to Committee as the applicant is related to Councillor Mrs Kaur.

**Relevant planning history**

R11/1632 - Demolition of existing bungalow & garage and erection of two storey dwelling – Approved 14/06/2012

R13/0375 - Demolition of existing bungalow and garage and erection of two storey dwelling (amendment to previous approval R11/1632) – Approved 04/04/2013

**Background**

In 2009 guidance and changes to legislation were issued which allow greater flexibility when dealing with planning permissions. This includes dealing with “minor material amendments” to existing permissions and advises that these should be dealt with as applications to amend conditions listing plans on the original planning permission.

Although no statutory definition of a minor material amendment has been provided the guidance states this is a change “whose nature and scale results in a development which is not substantially different from the one that has been approved.”

The guidance goes on to state that authorities have the discretion to decide which statutory consultees should be consulted and advises that a proportionate approach should be adopted when consulting third parties.

In relation to issuing decisions it is advised that an approval would, in effect, be a new permission and that a new decision notice, including all relevant conditions should be issued, although time limit to commence development should not be extended.

**Description of proposals**

This application is for a minor material amendment to the position of the dwelling approved by planning permission R13/0375 by an amendment to condition 2 which relates to the approved plans. No changes are proposed to the design of the approved dwelling.

The dwelling proposed is a two storey house with red bricks and grey roof tiles. It will have a half hipped roof with gables above the first floor windows and a central gable feature to the front and rear. A single storey element is also proposed to the rear, this will have a flat green roof and will include roof lights.

In relation to the previous application samples of materials were submitted and it is proposed to build the dwelling from a red multi brick and slate grey roof tiles.

The property will have 5 bedrooms, 3 of these will have dressing rooms and en-suites.

When the applicant began marking out the position of the dwelling on site it became clear that the dwelling could not be constructed as shown on the approved plans as the relationship with the neighbours, 40 and 44 Lime Tree Avenue is different. It is understood that this is due to an error on the Ordnance Survey plan.

The current application includes a site layout plan produced following a site survey carried out on behalf of the applicant. This shows the positions of numbers 40 and 44 and the proposed dwelling.

The front elevation of the main part of the house (excluding the projecting gable) will be approximately in line with the front elevation of number 44, reflecting the previously approved plans.

The amended plans show the rear elevation of the two storey part of the house closer to number 40. This is due to number 40 being further forward than shown on the plans forming part of the previous approval. This results in a slight “overlap” between the rear elevation of the main two storey part of the house (excluding the rear projecting gable) and the front elevation of number 40.

### **Description of site**

This application relates to the site of a detached bungalow which has been demolished. This is located on part of Lime Tree Avenue which is narrow and unadopted with lime trees to either side, these are covered by a Tree Preservation Order

There are a mix of house types and styles on Lime Tree Avenue and there are two storey houses opposite the site.

Number 40 is a two storey house. The siting of this is unusual as it is set at 90 degrees to the road. The side elevation includes windows to habitable rooms at ground and first floor and a conservatory looking towards number the site. The kitchen and bedroom which are closest to the road also have windows in the front elevation facing the road. This property has a detached garage with a high pitched roof adjacent to the boundary.

To the other side, number 44 is a bungalow, this has a pitched roof and conservatory to the rear.

### **Third party comments**

The applicant provided e-mails from the neighbours at 40 and 44 advising they have no objection to the application.

No other comments received – consultation expires 13<sup>th</sup> February 2014

### **Technical consultation responses**

No technical consultations required

### **Relevant planning policies and guidance**

Rugby Borough Core Strategy 2011

CS1 Complies Development Strategy

CS16 Complies Sustainable Design

Rugby Borough Local Plan 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities

Sustainable Design and Construction SPD, 2012

Planning Obligations SPD, 2012

### **Assessment of proposals**

The issue to assess in relation to this application is whether the amended positioning of the dwelling would have an adverse impact on the neighbouring properties or the character of the area.

Other issues, such as the principle of the development, design, impact on protected trees, ecology, drainage, access and car parking were considered in relation to the previous application and were considered acceptable.

It is considered that the revised siting of the dwelling will not have an adverse impact on the character of the area, in accordance with the relevant part of policy CS16,

The main, two storey element of the proposed dwelling is set further forward than number 40. The revised siting results in the rear elevation of the proposed house being slightly behind the front elevation of number 40.

Number 40 has side facing windows which look towards the site. At ground floor there is a kitchen window and at first floor there are two windows serving a bedroom. However, both these rooms have additional windows in the front elevation.

This two storey element will not be sited directly in front of the side facing windows at number 40. The dwelling will conflict with the 45 degree guideline which is contained within the Residential Design Guide in the Sustainable Design and Construction SPD. However, the two storey element will replace the bungalow that has been demolished and when assessing the 45 degree guide the dwelling will be around 18m from these windows. It is therefore considered that the main part of the building will not have an adverse impact on number 40 in terms of loss of light or overshadowing.

This dwelling includes a single storey element to the rear, this will have a flat roof, 2.7m high with a green roof sedum covering. Angled rooflights are also proposed in this roof, projecting a maximum of 0.4m above the roof. Number 40 has windows to habitable rooms which will look towards this single storey element. The windows at first floor will look over this element, at ground floor the kitchen window closest to the road is secondary as there is also another window facing the road, the impact on these windows is therefore considered acceptable. Number 40 also has a conservatory that will look towards the proposed single storey element. The single storey element will be around 6m from the conservatory and will be taller than the existing boundary wall and hedge. However, there will be views from the conservatory above and to the rear of the single storey element and it is considered that the impact in terms of sense of enclosure or loss of light would not be so significant as to warrant refusal of the application.

If outbuildings or extensions were erected in the future these could impact on the amenity of number 40 and a condition removing permitted development rights is proposed.

The 45 degree guideline is complied with from the front and rear windows at number 44. The proposal includes 2 side facing windows at first floor window looking towards this property. These are secondary bedroom windows and a condition can be used to ensure these windows as obscure glazed.

The dwelling will be around 40m from the property opposite and the impact on residential amenity is considered acceptable in accordance with policy CS16.

The Government guidance related to minor material amendments advises that an approval would, in effect, be a new permission and that a new decision notice, including all relevant conditions should be issued. Therefore the conditions on the original approval should be replicated in relation to this application.

### **Recommendation**

Approval

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R14/0142

#### **DATE VALID**

23/01/2014

#### **ADDRESS OF DEVELOPMENT**

42 Lime Tree Avenue  
Bilton  
Rugby  
CV22 7QT

#### **APPLICANT/AGENT**

Mr Richard Palmer  
HB Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH

On behalf of Mr Jag Biryah

#### **APPLICATION DESCRIPTION**

Demolition of existing bungalow and garage and erection of two storey dwelling. Variation of condition 2 of R13/0375 to amend siting of dwelling in relation to neighbouring properties.

#### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

##### **CONDITION: 1**

The development to which this permission relates must not be begun later than the 3rd April 2016.

##### **REASON:**

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

##### **CONDITION: 2**

The development shall not be carried out other than in accordance with the plans received by the Local Planning Authority on 23rd January 2014: Location Plan - 06:13:04, Proposed Site Plan - 06:13:01/D, Proposed Plans - 06:13:02/D and Proposed Elevations - 06:13:03/D.

REASON:

For the avoidance of doubt.

CONDITION: 3

Unless otherwise agreed in writing by the Local Planning Authority the facing bricks shall be Desimpel Loxley Red Multi as received by the Local Planning Authority on 1st March 2013 and the roof tiles shall be Forticrete Gemini Slate Grey as received by the Local Planning Authority on 13th March 2013 in relation to R13/0375.

REASON:

To ensure a satisfactory external appearance and for the avoidance of doubt.

CONDITION: 4

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, or E of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of visual and residential amenity.

CONDITION: 5

Other than those shown on the approved plans no new windows or rooflights shall be formed in the side elevations or roofslopes of the proposed dwelling, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION: 6

The first floor windows to be formed in the south west (side) elevation of the proposed dwelling shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION: 7

During the construction period, adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

REASON:

In the interest of highway safety.

CONDITION: 8

Before the commencement of any works on site, including demolition, protective barriers should be erected in a position equal to 6 metres from the central stems of Lime trees to the frontage of the property to create a root protection area within the existing front garden and also around the protected Lime tree in between house no's 40 and 42 as shown on Tree Protection Plan - C926/mh/3 contained within the approved tree report approved in relation to application R11/1632.

The protective barriers shall consist of a scaffold framework in accordance with Figure 2 of BS5837:2005 (Trees in relation to Construction). The protective fencing shall comprise a vertical and horizontal framework, well braced to resist impacts, with

vertical tubes spaced at a maximum interval of 3 metres. On to this weldmesh panels should be securely fixed with wire or scaffold clamps.

The protective barrier should remain in place until completion of all construction works.

Root protection areas should be treated as sacrosanct with no building activity or storage of building materials taking place within them.

**REASON:**

To safeguard the stems/rooting area of the protected Lime Trees.

**CONDITION: 9**

Before the commencement of any works, including demolition, the two lower branches from the two lime trees located either side of the existing driveway should be pruned back to source to effectively crown lift the trees by 4 to 5 metres to facilitate access. All tree works shall be carried out in accordance with BS3998:2010 (recommendations for tree work). No retained tree shall be cut down, uprooted, destroyed or damaged, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority.

**REASON:**

To prevent damage to trees from passing vehicles and to facilitate access.

**CONDITION: 10**

The development shall be timetabled and carried out to wholly accord with the detailed method statement for the safeguarding of great crested newts within the site as set out in the document Great Crested Newt Mitigation Methods Statement prepared by Martin Ecology, received by the Local Planning Authority on 14th May 2012 approved in relation to application R11/1632.

**REASON:**

To ensure that protected species are not harmed by the development.

**CONDITION: 11**

Unless otherwise agreed in writing by the Local Planning Authority the dwelling hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to Code Level 4 of the Code for Sustainable Homes (I.e. a maximum indoor water consumption of 105 litres per person per day.)

**REASON:**

In order to ensure water efficiency through sustainable design and construction.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**INFORMATIVE: 1**

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003 and you may not build close to, or directly over, or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

**INFORMATIVE: 2**

Prior to the commencement of development a site meeting should be arranged with the Council's Tree Officer, the agent and a designated arboricultural representative responsible for the site to inspect the tree protection measures and tree works.

**INFORMATIVE: 3**

It is recommended that the development is undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building to be demolished. All roofing material should be removed carefully by hand.

Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice.

**INFORMATIVE: 4**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE: 5**

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants. Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity, in accordance with the National Planning Policy Framework. Such as bat and bird boxes which can be used by a variety of species or native species planting of hedges. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

**Reference number: R13/2227**

**Site address: 2 Ridge Drive, Rugby**

**Description: Conversion of existing double garage to ancillary habitable accommodation**

**Case Officer Name & Number: Alice Cosnett – 01788 533489**

The application has been brought before the Planning Committee as an objection has been received from WCC Highways.

### **Site Description**

No.2 Ridge Drive is a two storey brick and rendered dwelling which is sited within the Rugby Urban Area. It has a detached brick built double garage which is sited along the rear boundary of the site and fronts onto Ridge Drive. An area of hardstanding separates the detached garage from the highway edge.

### **Proposal Description**

Planning permission is sought for the conversion of the existing detached double garage into ancillary accommodation for no.2 Ridge Drive. A bedroom, ensuite and lounge will be provided within the building. External changes include the replacement of the existing garage doors on the front elevation of the garage with two windows, a door and infill brickwork and the replacement of the door on the rear elevation of the building with a window and infill brickwork. An additional parking space will be created next to the existing hardstanding to the front of the detached garage.

### **Relevant Planning History**

R97/0893/18840/OP Use of land for residential development with associated open space Approved 10.2.1999

### **Technical Consultation Responses**

WCC Ecology – no objection subject to bat and nesting bird informatives

WCC Highways - objection

### **Third Party Responses**

Councillors – none received

Neighbours – none received

### **Relevant Planning Policies and Guidance**

#### **Core Strategy**

CS16 Sustainable Design

#### **Saved Local Plan Policies**

E6 Biodiversity

T5 Parking Facilities

Other Documents  
Planning Obligations SPD

National Policy  
National Planning Policy Framework (NPPF)

**Assessment of Proposals**

In the assessment of this application, the determining factors are the impact of the proposed development on the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and impact on highway safety/parking provision.

Impact on the qualities, character and amenity of the area

Part 7 of the NPPF (Requiring Good Design) emphasises the importance of good design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The proposed conversion of the detached garage will facilitate the replacement of the existing garage doors on its front elevation with two windows, a door and infill brickwork and the replacement of the door on the rear elevation of the building with a window and infill brickwork. Aside from these alterations, the development will not have any other impact on the external appearance of the building. The windows/door and infill brickwork will be of material finishes which match those used on the existing outbuilding and main dwelling and as such it is not considered that the alterations will appear out of keeping with the building itself or its surroundings. It is therefore considered that the proposed development complies with the contents of Part 7 of the NPPF and Policy CS16 of the Core Strategy.

Impact upon the amenity of neighbouring properties

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The proposed development does not facilitate any extensions to the existing building and as such, it is not considered that it will cause any impact to neighbouring amenity whether by way of overbearing or overshadowing.

The nearest neighbouring property to the detached garage, no.4 Ridge Drive, has one window sited at first floor level within its side elevation. Whilst through its conversion two windows will be inserted into the front elevation of the outbuilding, it is not considered that they will cause any loss of privacy to this neighbouring property.

The side elevation of no.2 Braids Close, which has clear glazed windows at both ground and first floor levels, faces toward the application site. However, as there is a separation distance in excess of 20m between these windows and the proposed windows to be inserted into the front elevation of the outbuilding, it is not considered that they will cause a significant loss of privacy to this neighbour.

Whilst an additional window is also proposed to be inserted into the rear elevation of this building, given that this faces into the garden of the site and toward the boundary with the pub car park it is not considered that it will cause an adverse loss of privacy to neighbouring properties.

It is therefore concluded that the proposed development complies with the relevant section of Policy CS16 which seeks to protect neighbouring amenity.

#### Impact on protected species

Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things. In addition, Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance.

The County Ecologist has raised no objection subject to the attachment of bat and nesting bird informatives. It is therefore not considered that the proposed development will have an adverse impact on biodiversity in accordance with Part 11 of the NPPF and Saved Local Plan Policy E6.

#### Impact on parking and highway safety

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development. The existing dwelling is a 3-bed unit and as the conversion of the garage will facilitate the creation of a fourth bedroom, the Council's parking standards state that 3 spaces should be provided within the site. Hardstanding to the front of the outbuilding is of sufficient dimensions to park two cars and a third parking space is to be created adjacent to this to ensure that parking standards are met.

County Highways have been consulted on the application to ensure that acceptable visibility can be achieved from the proposed parking space. Whilst Highways have confirmed that visibility from this space is acceptable, due to the location and relative inaccessibility of the space (in that it would only be accessible by emptying the two existing driveway spaces), County Highways consider in practice this space will not be used and that instead occupiers will chose to park on the adjacent footway crossing. Parking on the footway crossing in this location would interfere with forward visibility splays around the corner and as such be detrimental to highway safety.

Whilst it is agreed that the space does present accessibility issues, it is not considered that it is reasonable to refuse the application on the basis that the occupiers of the dwelling may not use this parking space. This is only an assumption and as sufficient provision has been made for off-street parking in accordance with the Council's parking standards, it is not considered that this is sufficient to justify concluding that the development will cause harm to highway safety.

Subject to the attachment of a condition which ensures that the parking space is provided prior to occupation of the habitable accommodation, a sufficient level of off-street parking will be available within the site itself so as to comply with the contents of Saved Local Plan Policy T5 and the Council's parking standards outlined within the Planning Obligations SPD.

#### **Recommendation:**

Approve subject to appropriate conditions

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R13/2227

### **DATE VALID**

29/11/2013

### **ADDRESS OF DEVELOPMENT**

2 RIDGE DRIVE  
RUGBY  
CV21 3FE

### **APPLICANT/AGENT**

Mr Bob Faxon  
Schoonberg Walker & Associates  
3 Sunnyside  
The Green  
Broadwell  
Rugby  
Warwickshire  
CV23 8HD  
On behalf of Mr Lloyd Bale

### **APPLICATION DESCRIPTION**

Conversion of existing double garage to ancillary habitable accommodation

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

#### **CONDITION 1:**

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

#### **REASON:**

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **CONDITION 2:**

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below: application form received by the Local Planning Authority on 29 November 2013 and plan no.N20131030B received by the Local Planning Authority on 13 January 2014.

#### **REASON:**

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

#### **CONDITION 3:**

The facing bricks to be used in the infill brickwork of the development hereby approved shall be of the same type, colour and texture as those used on the existing building.

#### **REASON:**

To ensure a satisfactory external appearance.

#### **CONDITION 4:**

The habitable accommodation hereby approved shall not be used for any purpose other than ancillary to the residential use of no.2 Ridge Drive.

#### **REASON:**

In the interest of residential amenity.

**CONDITION 5:**

The additional car parking space shown on the approved plan no.N20131030B received by the Local Planning Authority on 13 January 2014 shall be provided before the occupation of the habitable accommodation hereby approved and shall be retained permanently for the accommodation of vehicles and shall not be used for any other purpose.

**REASON:**

In order to ensure that satisfactory parking arrangements are maintained within the site.

**CONDITION 6:**

Full details (including elevations) of the proposed boundary treatment to be erected around the parking space hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Details agreed in accordance with this condition shall be carried out prior to the date on which the development is first occupied.

**REASON:**

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**INFORMATIVE 1:**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works.

Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

**INFORMATIVE 2:**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible.

N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	19 <sup>th</sup> February 2014
<b>Report Title</b>	Delegated Decisions – 10 <sup>th</sup> January 2014 to 30 <sup>th</sup> January 2014
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Paul Varnish 3774
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Head of Planning and Culture under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

***Equality and Diversity*** N/A

***Options*** N/A

***Recommendation*** The report be noted.

***Reasons for Recommendation*** To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers

**Rugby Borough Council**

**Planning Committee – 19<sup>th</sup> February 2014**

**Delegated Decisions – 10<sup>th</sup> January 2014 to 30<sup>th</sup> January 2014**

**Report of the Head of Planning and Culture**

**Recommendation**

The report be noted.

**1. BACKGROUND**

Decisions taken by the Head of Planning and Culture in exercise of powers delegated to her during the above period are set out in the Appendix attached

Name of Meeting: Planning Committee  
Date Of Meeting: 19.02.2014  
Subject Matter: Delegated Decisions – 10.01.2014 to 30.01.2014  
Originating Department: Planning and Culture

### **LIST OF BACKGROUND PAPERS**

There are no background papers relating to this item.

DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER  
DELEGATED POWERS FROM 10/01/2014 TO 30/01/2014

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R13/1993 Refused 28.01.2014</i>	14 Arundel Way Cawston	Retention of hardsurface at front of property (retrospective)
<b>Applications Approved</b>		
<i>R13/1333 Approved 08.01.2014</i>	218 Lawford Road New Bilton	Change of use of building from dog groomers to mixed showroom and storage of bathroom goods and replacement shop front. Single storey and two storey rear extensions with loft conversion to allow for the creation of no. 3 one bed flats (alterations to previous application R06/0361)
<i>R13/1977 Approved 09.01.2014</i>	3 Frewen Road Cawston	Retention of hard-surfacing to the front of the property
<i>R13/2271 Approved 09.01.2014</i>	The Barn Woolscott Road Willoughby	Conversion of a redundant brick built agricultural barn to a three bedroom dwelling together with extensions and alterations to the existing roof.
<i>R13/2302 Approved 09.01.2014</i>	14 Bulkington Road Shilton	Single storey side extension
<i>R13/0296 Approved 10.01.2014</i>	6 Apple Grove Bilton	Change of use from residential to a mixed use of residential and day nursery (retrospective) (resubmission of previously approved planning permission ref: R12/0145 dated 17/04/2012 for a temporary one year period).
<i>R13/2256 Approved 10.01.2014</i>	Britvic Soft Drinks Aventine Way Brownsover	Replacement of 3 existing Carbon Dioxide tanks with 2 new Carbon Dioxide tanks.

<i>R13/1176 Approved 10.01.2014</i>	New Life Church Temple Buildings 1 Railway Terrace Rugby	Change of use of existing building from Class A1 (Retail) and Class A2 (financial and professional services) to D1 (Place of Worship) of the Town and Country Planning (Use Classes) Order 1987, changes to front elevation. - Variation of Condition 3 to allow an open D1 use
<i>R13/2277 Approved 13.01.2014</i>	Corner of Rugby Road Broad Street & Coventry Road Brinklow	Erection of a war and peace memorial with seating area and raised flower beds.
<i>R13/2278 Approved 15.01.2014</i>	33 Birchwood Road Binley Woods	Erection of single storey front extension
<i>R13/1806 Approved 15.01.2014</i>	2 Maple Gardens Dunchurch Road Rugby	Erection of single storey rear extension
<i>R13/2278 Approved 15.01.2014</i>	33 Birchwood Road Binley Woods	Erection of single storey front extension
<i>R13/2211 Approved 15.01.2014</i>	Rugby Bareboards Trust 36 Warren Road Rugby	Renewal of planning permission R03/0884, for use of existing building for retail and storage purposes
<i>R13/2129 Approved 16.01.2014</i>	17 Crowthorns Brownsover	Erection of fencing to front of property (resubmission of previously refused planning application R13/0519 dated 17/07/2013 to include alterations to the height and design of the fencing previously refused).
<i>R13/1991 Approved 16.01.2014</i>	12 Hallams Close Brandon	Replace existing timber windows with upvc of same colour and simulated wood texture. Replace front door with white uPVC one.
<i>R13/1917 Approved 16.01.2014</i>	69 Monks Road Binley Woods	Retrospective application for single storey rear extension
<i>R13/2156 Approved 16.01.2014</i>	Holly Cottage The Row Ansty	Erection of a conservatory and alterations to existing dwelling.

<i>R13/2308 Approved 17.01.2014</i>	70 Cromwell Road Hillmorton	Erection of two storey side and rear extension and single storey rear extension
<i>R13/1856 Approved 17.01.2014</i>	Brickyard Cottage Monks Kirby Lane Rugby	Retention of 2 outbuildings and decking ancillary to main dwelling
<i>R13/2104 Approved 17.01.2014</i>	Autostop Service Station 54 Lawford Road Rugby	Retention of change of use from part of petrol filling station to hand car wash with retention of shipping container and canopy structure.
<i>R13/0916 Approved 20.01.2014</i>	Land and Buildings adjacent former Waterworks London Road Ryton on Dunsmore	Alterations and extensions to warehouse and office block buildings
<i>R13/2078 Approved 21.01.2014</i>	Havencroft Main Street Broadwell	Alterations and extension to building and retention of part B8 use (agricultural contractors business).
<i>R13/2328 Approved 23.01.2014</i>	Cottage Farm Coventry Road Wolvey	Installation of 542 ground mounted Solar PV panels.
<i>R14/0002 Approved 24.01.2014</i>	Code 8 Software Development Limited 150 Railway Terrace Rugby	Change of use of the ground floor from Dental Practice (Use Class D1) to an Education and Tuition Centre (Use Class D1) (Retrospective)
<i>R13/2097 Approved 24.01.2014</i>	Guttbusters 17 Albert Street Rugby	Change of use of the ground floor from A1 (retail) to A5 (hot food takeaway)
<i>R13/2327 Approved 24.01.2014</i>	Navigation Farm Longdown Lane Willoughby	Proposed extension to existing hay, straw and fodder storage barn
<i>R13/2105 Approved 28.01.2014</i>	Clifton Court Nursing Home Lilbourne Road Clifton Upon Dunsmore	Retention of 3 shipping containers
<i>R13/0575 Approved 28.01.2014</i>	32 Beech Drive Bilton	Erection of 7 dwellings with associated parking and works

<i>R13/1962 Approved 28.01.2014</i>	Fosse Farm Fosse Way Rugby	Change of use of existing agricultural building to B1 Office Use
<i>R13/0203 Approved 29.01.2014</i>	Land adjacent to Fir Tree Farm Watling Street Shawell	Siting of pre-fabricated mess room unit.
<b>Listed Building Consents</b>		
<i>R13/2264 Listed Building Consent 10.01.2014</i>	Brook Farm House Back Lane Birdingbury	Alterations to listed building to include replacement of ground floor slab to dining and living room, 2no.replacement windows, installation of sun tunnel into east roof slope, replacement of balustrade to main stairs and general refurbishment to internal face of existing walls
<b>Advertisement Consents</b>		
<i>R13/2122 Advertisement Consent 17.01.2014</i>	Clock Towers Shopping Centre Car Park Corporation Street Rugby	Display of 3no. internally illuminated fascia signs.
<b>Certificate of Lawful Use or Development</b>		
<i>R13/2301 Certificate of Lawful Use 13.01.2014</i>	The Bungalow Green Earth Nurseries Draycote Road Draycote	Certificate of Lawfulness for the occupation of the dwelling in breach of Condition 4 (agricultural occupancy) of planning permission R90/0998/10135/P dated 30th August 1991.
<b>Approval of Details/ Materials</b>		
<i>R13/1359 Approval of Details 17.01.2014</i>	Unit DC5 Former Peugeot Factory Site B Oxford Road Ryton on Dunsmore	Approval of reserved matters for Unit DC5/Plot 1 relating to layout, appearance, landscaping and scale (Application E) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping] & Condition 5 of R10/1972 (associated with Plot 1 - Unit DC5).

<i>R11/1995 Approval of Details 21.01.2014</i>	Garages South of 34 Nelson Way Bilton	Demolition of the existing garages and erection of 8 No. 2 bed dwellings and 6 No. 3 bed dwellings and associated parking.
<i>R13/0079 Approval of Details 21.01.2014</i>	Hill Farm Rugby Road Bretford	Erection of two storey and single storey extensions, conversion of part of existing agricultural building to residential purposes and external alterations to existing residential dwelling
<i>R12/1155 Approval of Details 22.01.2014</i>	Part of Former Bilton Bypass Land Rear of 314-322 Bilton Road & Rear of Lister House Ivy Grange Bilton	Erection of 11 dwellings with associated garaging, sewers and other works.
<i>R12/2330 Approval of Details 22.01.2014</i>	Hopsford Spring Farm Withybrook Lane Coventry	Conversion of existing barn to form a single dwellinghouse
<i>R13/0083 Approval of Details 22.01.2014</i>	113 Townsend Lane Long Lawford	Erection of 7 dwellings with associated access, parking and landscaping, alterations to 113 Townsend Lane.
<i>E2E Ref 665 Approval of Details 23.01.2014</i>	Lime Tree Village Cawston Lane Rugby	Extension to Lime Tree Village to form a Continuing Care Retirement Community (Use Class C2) incorporating a 30 bed Care Home, 47 Extra Care Cottages (Use Class C2), 12 Extra Care Apartments (Use Class C2) associated communal facilities, open space and car parking facilities.
<i>R13/1526 Approval of Details 29.01.2014</i>	90 Monks Road Binley Woods	Erection of replacement dwelling
<i>R13/1359 Approval of Details 29.01.2014</i>	Unit DC5 Former Peugeot Factory Site B Oxford Road Ryton on Dunsmore	Approval of reserved matters for Unit DC5/Plot 1 relating to layout, appearance, landscaping and scale (Application E) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping] & Condition 5 of R10/1972 (associated with Plot 1 - Unit DC5).

<b>Approval of Reserved Matters</b>		
<i>R13/0953 Approval of reserved matters 24.01.2014</i>	Technology Drive Zone C Phase II Technology Drive Rugby	Erection of 40 no. 1 & 2 bed apartments, open space and all ancillary and enabling works (part phase II) - submission of reserved matters comprising access, appearance, landscaping, layout and scale pursuant to outline planning permission R06/0064/MAJP, dated 17 Sept 2007
<b>Withdrawn/ De-registered</b>		
<i>R13/0145 Withdrawn 23.01.2014</i>	The White House Oxford Road Princethorpe	Change of use from residential to guest house to including retention and alterations of first floor rear extension (resubmission of previously refused planning application R12/0637 dated 30/05/12.