

20<sup>th</sup> June 2014

## **PLANNING COMMITTEE - 2<sup>ND</sup> JULY 2014**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 2<sup>nd</sup> July 2014 in the Council Chamber, Town Hall, Rugby.

### **Site visit**

A site visit will be held at the following time and location.

4.00pm      Dunsmore House, Lilbourne Road, Clifton upon Dunsmore, CV23 0BB

Adam Norburn  
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 meetings held on 11<sup>th</sup> June 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 – 23<sup>rd</sup> May 2014 – 12<sup>th</sup> June 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 2014/15 – 3) are attached.

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

Councillors Ms Robbins (Chairman), H Avis, Mrs Avis, Buckley, Butlin, G Francis, Gillias, Lewis, Pacey-Day, Ms Robbins, Sandison, Mrs Simpson-Vince and Helen 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)).*

**Planning Committee – 2<sup>nd</sup> July 2014**  
**Report of the Head of Planning and Culture**  
**Applications for Consideration**

Planning applications for consideration by the Committee are set out as below.

- Applications recommended for refusal with the reason(s) for refusal (pink pages)
- Applications recommended for approval with suggested conditions (yellow pages)

**Recommendation**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for refusal

Item	Application Ref Number	Location site and description	Page number
1	R14/0196	Cromwell House, Fosse Way, Princethorpe, Rugby Erection of a single storey extension (including demolition of existing extension, garage and workshop, amendments to planning permission reference R09/0033/HOUS, dated 06/02/12).	4
2	R14/0391	5 Helmdon Close, Rugby Change of use of dwelling to a house in multiple occupation and extension of hard surfacing to front (part-retrospective).	8

### Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
3	R14/0969	Woodside Caravan Park, Oxford Road, Ryton-on-Dunsmore, Coventry Creation of an additional 6 pitches, and construction of amenity blocks, together with associated works (variation of condition 7 of planning permission R14/0067 dated 12/3/14) to reword the original wording of the condition to restrict the number of caravans to be sited on each pitch in accordance with drawing no (00)001).	15
4	R14/0903	20 Paynes Lane, Rugby Change of use of building from industrial/warehouse (classes B1/B2) to gymnasium (Use Class D2).	21
5	R14/0935	Spar Stores, 256 Hillmorton Road, Rugby Change of use of existing A1 (retail) unit to a mixed use of A1 (retail) and A2 (Financial and Professional Service).	26
6	R14/0500	Dunsmore House, Lilbourne Road, Clifton upon Dunsmore, CV23 OBB Occasional Use of Dunsmore House for weddings and wedding receptions - temporary period for 12 months. Including provision of new vehicular access, parking area and temporary siting of marquees.	29

7	R10/0905	Land off Snellsdale Road, Snellsdale Road, Coton Park East, Rugby Use of land for residential development comprising a maximum of 110 dwellings and associated open space and infrastructure.	44
8	R10/1708	Land off Long Hassocks, Long Hassocks, Coton Park East, Rugby Use of land for residential development comprising a maximum of 40 dwellings and associated open space and infrastructure.	61

**Reference number:** R14/0196

**Site address:** Cromwell House, Fosse Way, Princethorpe, Rugby

**Case Officer:** Chris Davies 01788 533627

**Description:** Erection of a single storey extension (including demolition of existing extension, garage and workshop, amendments to planning permission reference R09/0033/HOUS, dated 06/02/12).

**History:**

R08/1079/HOUS	Demolition of existing single storey flat roofed garage, workshop, utility and construction of replacement single storey extension Refused 04/09/08
R09/0033/HOUS	Demolition of existing single storey flat roofed garage, workshop, utility and construction of replacement single storey extension (Resubmission of refused Planning application R08/1079/HOUS dated 4/09/08). Approved 06/02/12

**Proposal:**

The applicant seeks planning permission to amend the previously approved scheme by including the retention and extension of the rear decking, increasing the depth and provision of a raised gabled roof over the approved replacement garage extension, and other external alterations.

**Relevant Information:**

This application had been brought before the Committee for consideration at the request of Councillor Graham Francis.

Cromwell House is a detached two storey dwelling located just within the village boundary of Princethorpe, close to the village pub (The Three Horseshoes). The West Midlands Green Belt abuts the right boundary of the site, adjacent to the proposed replacement garage extension.

The lie of the land is such that it falls away significantly to the rear of the property, towards dwellings on Sheep Dip Lane (Bridge House and Meadow View). This makes the property quite prominent.

The existing link attached garage projects forward from the main frontage of the house itself, and is the first feature you notice when approaching from either direction along Fosse Way. There are no tall trees or other features near this part of the site.

Permission was granted in 2012 for a scheme which also incorporated a replacement garage extension. This proposal features a low hipped roof over the replacement garage element, with minimal room space above it. The most significant element of the *current* proposal are the proposed works above the garage.

**Technical Consultation Responses:**

WCC Ecology - Bat and nesting bird notes required.

WCC Highways - No objections.

**Parish/Ward Consultation Response:**

Parish - No objections

Ward - Called into Committee by Ward Councillor (Councillor Graham Francis).

**Neighbour Consultation Responses:**

None

**Planning Policy:**

The National Planning Policy Framework March 2012                      Conflicts

Rugby Borough Core Strategy 2011

CS1: Development Strategy              Complies (see below for explanation)

CS2: Parish Plans                              Conflicts

CS16: Sustainable Design                  Conflicts

Rugby Borough Local Plan 2006 Saved Policies

E6: Biodiversity                              Complies

**Considerations:**

The key consideration in determining this application is the impact of extending and altering the dwelling on a) the character and appearance of the property and the immediate locality, b) neighbouring residential amenity, and c) biodiversity.

**Character and Appearance**

The proposed retention and extension of the decking is not out of keeping with the character of the property, and works done so far are of a good quality and satisfactory appearance.

The proposed alteration to the previously approved link extension are still in keeping with the overall approved scheme and with the main house, and again would not harm the visual character of the property.

The location of the proposed garage, whilst similar to that previously approved, still puts it forward of the frontage of the main dwelling. As such it would still be a prominent feature within the site and one which would be clearly visible from both the highway (Fosse Way) and adjacent properties and land. This prominence would be further intensified by the lie of the land (which falls always sharply to the rear of the site).

Whilst there would be no material increase in impact from the additional workshop space proposed to the rear of the garage, the proposed alterations to raise the roof height and replaces the hipped roof with a dominant gabled one would result in a feature that is out of keeping with the dwelling itself (which has a hipped roof) and further intensify the impact of the garage element on both the streetscene and the wider setting. The proposed large scale glazing in the rear elevation is also not in tune with the glazing style of either the existing property or the previously approved design.

The proposed scheme therefore conflicts with the elements of policies CS2: Parish Plans and CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that deal with character and appearance, and the principles and guidance set out in Part 12 of the NPPF.

Although not within the West Midlands Green Belt, the site lies immediately adjacent to it. The proposed alterations to the garage would therefore also have a detrimental impact on the visual character of the setting Green Belt, although it would not significantly impact on its openness. However the proposals would not conflict with policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011, and the principles and guidance set out in Part 9 of the NPPF, as the site is wholly outside Green belt designated land.

### **Residential Amenity**

Given the considerable distance between Cromwell House and adjacent neighbouring dwellings (over 30m from No.'s 12 and 14 Fosse Way, and over 100m from Bridge House and Meadow View), it is not considered that the creation of additional first floor accommodation or the alterations to increase the number of windows would result in a material impact on the amenities of neighbouring residents.

Although the decking arguable affords elevated views over adjacent property and land, this is no more than can already be afforded from existing rear facing windows, or indeed the patio that the existing decking replaced.

The proposed scheme therefore complies with the elements of Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

### **Biodiversity**

WCC Ecology Unit has no objections to the development, and has not requested any restrictive or compensatory conditions relating to habitat protection or regeneration.

They have recommended advisory notes regarding bats and nesting birds to guide the applicants, which would be included in the decision if approved.

The development therefore complies with Saved Policy E6 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats, and guidance set out in Part 11 of the NPPF.

### **Recommendation:**

Refusal due to conflict with Policy CS16 and the principles and guidance set out in the NPPF.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R14/0196

### **DATE VALID**

22/04/2014

### **ADDRESS OF DEVELOPMENT**

Cromwell House  
Fosse Way  
Princethorpe  
Rugby  
CV23 9QH

### **APPLICANT/AGENT**

Andrew Mann  
AJM Associates  
24 Ropewalk  
Alcester  
Warwickshire  
B49 5DD  
On behalf of Nigel Fraser

## **APPLICATION DESCRIPTION**

Erection of a single storey extension (including demolition of existing extension, garage and workshop, amendments to planning permission reference R09/0033/HOUS, dated 06/02/12).

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

### REASON FOR REFUSAL:

The proposed amendments to the roof of the previously approved garage element of the scheme are considered to be unsympathetic to the appearance and character of the site, and if allowed could constitute a prominent and incongruous feature that would be detrimental to the visual amenities of the property, the streetscene and the wider setting. The proposal therefore conflicts with the elements of Policies CS2: Parish Plans and CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to character and appearance, and the principles and guidance set out in Part 12 of the NPPF.

### RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

The National Planning Policy Framework March 2012 (NPPF)

CS2: Parish Plans and CS16: Sustainable Design of the Rugby Borough Core Strategy 2011.

Saved Policy E6 of the Rugby Borough Local Plan 2006

The development plan policies referred to above are available for inspection on the Rugby Borough Council's web-site [www.rugby.gov.uk](http://www.rugby.gov.uk) or at the Council Offices.

### 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. Unfortunately in this instance it has not been possible to reach a positive conclusion due to conflict with prevailing policies.

**Reference number: R14/0391**

**Site address: 5 Helmdon Close, Rugby**

**Description: Change of use of dwelling to a house in multiple occupation and extension of hard surfacing to front (part-retrospective)**

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

The application has been brought before the Planning Committee as letters of objection representing more than 15 households residing in the locality of the application site have been received.

### **Site Description**

No.5 Helmdon Close is a detached brick built dwelling which is sited within the Rugby Urban Area. It has a tarmac area of hardstanding to its front and an integral double garage. The dwelling occupies a fairly prominent plot fronting onto both Helmdon Close and Belgrave Drive.

### **Proposal Description**

Planning permission is sought for the conversion of the 6-bed dwelling into an 8-bed house in multiple occupation (HMO). The accommodation provided within the HMO at ground floor level consists of a communal living room, kitchen, utility, hallway, wc and double garage, whilst two bedrooms are also provided. At first floor level a further 6 bedrooms are provided, 4 of which are served by an ensuite bathroom.

Associated extensions to the hard surfacing to the front of the dwelling are also proposed to ensure that there is sufficient space to park 7 cars within the application site.

Whilst the alterations to the hard surfacing to the front of the dwelling have not yet been carried out, as the conversion has already been fully implemented the application seeks part-retrospective consent.

### **Relevant Planning History**

R88/2586/18799/P    Erection of 76 detached dwellings with associated roads and sewers  
Approved 19.10.1989

R03/0035/23077/P    Erection of two storey side extension                      Approved 1.4.2003

### **Technical Consultation Responses**

RBC Environmental Health – no objection subject to informatives

WCC Ecology – none received

WCC Highways – no objection subject to conditions and informatives

### **Third Party Responses**

Consultation responses received to application as originally submitted:

Councillors – none received

Neighbours – 20 letters of objection have been received from 17 households raising the following points:

- Unacceptable change in the purpose and character of the local housing, with locality containing family homes, not HMOs
- Out of character with area and rural landscape
- Concerned about the precedent that an approval would set
- Lack of parking and associated highway safety issues – cars being parked on pavements and coming and going at all hours, number of cars has made passing a problem and has blocked drives and compromised access, harmful to safety of road users and pedestrians, interfere with visibility splays, tandem parking is not viable as a HMO, kerb would need to be dropped to provide additional parking within site, no visitor spaces provided, blocked access to green open space for emergency vehicles
- The number of cars make the street look like a car park and has changed the area from what was a very quiet safe place, to a transient, unsafe area
- Creates a transient population out of keeping with the well-established community
- Cars have been jacked up and repaired on the public highway
- The green plastic mesh which has been laid over the grassed area is an unviable method of extending the parking area both as a working layout and suitable surface
- Allowing parking on the grass adversely impacts on the open plan feel of the close
- Loss of privacy – garden overlooked by occupiers of HMO
- Do not want a block of flats and its attendant issues at the end of the cul-de-sac
- Increased noise and disturbance – violation of quiet and peaceful community
- There is enough residential expansion in Rugby – there is no need to start converting residential family homes
- The front of the dwelling has become unsightly and totally out of character with surrounding properties
- In areas where HMOs are allowed, there is often an increase in crime and a detrimental effect to the housing stock, community and quality of life for residents in such areas
- The site is not a suitable location for student or other single person accommodation
- Queries regarding land ownership
- Queries regarding completion of the application form
- Planning permission was not gained for the proposed two storey side extension already constructed at the site
- Double garage is used as a commercial lock up for applicant's business activities
- Adverse impact on value of neighbouring properties
- Reference to legal covenants

Consultation responses received in response to amended certificates of ownership:

Councillors – none received

Neighbours – one letter of objection received raising no new reasons for objection

Consultation responses received in response to amended parking layout:

Councillors – none received

Neighbours – 8 letters of objection have been received from 7 households raising the following points:

- The parking layout has not been used as shown since the dwelling has been used as a HMO – the parking scheme is not workable or enforceable

- No mention is made of the proposed surface material to be used for the parking area
- The parked vehicles on the front garden is out of character with the general area and will impede visibility splays to vehicles exiting Belgrave Drive
- Additional hard surfacing to front is out of keeping with traditional residential area
- No parking provision for visitors and does not take into account couples sharing one room
- The presence of three junctions in close proximity of the property prohibits street parking
- Car parking spaces within the garage are far too small to allow drivers/passengers to get out of the vehicles
- Garage currently used for storage
- The planned parking is very tight – in reality residents will continue to use the highway, driving over the kerb and blocking access to Belgrave Drive and Birstall Drive
- Parking on the highway causes issues for emergency vehicle access
- Precedent set through approval
- Would have no objection if parking is provided for all the tenants on a suitable surface including bringing the garages into use
- Concerned about management of property
- Off street parking will cause inconvenience to residents turning into Belgrave Drive
- As annotated on the parking plan, space 7 blocks space 2
- Supporting information makes reference to current occupants – this is irrelevant as any decision should be based on the possible maximum capacity
- Do not agree that applicant would have more control over who were living at the property if it were used as a HMO – rooms may still be sub-let to more occupiers
- Do not agree that occupiers will use public transport

## **Relevant Planning Policies and Guidance**

### Core Strategy

CS1            Development Strategy

CS16          Sustainable Design

### Saved Local Plan Policies

E6            Biodiversity

T5            Parking Facilities

GP2          Landscaping

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

### Principle of development

Paragraph 50 of the NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing.

Policy CS1 of the Core Strategy provides a settlement hierarchy so as to ensure that it can be demonstrated that the most sustainable locations for new development are considered ahead of those deemed to be less sustainable. This policy states that the urban area of Rugby outside of the town centre is the primary focus for new residential and employment development. This is owing to its inherently sustainable location close to existing services and facilities, both within and on the outskirts of the Rugby Town Centre.

The proposed development seeks permission for the change of use of the existing dwelling to an 8-bed HMO. As the site is located within the Rugby Urban Area – an inherently sustainable location of the Borough – the use as proposed is considered to be suitable in this location in accordance with Policy CS1 of the Core Strategy and the NPPF. It is therefore considered that the principle of the proposed use in this location is acceptable.

### 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 change of use has facilitated no external alterations to the building itself and as such it is not considered that this element of the proposal causes any harm to the qualities, character and amenities of the area in accordance with Part 7 of the NPPF and Policy CS16 of the Core Strategy.

However, through the assessment of the application, a plan showing an amended parking layout was submitted in response to an objection received from County Highways. Objection was raised due to an insufficient level of off-street parking which would be available within the site (a total of 5 car parking spaces) and as such an amended parking layout has been received which proposes the laying down of additional hard surfacing to the front of the dwelling so as to ensure that 7 off-street parking spaces are available for use by the occupiers of the proposed HMO.

In order to satisfy County Highways, a hard surface such as block paving, would need to be laid over the existing grassed areas to the front of the dwelling. The estate for which the application site is located is characterised by landscaped areas to the front of dwellings which successfully serve to soften the impact of the built development on the visual amenity of the area. The landscaping was considered by the Local Planning Authority during the assessment of the original application for the housing development so as to protect the visual amenities of the locality.

It is considered that the replacement of the fairly large section of soft landscaping to the front of the dwelling with hard surfacing will erode the landscaped characteristics of the area. The additional hard surfacing to the front of the dwelling disrupts the continuity of soft landscaped frontages within this area of the estate and as such conflicts with the contents of Saved Local Plan Policy GP2 which seeks the retention of the landscaped character of an area. It is therefore considered that the provision of additional hard surfacing to the front of the dwelling, to allow an acceptable level of parking within the site, would have a detrimental impact on the landscape characteristics of the area and is an unsympathetic form of development within the streetscene. In addition, the parking of cars along the whole frontage of the dwelling will adversely impact upon the fairly open character of the estate. Having regard to this and the fairly prominent location of the application site (on the corner of Helmdon Close and Belgrave Drive), it is considered that this element of the proposal would have an adverse impact upon the character and appearance of the area, representing poor quality design which conflicts with the NPPF, Core Strategy Policy CS16 and Saved Local Plan Policy GP2.

#### Impact upon the amenity of neighbouring properties

Paragraph 17 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings and Policy CS16 states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

As the property has not been extended in any way to facilitate the change of use, it is not considered that it causes any loss of amenity to neighbouring properties whether by way of overbearing or overshadowing. In addition, no additional windows have been inserted into the dwelling and as such it is not considered that the change of use has led to any additional impact to neighbouring amenity through loss of privacy beyond that which would have been experienced through the permitted use of the site as a dwelling.

The Council's Environmental Health department have been consulted on the application and have raised no objection subject to a number of informatives which relate to specific standards that the accommodation should adhere to so as to comply with the relevant parts of the Housing Act 2004. No specific concerns have been raised in relation to unacceptable levels of noise and disturbance and, whilst a number of letters have been received from neighbouring properties which state that increased traffic to and from the property has given rise to increased noise and disturbance, it is not considered that the use of the dwelling as a HMO is having a significantly adverse impact upon neighbouring amenity so as to justify a refusal of planning permission.

It is therefore considered that the proposed development complies with the NPPF and 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 not commented on the application and as such, it is not considered that the proposed development either has had or is having an adverse impact on biodiversity.

### 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.

Whilst no specific parking standards are provided for HMOs, the Planning Obligations SPD does provide standards for studios, stating that 1 space should be provided per unit when located in the low access parking zone. Taking each studio unit as a bedroom within the HMO, 8 spaces should therefore be provided within the application site.

As originally submitted, a total of 5 car parking spaces were provided within the application site, 2 in the existing integral garage and 3 on the tarmac hard surfacing. Having consulted County Highways who raised objection owing to the insufficient level of parking proposed, an amended parking layout was submitted. This incorporates the laying down of additional hard surfacing to the front of the dwelling to facilitate the creation of 7 off-street parking spaces.

County Highways have been consulted on this amended parking layout and, as it is accepted that it could be achieved in theory, have raised no objection subject to the attachment of conditions and informatives.

Whilst it is acknowledged that 7 parking spaces to serve 8 units is not ideal in highway terms, County Highways recognise that this provision would be likely to satisfy the regular parking demand associated with the development. In addition, in relation to residential dwellings the Council's parking standards state that applications will be considered on their own merits and according to the sustainability of the location. Having regard to the sustainable location of the application site within the Rugby Urban Area, being within walking distance of both public transport links (the train station and bus stops) and local shops (a small supermarket located on Hollowell Way) for example, it is considered that the sustainability of the site justifies the shortfall of one parking space when assessed against the Council's parking standards.

The proposed layout, however, will require vehicles to enter/exit the highway at an acute angle. Whilst due to traffic flows within the vicinity of the site it is not considered that this will cause a highway safety issue, as a result of the current width of the site access (being 3.9m) and the angles concerned, vehicles may 'bump' up and down the highway footway, possibly leading to eventual damage and a maintenance liability to the Highway Authority. Subject to a condition which ensures that the site access is widened within 3 months of the date of the decision however, no objection is raised on this basis.

Whilst at present a 'netlon' type material has been placed on the grassed frontage to provide overflow parking, as it is considered that this material is inadequate for the parking of cars, Highways have stipulated that in the event of an approval, a condition should be attached to ensure that a hard surface, such as a blockwork type material, is used.

Subject to appropriate conditions it is therefore considered that an acceptable level of parking is provided within the site and that, as such, the proposed change of use will not have an adverse impact on highway safety in accordance with the NPPF, Core Strategy Policy CS16, Saved Local Plan Policy T5 and the Planning Obligations SPD.

### **Recommendation:**

Refuse

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R14/0391

### **DATE VALID**

26/02/2014

### **ADDRESS OF DEVELOPMENT**

5 HELMDON CLOSE  
RUGBY  
CV21 1RS

### **APPLICANT/AGENT**

Mr And Mrs Randhir and Harinderjeet Chahal  
5 Helmdon Close  
Rugby  
Warwickshire  
CV21 1RS

### **APPLICATION DESCRIPTION**

Change of use of dwelling to a house in multiple occupation and extension of hard surfacing to front (part-retrospective)

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

#### **REASON FOR REFUSAL:**

The additional hard surfacing proposed to the front of the dwelling to facilitate the creation of additional off-street parking for vehicles has a detrimental impact on the landscape characteristics of the area and represents an unsympathetic form of development within the streetscene, whilst the parking of cars along the whole frontage of the dwelling will adversely impact upon the fairly open character of the estate. It is therefore considered that the development represents poor quality design which would have an adverse impact on the qualities, character and amenity of the area, conflicting with the contents of Policy CS16 of the Core Strategy, Saved Local Plan Policy GP2 and the NPPF.

#### **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. Unfortunately in this instance it was not possible for the scheme to be amended in such a way so as to ensure an acceptable level of off-street parking which would not have an adverse impact on the landscape characteristics, visual amenity and character of the area.

**Reference number: R14/0969**

**Site address: Woodside Caravan Park, Oxford Road, Ryton-on-Dunsmore, Coventry**

**Description: Creation of an additional 6 pitches, and construction of amenity blocks, together with associated works (variation of condition 7 of planning permission R14/0067 dated 12/3/14) to reword the original wording of the condition to restrict the number of caravans to be sited on each pitch in accordance with drawing no (00)001).**

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

### **Description of Site and proposed development**

The site is located approximately one and a half kilometres south of the village Ryton on Dunsmore. It lies within the designated West Midlands Green Belt the edge of which is approximately 120 metres south-west off the A423 opposite the Bull and Butcher Public House. Access to the site is off the Oxford Road. The application site is an established gypsy and traveller site for which in 2007 outline permission was granted for the redevelopment of the site to provide 36 pitches in total. The Borough Council has acquired the central triangle and redeveloped this part of the site by creating 12 pitches. The pitches around the edge of this triangle totalling 18 pitches are privately owned. The land edged red which forms part of this application was included as part of the outline application granted in 2007, and was granted outline permission for the provision of 8 pitches on this land; however the subsequent reserved matters application submitted only considered the 12 pitches currently owned by the Council. Funding has now been secured for the development of the land edged red which forms part of this application to provide an application six pitches.

To the north-east of the application site is a private gypsy and traveller site which currently comprises of 10 pitches. To the north and east of the site are open agricultural fields and to the south is Ryton Woods SSSI. Along the access road into the application site is an additional gypsy and traveller site for 1 pitch known as Berrybanks.

The application is to be determined by members of the planning committee as the applicants are the Borough Council.

### **Relevant planning history**

#### **R90/0653/19891/P**

Use of land as 30 pitch gypsy caravan site    Refused 05/09/1990

Appeal against 5 enforcement notices        Appeals dismissed 17/05/1991

#### **R96/0498/19891/P**

Use of land as private gypsy caravan site    Appeals allowed by Secretary of State  
06/01/1998

#### **R07/0873/MAJP**

Outline application for the redevelopment of existing gypsy site to provide 36 pitches in total (which includes an additional 6 pitches), construction of ancillary buildings and self contained sewage treatment plant, provision of 3 CCTV cameras and poles, and improvement of access and landscaping. Approved 21/09/2007

#### **R07/1812/PLN**

Provision of 1 No. pole mounted CCTV camera. Approved 02/01/2008

R09/0705/DET

Discharge of conditions 3 (phasing plan) 8 (surface water drainage), 9 (foul drainage), 10 (drainage), 12 (CCTV cameras), 14 (access), 15 (visibility) and 16 (landscaping & buffer strip) against planning permission R07/0873/MAJP (Outline application for the redevelopment of existing gypsy site to provide 36 pitches in total (which includes an additional 6 pitches), construction of ancillary buildings and self contained sewage treatment plant, provision of 3 CCTV cameras and poles, and improvement of access and landscaping.) Approved 09/12/2009

R09/0722/RSM

Approval of reserved matters (layout, scale, appearance & landscaping) against planning permission R07/0873/MAJP (Outline application for the redevelopment of existing gypsy site to provide 36 pitches in total (which includes an additional 6 pitches), construction of ancillary buildings and self contained sewage treatment plant, provision of 3 CCTV cameras and poles, and improvement of access and landscaping.) Approved 04/11/2009

R14/0067

Creation of an additional 6 pitches, and construction of amenity blocks, together with associated works. Approved 12.03.14

**Third Party Comments**

Neighbours no comments received

Parish Council no comments received

**Technical Consultation Responses**

Environmental no comments to make

Services

**Relevant planning policies/guidance**

Rugby Borough Council LDF Core Strategy 2011

CS1: Development Strategy complies

CS16: Sustainable Design and Construction complies

CS22: Gypsy, Travellers and Travelling Showpeople. complies

Warwickshire County Council Landscape Assessment of the Borough of Rugby 2006

Saved Local Plan Policies (Post Core Strategy Adoption) June 2011

E6 Biodiversity complies

National Planning Policy Guidance

National Planning Policy Framework 2012

Planning Policy for traveller sites

### **Assessment of proposal**

Condition 7 of planning permission R14/0067 stated:

*'The development hereby permitted shall be restricted to 6 pitches with no more than two caravans on each pitch at any one time.'*

### **REASON:**

*The site lies within the Green Belt where planning permission is not normally granted except where there are very special circumstances and in the interests of the amenities of the locality.'*

The applicants seek to reword this condition to restrict the number of caravans to be sited on each pitch in accordance with drawing no SK05 REV B. The number of caravans will remain the same, that being 12, but the distribution of the caravans across the 6 pitches is proposed to alter due to the variation in pitch sizes with pitch 1 being only able to support 1 caravan whereas pitch 6 can support 3 caravans. Given that the number of caravans remains the same the only difference is how the caravans are distributed amongst the 6 pitches it is not considered that the proposed variation of condition will impact any further upon the openness of the green belt and character and appearance of the surrounding area. The proposal therefore accords with policies CS1, CS16 and CS22 and guidance contained within the NPPF.

### **Recommendation**

Approval subject to conditions

#### **APPLICATION NUMBER**

R14/0969

#### **DATE VALID**

21/05/2014

#### **ADDRESS OF DEVELOPMENT**

WOODSIDE PARK  
OXFORD ROAD  
COVENTRY  
CV8 3JY

#### **APPLICANT/AGENT**

Mr Michael Magri  
Gotch, Saunders & Surridge Llp  
73 Macrae Road  
Bristol  
Avon  
BS20 0DD

On behalf of Mrs Michelle Dickinson, Rugby  
Borough Council

#### **APPLICATION DESCRIPTION**

Creation of an additional 6 pitches, and construction of amenity blocks, together with associated works (variation of condition 7 of planning permission R14/0067 dated 12/3/14) to reword the original wording of the condition to restrict the number of caravans to be sited on each pitch in accordance with drawing no SK05.

#### **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 dated 10/01/14

Dwg No SK01

Dwg No SK05 Rev B received by the LPA on the 12/06/14

Dwg No SK06

**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 materials to be used on the external walls and roof of the proposed amenity buildings shall be of the same type, colour and texture as those used on the existing amenity buildings on Woodside Park.

**REASON:**

In the interest of visual amenity.

**CONDITION: 4**

The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites.

**REASON:**

The site lies within the Green Belt where planning permission is not normally granted except where there are very special circumstances

**CONDITION: 5**

The site shall be used for residential purposes only and materials or equipment used in connection with commercial activities, business or trade of the occupants shall not be stored in the open on the land.

**REASON:**

In the interests of visual amenity and to ensure a satisfactory development.

**CONDITION: 6**

No vehicle over 3.5 tonnes shall be stationed, stored or parked on the site.

**REASON:**

In the interests of visual amenity.

**CONDITION: 7**

The development hereby permitted shall be restricted to 6 pitches. The number of caravans to be sited on each pitch shall be as shown on drawing Dwg No SK05 Rev B received by the LPA on the 12/06/14.

**REASON:**

The site lies within the Green Belt where planning permission is not normally granted except where there are very special circumstances and in the interests of the amenities of the locality.

**CONDITION 8:**

The vegetation buffer zone on the bund (which was part of planning decision - R07/0873/MAJP and R09/0705/DET) that separates the proposed pitches from the SSSI should be completed in accordance with details previously approved within the next planting season following the date of this permission, and should be properly maintained for five years following planting; any failures being replaced during the following planting season. The design of the vegetation zone included planting spiny shrubs (holly, hawthorn, blackthorn, etc).

**REASON**

To ensure that the development, as submitted, will not impact upon the features of special interest within Ryton Wood SSSI.

**CONDITION: 9**

Prior to commencement of works a scheme for the provision of surface water drainage works must be submitted to and approved in writing by your authority in consultation with Natural England.

**REASON**

To ensure that the development, as submitted, will not impact upon the features of special interest for which Ryton Wood SSSI is notified.

**CONDITION: 10**

The development hereby permitted shall not commence until a protected species method statement for protected species (to include supervision of works by a licenced ecologist, timing of works and protection measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

**REASON**

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

**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.



## Assessment of proposal

### Principle of Development

#### - Local Plan (2006) Policy ED5

The unit that is proposed to be changed from its existing B1/B2 industrial use to a D2 leisure use is part of Paynes Lane Industrial Estate, which is a strategically significant employment site (ED5.7) as designated in the Rugby Local Plan saved policy ED5. Sites designated under this policy are intended to be retained for employment purposes in use class B1, B2 and B8 and development for other uses should not be permitted. The applicant refers to a number of other vacant units on the Paynes Lane industrial estate, which is considered to be a material consideration in whether a permission for the proposed leisure use could be approved on an ED5 site without blighting the prospect of redevelopment opportunities for employment purposes being available in the near future on Paynes Lane. The applicant also refers to the fact that the unit has been vacant and actively marketed for employment use for a period of at least two years, without any interest being shown in its redevelopment for employment purposes. However, this is a provision for complying with Local Plan Policy ED6 for employment land not designated under Policy ED5 for strategically significant employment sites. As already stated, Paynes Lane is designated under Policy ED5.

#### - Core Strategy (2011) Policy CS18

Policy CS18 seeks to enable sustainable access to employment opportunities for Rugby Borough by allocating sufficient land to meet the existing employment land allocation target. Supporting text at Paragraph 8.7 of the Core Strategy states that other non B use classes will be permitted where it is demonstrated that a suitable contribution to the local economy is made and it is demonstrated that no suitable alternative sites are available (see comment re: sequential test under NPPF Section 2 below). The applicant has demonstrated in the supporting statement that the proposed use will provide the equivalent (FTE) of four full-time jobs (2 x full-time and 4 x part-time), thus making a contribution to the local economy especially when the accessibility to the site, and connections to Rugby town centre, by a choice of means of transport are considered.

#### - NPPF Section 1: Building a strong, competitive economy

The application supporting statement refers to the need to support economic growth through the planning system (NPPF paragraph 19) and that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise (NPPF paragraph 11), including policies within the NPPF (paragraph 13).

#### - NPPF Section 2: Ensuring the vitality of town centres

The proposal for a D2 leisure use constitutes a town centre use. As the application site is in an out of centre location, paragraph 24 of the NPPF states that a sequential test should be applied. The application provides a comprehensive sequential test looking at approximately 15 separate units that could initially be thought suitable for the proposed use. The sequential test looks first at town centre sites, then edge of centres sites, and finally a number of other industrial estate sites in the Borough. Evidence is provided of the specific requirements of the proposed leisure use and the viability of the business in acceptable rental expenditure. When considering this evidence it is accepted that there are no suitably alternative sites for the proposed use in a sequentially preferable location. It is considered that this to be an important consideration in whether the application meets the requirements of Core Strategy Policy CS18 as referred to above.

#### - Conclusions on the principle of development

The application makes a strong positive case for a unique leisure use not provided for anywhere else in the Borough to bring back into use a site that has been vacant for a period of over two years. I am therefore minded to recommend that the application is put forward for

approval. However, as the site is designated as a strategically significant employment site under Local Plan Policy ED5, this would constitute a departure from local planning policy. In the absence of emerging Local Plan evidence base work on the Borough's supply and demand of employment land, and the subsequent adoption of the emerging Rugby Local Plan, it cannot be said with certainty that this site should permanently be released from its designation in providing for employment uses. However it is considered that the application provides evidence to demonstrate material considerations for allowing an approval of a temporary planning permission for a period of five years.

#### Other Matters

- 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. It is not considered that the proposed development would have an adverse impact upon the neighbouring properties taking into consideration their existing uses.

- Visual amenity

Policy CS16 of the Core Strategy 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 amenities of the areas in which they are situated. No external alterations are proposed and therefore it would not have an adverse impact upon the visual amenities of the area in accordance with policy CS16.

- Parking

Saved Local Plan Policy T5 relating to car parking standard and states that planning permission will only be granted for development incorporating satisfactory parking facilities. For the purposes of assessing car parking standards that site as identified with the RBC LDF Planning Obligations SPD is within an area of low access. This SPD requires a maximum number of car parking spaces set at 1space/3 staff and 1space/10sqm hall area. The applicants have stated that 8 car parking space will be available on the site and these are already marked out on site.

- Highway

Warwickshire County Council has raised no objection to the proposed development subject to it being temporary.

#### **Recommendation**

Approval for a temporary five years

#### **APPLICATION NUMBER**

R14/0903

#### **DATE VALID**

05/05/2014

#### **ADDRESS OF DEVELOPMENT**

20 Paynes Lane  
Rugby  
CV21 2UH

#### **APPLICANT/AGENT**

Mr Christopher Tunstall  
Tripontium Ventures Ltd  
The Vicarage  
Kirby Lane  
Coventry  
Warwickshire  
CV7 9LP

## **APPLICATION DESCRIPTION**

Change of use of building from industrial/warehouse (classes B1/B2) to gymnasium (Use Class D2).

## **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 planning permission hereby granted shall be for a period of 5 years from the date in which the use hereby permitted is first brought into use, on or before which date the use hereby permitted shall be discontinued and all fixtures, fittings and equipment installed or used in connection with the use shall be removed and the land and building reinstated to enable its former use to be resumed unless the further permission of the Local Planning Authority has been obtained to continue the use. The applicant must notify the Local Planning Authority no later than 1 week prior to the occupation of the building.

### **REASON**

The site is designed as a strategically significant employment site, and in the absence of emerging Local Plan evidence base work on the Borough's supply and demand of employment land, and the subsequent adoption of the emerging Rugby Local Plan, is cannot be said with certainty that this site should be released from its designation in providing employment uses.

### **CONDITION: 3**

This permission shall be personal to the applicant Mr Christopher Tunstall and his business Tripontium Ventures Ltd and shall not enure for the benefit of the land. Should the business cease to operate from the site within the five year period all equipment, fittings and fixtures associated with this business/use shall be removed.

### **REASON**

It is considered that the use hereby permitted is only acceptable given the unique leisure use.

### **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:

Application Form dated 02/05/2014

Site Plan ref: BLJT-0021164

**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.

**Reference number:** R14/0935

**Site address:** Spar Stores, 256 Hillmorton Road, Rugby

**Description:** Change of use of existing A1 (retail) unit to a mixed use of A1 (retail) and A2 (Financial and Professional Service).

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

### **Description of proposed development**

The application seeks the change of use of the existing A1 (retail) unit to a mixed use of A1 (retail) and A2 (Financial and Professional Services). Unit 1 will form the A1 element and Unit 2 will form the A2 element.

### **Description of site**

The premise is a vacant A1 retail unit formerly operated by Spar Stores set back from the road, within an area of mixed but mainly residential character. The premise is located on a corner location of Hillmorton Road and Dunsmore Avenue. A parade of mainly local shops extends northwards along Hillmorton Road opposite the junction with Shenstone Avenue. The application site is to the south of this local parade and somewhat divorced from it by virtue of Dunsmore Avenue.

### **Third Party Comments**

Neighbours no comments received

### **Technical Consultation Responses**

Environmental Service no objection subject to conditions relating to hours of opening

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

RBC Local Development Framework

#### **Core Strategy**

CS1 Development Strategy conflicts

CS16 Sustainable Design and Construction complies

#### **Saved Local Plan Policies (Post Core Strategy Adoption)**

T5 Parking Facilities complies

Planning Obligations SPD Appendix 2

### **Assessment of proposal**

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." Policy CS1 states that new facilities/services which seek to serve more than the local community should be located within or on the edge of the town centre. As such the A2 use which seeks to serve more than the local community should be directed towards the town centre. The proposal therefore conflicts with policy CS1 in respect to the A2 element of the use. The former

occupiers of the premises (Spar) ceased trading in March 2012. The applicants state that this is a result of the recent 'Sainsbury's Local', and as such a large retail unit cannot be sustained within this premise. The proposed subdivision would retain a smaller A1 unit that could be sustained within this location. As such whilst it would conflict with policy CS1, the proposed subdivision would ensure that an element of the A1 use is retained, and also ensure that this building does not remain empty. It should also be noted that within the locality 287 Hillmorton Road was historically used for A2 purposes as an Estate Agency (Swift Properties) prior to its permitted change to A1. As such an A2 use within this locality would not be an uncommon use.

Policy CS16 of the Core Strategy 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 amenities of the areas in which they are situated. The proposed alterations are considered to be minor to include the insertion of an entrance door to serve Unit 2. Given the minor nature of these alterations it is considered that the proposed development would not have an adverse impact upon the character and appearance of the area in accordance with policy CS16.

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. Taking into consideration the existing use of the ground floor as A1 it is not considered subject to conditions relating to hours of operation that the proposed use would have an adverse impact upon the amenities of neighbouring properties in accordance with policy CS16.

For the purposes of assessing car parking standards the site is within an area of low access as defined by the Planning Obligations SPD. The applicant has shown provision of 8 car parking spaces. The applicant has indicated that for each unit the estimated employment is 2 full-time employees. The number of proposed car parking spaces to the rear of the building is eight, and therefore, it is considered that sufficient car parking will be provided to accommodate the proposed uses, and as such the proposed development complies with saved policy T5 and the Council's Planning Obligation SPD.

### **Recommendation**

Approval subject to conditions

#### **APPLICATION NUMBER**

R14/0935

#### **DATE VALID**

02/05/2014

#### **ADDRESS OF DEVELOPMENT**

256 HILLMORTON ROAD  
RUGBY  
CV22 5BQ

#### **APPLICANT/AGENT**

Mr Phil Godden  
Phil Godden Building Contracts Management  
66 Railway Terrace  
Rugby  
Warwickshire  
CV21 3EX

On behalf of Mr Richard Baker, Belvoir Lettingd

#### **APPLICATION DESCRIPTION**

Change of use of existing A1 (retail) unit to a mixed use of A1 (retail) and A2 Financial and Professional Service), together with alterations to existing shop 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**

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 dated 27/05/14

Proposed Plans DWG. No. 41/1

Site Plan DWG. No. 41/2

Plan DWG. No. 41/1/A

Site Location Plan edged red

### **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 accommodation for car parking as shown on the approved plan DWG. No. 41/2 shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the premises 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: 4**

Unless otherwise agreed in writing the premises shall not be opened for business other than between the hours of 07:30am to 18:00pm Monday to Friday and 08:30am to 13:00pm Saturday.

### **REASON:**

To protect the amenity of nearby properties.

### **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: R14/0500**

**Site address: Dunsmore House, Lilbourne Road, Clifton upon Dunsmore, CV23 0BB**

**Description: Occasional Use of Dunsmore House for weddings and wedding receptions - temporary period for 12 months. Including provision of new vehicular access, parking area and temporary siting of marquees.**

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

This application is being reported to Committee at the request of Councillor Hunt.

### **Site Description**

Dunsmore House is a large detached Grade II Listed stone mansion within substantial grounds, within the open countryside, on the south side of Lilbourne Road. There are a number of detached properties on this part of Lilbourne Road, whose gardens abut the site boundary.

The site is currently accessed via a long drive off Lilbourne Road, which joins this road adjacent to Magpie Lodge Farm which is now a residential property. Between Lilbourne Road and Dunsmore House the grounds have a 'parkland' appearance with mature trees in a grassland setting. To the south of the house there are more formal terraced lawns providing elevated open views to the south.

Dunsmore House is located in the southern part of the site and comprises a large mainly two-storey mansion house, with some rooms in the roofspace lit by gable windows. The building is Grade II Listed dating from 1881, built mainly in stone with a range of contrasting stone quoins, string courses, plinths and window detailing. It contains a large number of bay window projections and gable features in the roof.

The property was used as a nursing home for many years, but has recently been converted into a single residential dwelling.

### **Proposal Description**

Planning permission is sought for the use of the property as an occasional venue for weddings and wedding receptions. Information submitted with the application states weddings will be held a maximum of once a month, for a temporary 12 month period.

Weddings and wedding receptions will cater for up to 32 guests who will stay overnight and up to 250 non-resident guests. The whole house would be rented as an exclusive let with weddings and entertainment being held in 3 main reception rooms on the ground floor of the house. Other areas, including outside may also be used for drinks, photographs etc. and designated smoking areas will be provided in areas adjacent to the house. Overnight accommodation will be provided in 13 bedroom suites on the upper floors.

When events are proposed which will cater for more than 70 guests for a sit down meal a marquee will be provided. This will be sited on the lawned area to the south of the house and the applicant has advised the maximum marquee size would be 30m by 15m. Where marquees are to be used these would be erected day before the event and removed the following day.

Amended plans were received during the application amending the access and parking arrangements. A new vehicular access to the site will be provided, this will cross the existing lawn and link to an existing drive. An area to the north of the house will be used for parking by resident guests and coaches. Non-resident guests parking will be provided in a paddock area to the west of the house.

## Relevant Planning History

Dunsmore House was Grade II Listed in 1992.

The property has an extensive planning history and the conversion to a nursing home was approved in 1974. Following this various alterations and extensions were carried out to the nursing home.

An application to extend the property (R99/0528) and convert it to 16 flats was approved, at appeal, in 2000. The current applicant refers to this decision in the Design and Access Statement and states that as work commenced on the foundations this permission remains extant. However, pre-commencement conditions attached to this decision do not appear to have been discharged, therefore any work carried out is unauthorised and this consent has lapsed.

Planning permission was granted in 2008 (R08/1181) for the conversion of the dwelling to a residential dwelling and in 2009 for alterations to the building.

An application for a change of use to an occasional wedding venue (E2E 882) was withdrawn in 2010 due to objections from the Highway Authority related to visibility splays being unsuitable.

## Technical Consultation Responses

### Original plans

WCC Highways            Objection            Inadequate visibility at existing site entrance

### Amended plans

Environmental Health No objection    Subject to conditions & informatives

WCC Highways            No objection    Subject to conditions & informatives

Environment Agency No comment

## Third Party Responses

Clifton upon Dunsmore Parish Council            No objection

Councillor Hunt            Comment

Requests the application be called in for consideration by the Planning Committee and for a site visit on the following grounds:

- Potential impact on adjoining residential properties;
- Highway safety;
- Impact on the setting of the Listed Building by virtue of the new driveway.

### Original plans

Neighbours (5)            Objection

2 further letters submitted on behalf of a number of local residents

- Not clear what is meant by "occasional" use;
- There are dwellings very close to the site;
- Concern regarding noise, particularly from traffic;

- Driveway close to houses will be used, this will lead to late night disturbance;
- Music outside or in marquees would cause disturbance;
- House has previously been rented as a party venue this caused noise nuisance with music until 2am and guests being noisy outside;
- Will lead to increased traffic, accidents and difficulties accessing nearby properties;
- Previous application was refused due to highway impact;
- Due to size of site Flood Risk Assessment is required;
- No transport assessment or travel plan has been submitted, so traffic impact cannot be assessed:
- Site is not easily accessed by sustainable transport as it is remote from bus, train and cycle services and local facilities and there are no footpaths;
- Would be car dependant and contrary to the NPPF;
- Impact on privacy of neighbours;
- Marquee and parking could impact on visual amenity;
- Parking and access could impact on trees;
- There may not be sufficient parking on site which could lead to parking on the highway;
- Property is currently rented as holiday accommodation via a website;
- Property could be put to other more suitable uses;
- Understand applicant is not present when events are held and are concerned what would happen if things got out of hand;
- Applicant is not specific about areas of house or garden to be used, hours of operation or proposed lighting;
- Large commercial waste bins are left at the end of the drive;
- Believe property is on the market, is this application to make it more marketable;
- Applicant states use is necessary to fund on-going maintenance of the Listed property, they were aware of this status when they bought the house.

#### Amended plans

Neighbours (3)                      Objection

- Several neighbours complained about noise in 2011 and are concerned problems will occur again;
- Noise, disturbance and traffic issues;
- Would prevent neighbours using parts of their homes and gardens;
- Applicants failure to sell property is not a planning matter and is due to the current market;
- Weddings could occur fortnightly, this is not occasional;
- If neighbours do not know when events will occur they face uncertainty and dread;
- Large gatherings lead to security issues, including for surrounding properties;
- Amended access will lead to more disturbance;
- If access is not clear people use surrounding accesses to turn round;
- Will affect character of the area;
- If applicant holds additional "private" functions these will add to issues;
- House should remain as a dwelling;
- There are other wedding venues in the area;
- Fireworks should be restricted to early evening and the neighbours informed when they will be used.

#### Additional information/Further amended plans

Neighbours (3)                      Objection

2 further letters submitted on behalf of a number of local residents

- All comments previously made remain;
- Unsuitable type of development for this location, will affect neighbours, highway safety and visual amenity;
- A party was held on Saturday 14<sup>th</sup> June leading to noise disturbance from noon until 3am, complaints were made to the Council;
- This shows the site is unsuitable for the proposed use and a noise management plan could not be enforced;
- Owner is not at site when events occur;
- Concern information refers to 1 wedding a month for the “initial” 12 months, understood application was for 12 months only;
- Application only refers to weddings, has previously been advertised for any occasion;
- How will neighbours know if something is an event or a private party;
- No details provided of location or number of bedrooms to be used for overnight accommodation;
- It is not clear what marquees will be used for, is this for dining or entertainment;
- If applicant is unable to sell property may need to consider a lower price;
- Was highway data collected for sufficient time?;
- Coaches are to be parked near the house, understood this area was for resident guests only, would lead to noise and disturbance;
- New access could require removal of trees which would affect the setting of the Listed Building;
- Use of existing access by long vehicles would affect highway safety, it is unclear how use of this access by other vehicles would be prevented, could lead to an intensification in the use of a substandard access;
- Generator could cause disturbance, already experience noise from boiler, details of types and position of generators should be provided;
- Over 280 people could attend an event and there do not appear to be sufficient staff to manage events of this size;
- Concern regarding number of strangers in the area;
- Smoking area is proposed in a courtyard, the walls could amplify sound;
- There was a recent accident on Lilbourne Road, the additional traffic will increase the risk of accidents;
- Flood Risk Assessment has not been provided so development is contrary to the NPPF;
- Transport Assessment has not been provided so development is contrary to NPPF;
- Development would be car dependant and not suitable for access by sustainable transport methods;
- Number of parking spaces proposed may be insufficient and could lead to parking on the highway.

The neighbour consultation period expires on 27<sup>th</sup> June 2014; any comments received after the publication of the agenda will be verbally reported to the Committee.

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

#### Rugby Borough Core Strategy, 2011

CS1	Complies	Development Strategy
CS2	Complies	Parish Plans
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design

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

GP2	Complies	Landscaping
E6	Complies	Biodiversity
E17	Complies	Development affecting parks, gardens and other elements of the historic landscape
T5	Complies	Parking facilities
LR11	Complies	Conversion of buildings to tourist facilities

### Other

Planning Obligations SPD, 2012

Clifton-upon-Dunsmore Parish Plan, 2004

National Planning Policy Framework, 2012 (NPPF)

Temporary Structures in Historic Places, English Heritage 2010

Guidance on Transport Assessment, DfT, DCLG, 2007

### **Assessment of Proposals**

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

- the principle of development,
- effect on the Listed Building and its setting,
- impact on the character of the area,
- the impact on the amenity of neighbouring properties, and,
- parking provision/highway safety.

### Principle of development

The site is located in the countryside outside of the urban area. Policy CS1 states that within the countryside development will be resisted and will only be allowed where permitted by national policy.

The NPPF states that planning should recognise the intrinsic character and beauty of the countryside and also contains policies relating to town centre uses, economic growth in rural areas and conserving and enhancing the historic environment.

Although the main use of the property will remain as a single dwelling the proposed occasional use as a wedding venue falls within class D2, assembly and leisure, and the overnight accommodation falls within use class C1, hotels, these both constitute main town centre uses. Policy CS1 and the NPPF state that these facilities should be located within or on the edge of the town centre before alternative locations will be considered.

The applicant has not submitted any evidence to show that the use could not be accommodated within such locations. However the submitted supporting information states that the revenue derived from the occasional use would support the upkeep of the Listed Building. Information has been provided by the applicant detailing the annual running and maintenance costs related to this property.

In relation to heritage assets, such as Listed Buildings, the NPPF states authorities should take account of the desirability of sustaining and enhancing the significance of the heritage asset and putting them to viable uses consistent with their conservation. The information provided by the applicant shows the high running costs associated with the property and it is considered that weight should be given to the need to secure a viable use of the property.

It is therefore considered that there are no suitable or available sites located within the town centre or in an edge of centre location which could accommodate the proposed use whilst also enabling funding for the upkeep of the Listed Building.

The NPPF also states that economic growth in rural areas should be supported and it is considered weight should be given to the economic benefits of the proposals.

Due to the temporary and occasional use of the property saved policy LR11 is not strictly relevant to the application. This policy relates to the conversion of buildings to tourist facilities and it is considered that the proposal accords with the principal of the policy as it involves the reuse of an existing building which is worthy of retention.

It is therefore considered, on balance, that the application accords with the NPPF, policy CS1 and saved policy LR11 as there are no available and suitable sites within the Town Centre or in an edge of centre location.

#### Impact on the Listed Building

The impact of the proposals on the Listed Building and its setting must be considered. Saved policy E17 states permission will not be granted for development that affects the character, appearance or setting of elements of the historic landscape and policy CS16 states development should complement, enhance and utilise the historic environment. In addition the NPPF states that great weight should be given to the protection of heritage assets, such as Listed Buildings.

The proposals utilise existing rooms within the building and do not propose any alterations to the fabric of the Listed Building itself and this is considered acceptable.

The proposals include works within the grounds of the Listed Building to allow weddings and wedding receptions to be carried out. Close to the house three designated smoking areas are to be provided in existing hardsurfaced areas adjacent to the house. These will involve the provision of removable tables and chairs and it is not considered these works will impact on the setting of the Listed Building.

When large weddings or wedding receptions are to be held a marquee will be placed on the lawn to the south of the house. The applicant has advised this will be a maximum of 30m by 15m, will be a neutral colour and will be erected the day before the event and removed the day after the event. It is accepted that the siting of marquees will impact on the setting of the Listed Building, albeit on a temporary basis. English Heritage's own publication on Temporary Structures advises that there should not be a presumption against temporary structures simply because they are visible in the historic environment. This document also refers to the presence of marquees within the grounds of Listed properties and how they can be a number of potential benefits especially in assisting in the viability and vitality of the heritage asset.

The proposals include the provision of a new access from Lilbourne Road in a position further west than the existing access. This will lead to a new drive though the existing parkland area linking to the existing access road within the site. The precise design and alignment of the new access drive have not been provided at this stage however, the applicant has advised this will be routed to ensure no trees are removed. A condition could

be used to ensure details of the surfacing and alignment of the drive are agreed by the Council.

The proposals also include the provision of a parking area in an existing paddock to the east of the house and the applicant has advised this will be grass matted to provide a suitable surface for the parking of vehicles. This type of surfacing allows grass to remain in the car park area.

It is considered that although the siting of temporary marquees and the provision of the access and parking area will have an impact on the setting of the Listed Building they will lead to less than substantial harm to the Listed Building. In accordance with the NPPF this must be weighed against the benefits of the proposal including securing its optimum viable use.

As detailed above the applicant has advised that the holding of weddings and wedding receptions, and the siting of marquees, is required in part to finance the upkeep of the Listed Building and this is considered to weigh in favour of the proposals. It is therefore considered that the impact on the setting of the Listed Building does not harm the heritage asset to such an extent as to warrant refusal of the application. This is in accordance with the NPPF, the relevant part of policy CS16 and saved policy E17.

#### Impact on the character of the area

The NPPF 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.

It is not considered that the formation of a new access through the existing boundary fence from Lilbourne Road or the provision of a grass mat parking area will have an adverse impact on the character of the area.

Although marquees may be visible from outside of the site, including from the A5 Watling Street, these will be on site for a temporary period only.

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 the relevant parts of policy CS16 and the NPPF.

Saved policy GP2 states that development should ensure that the landscape character of the area should be maintained. A condition can be used to ensure the proposed access and parking areas do not involve the removal of mature trees or impact on the roots and this is considered acceptable in accordance with this policy.

#### Impact on the amenity of neighbouring properties

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded and concerns regarding noise disturbance from events have been raised in objections from neighbouring properties. The Council also received noise complaints regarding what is believed to be a private function held at the site on 14<sup>th</sup> June.

The closest properties to Dunsmore House are Dunsmore Cottage and Hamslade Lodge to the north and Two Trees to the west, Magpie Lodge Farm is located adjacent to the existing access into the site.

The application was accompanied by an Event Management Plan which was updated during the course of the application following comments from Environmental Health.

Environmental Health commented on the application and amended information and raised no objection to the proposals and amended Event Management Plan subject to a range of conditions. These include a requirement that permission be restricted to a temporary 12 month period to allow the noise impact on the amenity of local residents to be assessed and that the number of weddings or wedding receptions is restricted to 1 per month.

A condition is also requested including preventing the use of speakers or amplified noise outside of the house, restricting entertainment outside of the house and fireworks to no later than 11pm, live entertainment to no later than midnight and requiring non-resident guests to leave no later than 1am.

Subject to these conditions Environmental Health do not object to the proposals. It is therefore concluded that the proposed development will not cause a significant loss of amenity to neighbouring properties in accordance with the relevant section of policy CS16.

#### Impact on parking and highway safety

The application initially proposed the use of the existing access adjacent to Magpie Lodge Farm. The Highway Authority, Warwickshire County Council (WCC), objected to the application as it would lead to the intensification of the use of this access, which has substandard visibility and that this would be detrimental to highway safety.

The applicant has provided amended plans which propose a new access further west than Magpie Lodge Farm. This will lead to a new driveway across the lawned area linking to the existing drive within the site.

A speed survey was carried out on behalf of the applicants. Although the equipment was vandalised during the survey period WCC Highways have advised that sufficient data was collected to form meaningful conclusions regarding vehicle speeds. The survey data showed that the 85<sup>th</sup> percentile speed (the speed that 85% of vehicles are travelling at or below) is 45.6mph eastbound and 44.5mph westbound. On this basis WCC Highways commented that the required visibility splays can be reduced to 160m, those required for a 50mph road.

WCC Highways commented that these visibility splays could be achieved from the new access point and raised no objection to the application subject to conditions, including a requirement that full details of the precise position and design of the access be agreed.

A condition was requested by the WCC Highways that required the existing access adjacent to Magpie Lodge Farm to be closed as this access is substandard and the new access, which meets highway standards, should be used.

The applicant has requested that the access adjacent to Magpie Lodge Farm be retained for occasional use by long vehicles such as coaches and for lorries delivering fuel for the biomass boiler which serves the property. The gate would remain closed and the gate would be operated manually to allow access by pre-arranged long vehicles.

WCC Highways commented on these proposals and advised that they did not object to the access being used for deliveries associated with the dwelling, such as the biomass fuel, as these occur at present. However, they object to the use of this access by any traffic associated with weddings or wedding receptions, including coaches, as this would result in the intensification of the use of this substandard access.

WCC Highways therefore updated their request for conditions to require the access adjacent to Dunsmore Gardens to be closed and to prevent vehicles associated with weddings and wedding receptions from using the access adjacent to Magpie Lodge Farm. It is considered that it would be possible to design the access through the site to allow access by coaches if required.

The impact on highway safety is therefore considered acceptable, subject to conditions.

An objection received on behalf of local residents comments that a transport assessment has not been provided and that the site is not in a sustainable location as it is remote from local amenities, bus and train services, cycle facilities and that there is no footpath.

The NPPF and policy CS11 refer to the need to promote sustainable transport. The NPPF states that developments which generate “significant amounts of movement” should be supported by a transport statement or assessment, however “significant amounts of movement” is not defined.

Policy CS11 refers to the Planning Obligations SPD which makes reference to the Government document, Guidance on Transport Assessments. Appendix B of this document sets out indicative thresholds for transport assessments for a range of uses. For hotel uses this guidance does not require assessments for development of less than 75 bedrooms. For D2 uses this guidance suggests assessment for development exceeding 500 square metres, the use of the house and a marquee would exceed this floorspace.

However, the document states “These thresholds are for guidance purposes and should not be read as absolutes.” Consideration should also be given to the application being for weddings or wedding receptions to be held once a month for a temporary 12 month period with the main use of the property remaining as a dwelling house.

No transport assessment has been requested by WCC Highways and given the occasional use this is considered acceptable.

The site is located within the countryside outside of the urban area or any settlement. However, the site is around 1 mile from Clifton upon Dunsmore, which has an hourly bus service and around 2.5 miles from Rugby railway station. It is therefore considered that guests and staff could utilise public transport if they wish. Cyclists would be able access to site using local roads and cycle parking could be accommodated within the site with cycle parking for staff in the area at the west of the house. It is therefore considered that the site can be accessed by sustainable transport methods and policy CS11 is complied with.

The Council’s parking standards, within the Planning Obligations SPD, include parking standards for a range of uses. Those closest to the use proposed are hotel and conference uses. The hotel element would result in a maximum requirement of 13 spaces and the conference element a maximum requirement of 50 spaces, a total of 66 spaces.

The hardsurfaced area around the main house could accommodate 60 parking spaces with additional parking provided for non-resident guests in the paddock area. Although the level of parking proposed exceeds the Council’s standards it can be accommodated on the site without adversely impacting on the Listed Building or surrounding area and is considered acceptable in this location. Cycle parking can be provided within the grounds of the house and the level of parking is considered acceptable in accordance with saved policy T5.

### Other matters

A letter received on behalf of neighbouring residents raises objection to the application on the grounds that the application site exceeds 1 hectare and a Flood Risk Assessment has not been provided. The Environment Agency have been consulted on the application and raise no objection to the proposals.

No comments have been received from the County Ecologist regarding the application. The impact on protected species is therefore considered acceptable in accordance with saved policy E6.

The action plan contained within the Clifton-upon-Dunsmore Parish Plan refers to the need to encourage and support rural enterprise and those who want to set up in business. The proposals are in accordance with this and policy CS2.

### Conclusion

On balance, it is considered that the principle of the use of the property, on a temporary basis for holding one wedding or wedding reception per month is acceptable as this will generate income to help finance the maintenance and running costs of the Grade II Listed Building.

No alterations are proposed to the Listed Building and it is considered that the proposed access and parking area will not have an adverse impact on the setting of the Listed Building or the visual amenity and character of the area.

Subject to conditions the relevant consultees are satisfied that the proposals will not have an adverse impact on residential amenity or highway safety.

### Recommendation:

Approval

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R14/0500

### **DATE VALID**

29/05/2014

### **ADDRESS OF DEVELOPMENT**

DUNSMORE HOUSE  
LILBOURNE ROAD  
CLIFTON UPON DUNSMORE  
RUGBY  
CV23 0BB

### **APPLICANT/AGENT**

Miss Kate Blackall  
Dunsmore House  
Lilbourne Road  
Clifton Upon Dunsmore  
Warwickshire  
CV23 0BB

### **APPLICATION DESCRIPTION**

Occasional Use of Dunsmore House for weddings and wedding receptions - temporary period for 12 months. Including provision of new vehicular access, parking area and temporary siting of marquees.

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

### CONDITION: 1

No weddings or wedding receptions shall be held after 2nd July 2015 and the property shall revert to use solely as a single dwelling.

### REASON:

To allow the impact of the proposed on the amenity of the area and neighbouring properties to be assessed.

### CONDITION: 2

The development shall not be carried out other than in accordance with the following plans: Site Plan showing marquee and parking locations, Designated Smoking Areas plan and Licenced Rooms & Interview Room plan received by the Local Planning Authority on 29th May 2014.

### REASON:

For the avoidance of doubt.

### CONDITION: 3

No more than 1 event, either wedding or wedding reception, shall be held in each calendar month and weddings and/or wedding receptions shall not be held within 13 days of each other.

### REASON:

In the interests of the amenity of the area and surrounding residents.

### CONDITION: 4

The maximum numbers of guests attending any wedding or wedding reception shall not exceed 32 resident guests and 250 non-resident guests, as detailed in the updated Event Management Plan received by the Local Planning Authority on 29th May 2014.

### REASON:

In the interests of the amenity of the area and surrounding residents.

### CONDITION: 5

Marquees shall not be provided other than in accordance with the applicant's e-mail of 5th June 2014 and the site plan showing marquee location received by the Local Planning Authority on 29th May 2014.

Marquees shall not exceed 30m by 15m, shall be erected the day prior to the event and removed the day after the event.

### REASON:

To protect the setting of the Listed Building and the visual amenity of the area.

CONDITION: 6

Resident guests and coaches shall only park on the hardsurfaced area to the north of the house and non-resident guests shall only park within the paddock area, in accordance with the updated Event Management Plan and the site plan showing parking areas received by the Local Planning Authority on 29th May 2014 and the applicant's e-mail of 5th June 2014.

REASON:

In the interests of the amenity of the area and surrounding residents.

CONDITION: 7

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 and in the interests of the visual amenities of the locality and the setting of the Listed Building.

CONDITION: 8

All weddings and wedding receptions shall accord with the following requirements:

- a. No public address systems, speakers or amplified noise sources shall be used outside of the house, in the grounds of the house or in a marquee;
- b. All windows in rooms where live entertainment or music involving an amplified noise source is taking place shall be closed at all times;
- c. All doors in rooms where live entertainment or music involving an amplified noise source is taking place shall be closed at all times, except for entry and exit of the room;
- d. Entertainment conducted in the grounds of the house or a marquee shall cease no later than 23:00;
- e. Entertainment involving regulated live entertainment shall cease no later than 00:00;
- f. All non-residential guests shall vacate the premises no later than 01:00.
- g. No fireworks shall be used after 23:00.

REASON:

To protect the amenity of nearby residential properties.

CONDITION: 9

No weddings or wedding receptions shall be held unless and until a new vehicular access to the site from the highway (Lilbourne Road - C29) in the general position as shown in the Addendum to the Design and Access statement received by the Local Planning Authority on 29th May 2014 has been provided in accordance with details, including details of the siting, design and materials of any proposed gates, barriers, fences or walls, that shall first be submitted and approved in writing by the Local Planning Authority.

The new vehicular access to the site shall comply with 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 5.0 metres with a gradient not steeper than 1 in 15, hard surfaced in a bound material for a minimum distance of 12.0 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 12.0 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 160 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 allowing surface water to run off the site onto the highway.

REASON:

In the interest of highway safety.

CONDITION: 10

No weddings or wedding receptions shall be held unless and until the new access road within the site, in the general position as shown in the Addendum to the Design and Access statement received by the Local Planning Authority on 29th May 2014, and the non-resident guests parking area, as shown on the site plan showing parking areas received by the Local Planning Authority on 29th May 2014, have been provided in accordance with details of their alignment, siting and surfacing that shall first be submitted and approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety, the character of the area and the setting of the Listed Building.

CONDITION: 11

No vehicles associated with the use of the site for holding weddings or wedding receptions shall use the existing eastern access (adjacent to Magpie Lodge Farm).

No weddings or wedding receptions shall be held unless and until measures to be used to prevent the use of the eastern access by vehicles associated with weddings or wedding receptions have been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. Such measures shall be permanently retained.

REASON:

In the interest of highway safety.

CONDITION: 12

No weddings or wedding receptions shall be held unless and until all parts of existing accesses to Lilbourne Road (C29), excluding the access adjacent to Magpie Lodge Farm, have been permanently closed in accordance with details approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety.

CONDITION: 13

No weddings or wedding receptions shall be held unless and until the highway (verge) crossing has been laid out and constructed in accordance with the standard specification of the Highway 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

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 nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.

A competent person is advised to be employed to undertake relevant safety and sound checks, monitor noise at the property boundary and ensure non-residential guests leave the venue quietly and music is not played outside of the permitted times.

Fireworks displays involving sonic-type boom explosives should be avoided.

It is suggested that a sound limiting device is installed in function rooms where live entertainment is to take place and set at an appropriate level to ensure that breakout of noise is controlled at source.

It is recommended that it is made clear within the hire agreement about all terms and conditions regarding noise and a retainer deposits will be lost if a noise complaint is received.

Please note that the landowner could be held legally responsible if noise nuisance is witnessed by the Council from any functions held at the property.

INFORMATIVE: 2

It is suggested that the Council's the Public Health & Licencing Team, (01788) 533882 are contacted for further advice regarding licencing, food safety and health and safety, for example legionella risk and water tanks.

In terms of relevant licences required the Council's Licencing Officer has advised:

- The site would need to be licensed as a wedding venue by the County Council - <http://www.warwickshire.gov.uk/venue/licensing>
- Temporary Event notices for each function could be used but there is a limit as to how many occasions this can be done in a calendar year (currently 12). Each licence costs £21 at present.

- The cost of a premises licence is dependent on the rateable value of the premises. If the property is rated £2.5 million this would be £600 per annum, however someone with a personal licence would also be required to act as designated premises supervisor. These initial costs would be higher but they would give more flexibility regarding the operation of the business.

#### INFORMATIVE: 3

Conditions require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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 / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications 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: 4

Unauthorised signs are not permitted within the limits of any public highway. To discuss the provision of permanent signs in relation to a development a developer must apply in writing to Carolyn Burrows, Traffic & Road Safety, Communities, PO Box 43, Shire Hall, Warwick, CV34 4SX.

#### INFORMATIVE: 5

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: 6

The new access to the site, new access road within the site and non-resident guests parking area should be designed to ensure that no trees, including root protection areas, are adversely affected.

**Reference number: R10/0905**

**Site address: Land off Snellsdale Road, Snellsdale Road, Coton Park East, Rugby**

**Description: Use of land for residential development comprising a maximum of 110 dwellings and associated open space and infrastructure.**

**Case Officer Name & Number: Richard Redford, ext 3625**

**The Proposal;**

The application seeks outline permission with all matters reserved for the use of the land for residential purposes comprising a maximum of 110 dwellings with associated open space and infra-structure. Indicative plans submitted as part of the application show how the proposal could be arranged with dwellings, gardens, opens space, roads and footpaths. The indicative plans also show an area to be used to provide a balancing pond connecting with the dwellings proposed in this application as well as those proposed in application R10/1708. An Environmental Statement (covering both this application and that on the adjacent site by the same applicants being considered under reference R10/1708), Planning Statement and Design & Access Statement have been submitted with the application. Within the Environmental Statement matters relating to and including transport and highways, noise, landscape, visual, ecological and archaeology are addressed.

Following objections from a number of consultees a Revised Planning Statement was submitted with an addendum to the Environmental Assessment and Tree Survey Report / Arboricultural Impact Assessment.

Additional indicative plans have been provided showing the adjacent development allowed on appeal and currently being implemented.

**Site History;**

Use of land for residential development comprising a maximum of 165 dwellings and associated open space and infrastructure (R09/0188/MEIA) Refused 01.07.2009 allowed on appeal on 29.06.2010

Submission of reserved matters comprising access, appearance, landscaping, layout and scale and discharge of related conditions nos. 4 (details of roads, footpaths etc), 5 (foul and surface water drainage), 6 (parking), 7 (site boundaries treatment), 8 (levels), 10 (hard and soft landscaping), 12 (tree protection), 14 (materials) and 17 (acoustic ventilation) pursuant to outline planning permission ref. APP/E3715/A/09/2113178 (LPA ref. R09/0188/MEIA) dated 29 June 2010, for the erection of a maximum of 165 dwellings complete with associated open space and infrastructure (R11/0014) Approved 25.01.2012

Use of land for residential development comprising a maximum of 40 dwellings and associated open space and infrastructure (R10/1708) Under consideration

**Consultee Correspondence;**

Western Power

Distribution (Central Networks) No objection Provide detail on its own guidance with regards to, amongst other things proximity distances from its apparatus to buildings

Environment Agency	No objection	Request a condition relating to flooding and drainage
Highway Agency	No objection	
National Grid	No objection	
Natural England	No Objection	
Severn Trent Water	No objection	Request a drainage condition and an informative
Rugby Ramblers	No objection	
Warwickshire Police	No objection	Provides comments and guidance for use in detailed design to aid with crime prevention
Warwickshire Wildlife Trust	Comment	Raise a number of questions relating to habitats and protected species
RBC Environmental Health	No objection	Request conditions and informatives
RBC Housing	No objection	
RBC Tree Officer	No objection	
WCC Archaeology	No objection	Request a condition
WCC Ecology	No objection	Request conditions and informatives
WCC Education Section 106 Legal Agreement	No objection	Request a financial contribution through a
WCC Highway Authority	No objection	Request conditions, informatives and financial contribution through a Section 106 Legal Agreement
WCC Rights Of Way	No objection	Request informatives and a financial contribution toward public rights of way improvement and maintenance through a Section 106 Legal Agreement
WCC Fire & Rescue	No objection	Request a condition

**Correspondence;**  
Original Documents:

Neighbours (9) Object On the grounds of increased traffic levels; increased congestion and highway concerns; highway safety concerns; contrary to Rugby Borough Development Plan; would limit access to the Great Central Way and other public rights of way; infrastructure concerns; existing infrastructure inadequate to cope with additional dwellings proposed; detrimental to the character of the area; impact on light; noise and disturbance; adverse impact on wildlife; loss of recreational space; increase



Coton Forward Object On the grounds of vehicular manoeuvring concerns; expansion concerns; highway comments made in the additional and amended documents provided conflict with current issues being addressed by the Coton Park Residents Association (CPRA); highway safety concerns through potential car parking arrangements; contrary to RBC Adopted policy; housing numbers; issues over the proposed bus route indicated in the submitted documents including likely need to purchase land from existing houses to facilitate road provision and provision of the road on an existing footpath; changes to the character of the area; loss of privacy; and increase in noise

Coton Park Residents Association Object On the grounds of increased housing numbers with no increased or additional amenities / facilities; lack of community facilities; highway safety concerns through construction traffic utilising Snellsdale Road from the service road to access the site; vehicular manoeuvring concerns; and expansion concerns.

**Other Relevant Information;**

Located in the open countryside but immediately adjacent to the edge of the Rugby Urban Area, the site is bordered to the west by existing dwellings with the area to its south currently having the dwellings approved on appeal in June 2010 being implemented following reserved matters having been approved in January 2012. To its north and east is agricultural land being used for grazing purposes at the time of writing this report. Ground levels generally fall in an easterly direction with there being undulation within the site and wider area with field boundaries comprising a mixture of hedgerows and fencing.

**Relevant Policies;**

Core Strategy;

RBCS Policy CS1	Development Strategy
RBCS Policy CS10	Developer Contributions
RBCS Policy CS11	Transport & New Development
RBCS Policy CS16	Sustainable Development
RBCS Policy CS17	Reducing Carbon Emissions
RBCS Policy CS19	Affordable Housing

Saved Local Plan Policies;

Saved Policy GP2	Landscaping
Saved Policy GP6	Safeguarding Development Potential
Saved Policy E6	Biodiversity
Saved Policy LR1	Open Space Standards

SPD's:

Planning Obligations SPD

National Documents:

NPPF

**Consideration;**

Given that the application seeks outline permission with all matters reserved the main issue relates to the acceptability or otherwise of the proposed development, with subsequent matters including the sites capability to accommodate the development proposed, contributions and technical matters.

Principle:

The application site is located within the open countryside, as identified on the Proposals Map. Countryside locations are the penultimate tier of consideration for development on the development strategy hierarchy, as contained within Core Strategy Policy CS1 Development Strategy, with this policy stating that development must be resisted within the countryside and only where national policy on countryside locations allows will development be permitted. Given the sites location in the countryside and the provisions of this policy, it is necessary to look at the proposal against the contents and provisions of the NPPF.

The NPPF is clear that planning applications must be determined in accordance with the development plan. However, paragraph 47 specifically relates to local authorities significantly boosting the supply of housing and requires that local planning authorities demonstrate a five year (plus 5% moved forward from later in the plan period to ensure choice and competition in the market) housing land supply.

The Councils latest Council 5 Year Land Supply Statement was produced in December 2013 and is accompanied by commentary explaining and justifying the components that inform the 5 year (plus 5%) land supply position. As detailed in the land supply statement, the process included contacting all site representatives that form the five year (plus 5%) land supply to ensure that the Council gains a robust position and understanding of the current situation. The statement demonstrates that the Council has a housing land supply of 3.29 years which therefore demonstrates a housing land supply below the required five year supply (plus 5%).

Where no five year housing land supply exists, relevant policies for the delivery of housing must then be considered to be out of date. In this instance, guidance is therefore sought from the NPPF and the demonstration of a site meeting the policy provisions within the NPPF. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

When this is applied to the application site – as well as the adjacent site also being considered by this committee – it can be seen that they can in principle be considered to be a sustainable location as they are located on the edge of Coton Park, which forms part of the Rugby urban area. Policy CS1 specifies that the Rugby urban area is the primary focus for meeting strategic growth targets. Although being within a countryside location and not within the Rugby urban area, the site proximity in the context of the NPPF presumption in favour of sustainable development is, in principle, considered to be sustainable. This is clearly provided that the sites are supported by appropriate levels of infrastructure and access, such as public transport.

The sites location on the edge of the existing urban area at Coton Park, which in turn is edge of Rugby urban area which policy CS1 states is the primary focus for meeting strategic growth as well as the second tier of the settlement hierarchy, and the short fall in the Councils 5 Year Land Supply are such that it is considered on balance they collectively result in the proposal being acceptable in principle.

Site Capability:

Outline applications are required to provide a basic level of information in respect of factors such as layout, amount of development, indicative layout and indicative access points in order that as part of the assessment of outline applications it can be assessed and established that the site is capable of being developed to the level sought taking account of the proposal along with gardens, highways etc. This gives a clearer indication of the potential outcome of the proposed development and assists in demonstrating that the amount of development proposed can be satisfactorily accommodated on the site having regard to the nature and relationship with its surroundings.

In this instance the application was submitted with indicative plans for the site showing how the site could be arranged in a manner allowing for the siting of the dwellings including their amenity space and parking / garaging, roads, open space and a proposed storm water pond. Within the Design & Access Statement, the amended Planning Statement, indicative plans, Environmental Statement and its addendum the basic information and parameters necessary are provided.

The indicative layout broadly follows the design approach adopted on the neighbouring Coton Park development with perimeter blocks and the incorporation of feature areas to provide a sense of place and identity. Such an approach will complement and assist in integrating the proposals with existing development and is considered acceptable. The proposals make appropriate provision for public open space in accordance with policies LR1 and LR3. The plans and information show the development could be provided without having an adverse impact on the public rights of way network. Landscaping is considered as an integral part of the development.

There are certain constraints, however, which would need to be taken fully into account and addressed in working up the detailed layout proposals for the development of the site. These relate principally to the relationship with neighbouring properties, including where there are differences in levels and the need to ensure that there is no adverse impact on residential amenity, and the sensitive boundary with the Great Central Walk local nature reserve.

In terms of scale, the proposals take account of the local context to ensure that a detailed scheme can be satisfactorily assimilated and integrated with its surroundings. The height limits and their location proposed in the Design & Access Statement respects the adjacent built form, has full regard to the topography of the site, visual impact and the relationship with neighbouring development and it is considered would be acceptable in any detailed scheme.

In view of the above, it is considered that the illustrative layout demonstrates that the amount of development proposed can potentially be satisfactorily accommodated on the site having regard to the relevant criteria contained in the relevant policies. It is considered that residential development in principle would be an appropriate alternative use of the site which would be compatible with the adjacent residential land use to the south and west.

### Technical Issues:

Whilst the Environmental Statement raised a number of issues capable of being addressed through conditions, following a holding objection from the Highways Agency as well as comments from consultees including WCC Highways and WCC Ecology, an Environmental Statement Addendum was produced along with revised Planning Statements and Tree Survey Report including arboricultural impact assessment and draft tree protection plan for both proposed phases.

As a result of this further work contained within the Environmental Statement Addendum and other documents the Highway Agency has removed their holding objection as they are satisfied the proposal would not impact on either the M6 motorway or A5 trunk road with the additional information provided also addressing concerns relating to residential travel through the provision of further information within the Residential Travel Plan element.

In addition to this, WCC Highway Authority has commented that with appropriate conditions and obligations the development would be acceptable on the Local Highway Network. This is due, in part, to the applicant having carried out a microsimulation assessment of the Stonechat Road roundabout due to local concerns regarding its operation that demonstrated the proposed development would not give rise to highway safety issues. Nonetheless this work was then included in wider modelling to demonstrate the development impact with WCC Highway Authority considering that in line with RBC's Core Strategy, the development is required to contribute towards improvements at the Avon Mill roundabout on the A426. Questions have been raised in the neighbour objections with regards to public transport provision and in relation to this matter WCC highway Authority has commented that the sum secured through the development allowed on the adjacent site allowed on appeal in 2010 would provide for both that phase as well as that to which this application relates and the other application currently under assessment.

The Environmental Statement also included further technical matters relating to ecology, archaeology, air quality and other items. These have been assessed through re-consultation with all consultees who have all in term commented no objections subject to conditions and or informatives where necessary.

### Contributions:

The applicants have confirmed their willingness to enter into a Section 106 Agreement to make relevant contributions in respect of affordable housing, education, transport and public open space in accordance with policies whilst also accepting provisions within the Agreement relating to ecological matters.

Financial contributions have also been requested for public rights of way and ecological purposes however, the sums sought are not based on adopted calculations and are not known to be CIL compliant. On this basis they will not form part of the Agreement.

### Conclusion:

In conclusion it can be seen that the short fall in the Councils 5 Year Land Supply when taken into account with the sites location in a highly sustainable location in the open countryside immediately adjacent to the Rugby Urban Area, the primary focus for meeting strategic growth targets, is such that the principle of the development is considered to be acceptable. Furthermore, the indicative plans provided show that the site is capable of accommodating the dwellings proposed with amenity space, highways and other relevant infrastructure.

Therefore the application is recommended for approval subject to conditions and the applicant entering into a Section 106 Legal Agreement.

**Recommendation;**

Planning permission be approved subject to conditions and the applicant entering to a Section 106 Legal Agreement.

Report prepared by: Richard Redford 20<sup>th</sup> June 2014

**DRAFT DECISION**

**APPLICATION NUMBER**

R10/0905

**DATE VALID**

17/12/2010

**ADDRESS OF DEVELOPMENT**

Land off Snellsdale Road  
Snellsdale Road  
Coton Park East  
RUGBY

**APPLICANT/AGENT**

Miss Hanna Mawson  
Pegasus Planning Group  
5 The Priory  
Canwell  
Sutton Coldfield  
West Midlands  
B75 5SH  
On behalf of , Persimmon Homes South  
Midlands

**APPLICATION DESCRIPTION**

Use of land for residential development comprising a maximum of 110 dwellings and associated open space and infrastructure.

**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 [for each plot/phase] before any part of the development [of that plot/phase] is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

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

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:

Location Plans numbered BIR.3222\_60-1 and BIR.3222\_47-1, Parameters Plan numbered BIR.3222\_22-2, Site Survey Drawing (Topographical Survey) numbered S123/EAST/03, Landscape Masterplan drawing numbered BIR.3222\_59, Design and Access Statement, and Environmental Statement (3 Volumes) all submitted as part of the application received and validated by the Local Planning Authority on 17 December 2010;

Site Location Plan numbered BIR.3222\_48-1 dated 19th November 2010 and Site 2 Location Plan numbered BIR3222\_61-1 dated November 2010 both received by the Local Planning Authority on 7 December 2014; and

Topographical Survey Sheet 4 of 5 under Drawing number S123/East/04 submitted to and received by the Local Planning Authority on 19 January 2010; and

Environmental Statement Addendum dated December 2013, Environmental Statement Addendum Non-Technical Summary dated December 2013, Revised Phase B2 Planning Statement dated November 2013; and Public Right of Way Plan drawing numbered BIR.4315\_71) all submitted to and received by the Local Planning Authority on 12 December 2013; and

Arboricultural Report dated September 2013 submitted to and received by the Local Planning Authority on 25 February 2014.

REASON:

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

CONDITION 5:

No development shall commence unless and until full details of the colour, finish and texture of all new materials and fittings to be used on all external surfaces, together with samples of the facing bricks and roof tiles have 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:

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

CONDITION 6:

Development shall not begin until details of the treatment of the site boundaries, including those of the individual plots, shall be submitted to and approved in writing by the Local Planning. The development shall be carried out in accordance with the approved details. The boundaries shall be retained thereafter and shall not be replaced at any time other than with boundaries of identical design, height, materials and finish.

REASON:

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

CONDITION 7:

Development shall not begin until details of existing and proposed site levels and their relationship with adjoining land and buildings and the finished ground floor levels of all buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION 8:

No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority

REASON:

To ensure the preservation of important archaeological remains and that any archaeological history of the site is recorded.

CONDITION 9;

The developer shall provide secure, well lit pedestrian links to the development parcel to the south of the site, shown in blue on figure 1 of the updated transport assessment in accordance with details to be submitted concurrently with those required by condition 3 above. Such details shall include a programme of implementation.

REASON:

In the interests of pedestrian safety.

CONDITION 10;

Prior to the commencement of the development, the Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site in accordance with details including type, method of operation and control of use which shall be submitted for approval in writing to the Local Planning Authority in consultation with the Highway Authority.

REASON:

In the interests of highway safety.

CONDITION 11;

The development hereby permitted shall not be commenced 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 Public Safety from fire, and the protection of Emergency Fire Fighters.

CONDITION 12;

No development shall commence until an ecological enhancement and management scheme for the open space has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of habitats to be retained, species to be planted (including seed mixes with proportions), timings of works, locations and numbers of bat and bird boxes, reptile and amphibian refugia, details of lake / pond creation, programme of implementation and monitoring. The ecological enhancement and management scheme shall thereafter be carried out in accordance with the approved details.

REASON;

To protect / enhance the ecological character of the area in accordance with the NPPF and ODPM Circular 2005/06

CONDITION 13;

Prior to the commencement of development, a Construction and Environmental Management Plan to include details concerning pre-commencement checks for badgers, bats, other mammals and breeding birds as well as appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place, shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full in accordance with the approved details.

REASON;

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

CONDITION 14;

The development hereby approved shall not commence until a detailed schedule of Great Crested-Newt mitigation measures (to including timing of works, protection measures, enhancement details, monitoring and further survey if necessary) has been submitted to and approved in writing by the Local Planning Authority in-line with the recommendations made

in paragraphs 5.5.4 and 5.5.5 of Aspect Ecology's 'Land at Coton Park East, Rugby, Protected Species Masterplan' Report dated November 2013 ECO1954.PM.vf. The development shall then be carried out in accordance with the approved details.

REASON;

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

CONDITION 15;

Prior to the commencement of development the site shall be surveyed for the presence of badgers. If any evidence of badgers is found a full badger survey of the site shall be undertaken with resultant report, to include mitigation where necessary, submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON;

To ensure appropriate measures are taken in relation to protected species.

CONDITION 16;

The development hereby permitted shall only be carried out in accordance with the approved Environmental Statement including Chapter 12, Hydrology and Drainage FRA prepared by EWE Associates and dated November 2010 and the following mitigation measures details within the FRA;

- 1.No raising of ground levels within the area established in Section 4.2, Figure 4.4 of the FRA as liable to flooding;
2. Limiting the rate of surface water run-off generated by the site to discharge at a rate of not more than the Greenfield runoff rate;
3. Provision of surface water attenuation on the total site to retain the 1:100 year (including 30% climate change allowance) flow event assuming the discharge rate above;
4. Demonstration that the detailed surface water drainage system proposed will also provide water quality improvements by implementing the SuDS methods outlined in the FRA; and
5. Details of how the entire surface water scheme shall be maintained and managed after completion.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system.

CONDITION 17;

Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details relating to:

1. The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise and vibration emissions from the site during the construction phase;

2. The control of dust including arrangements to monitor dust emissions from the site during the construction phase .

The development shall be carried out in compliance with the approved Construction Method Statement.

REASON;

In the interests of amenity and environmental protection.

CONDITION 18;

No construction work shall be carried out outside of the hours listed below (including construction traffic entering or leaving the site):

- Monday to Friday 07:30 am to 18:00 pm;
- Saturdays 08:30 am to 13:00 pm;
- No works on Sundays or Bank holidays.

REASON:

In the interest of residential amenity.

CONDITION 19;

No piling works shall be undertaken outside the following hours:

- Monday to Friday 08:30 am to 18:00 pm;
- Saturday 09:00 am to 13:00 pm;
- No Piling Permitted on Sundays or Bank holidays.

REASON:

In the interest of residential amenity.

CONDITION 20;

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul drainage including any pumping station have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approve details before the development is first brought into use.

REASON:

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

CONDITION 21;

Development shall not begin until details of the car parking, motor cycle and cycle parking provision has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and those areas shall not thereafter be used for any purpose other than the parking of vehicles and cycles.

REASON;

To ensure sufficient parking provision and in the interests of highway and pedestrian safety.

CONDITION 22;

No dwelling shall be occupied until vehicular and pedestrian access to the property, parking provision required by condition 21 and boundary treatment required by condition 7 have been provided in accordance with the approved details.

REASON;

To ensure access, parking and boundary treatments are provided prior to occupation.

CONDITION 23;

The details required to be submitted in accordance with Condition 3 above shall include full details of both hard and soft landscape works, including the design and treatment of open spaces, planting plans with written specifications, a schedule of plants noting species, plant sizes, numbers and density, means of enclosure, paving and other surface treatments. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme agreed with the Local Planning Authority. If within a period of five years from the date of planting any plant is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.

REASON;

In the interests of visual amenity.

CONDITION 24;

All development shall achieve as a minimum an energy efficiency of 10% above the Building Regulations standard in place at the time of the reserved matters submission unless this requires a zero carbon development.

REASON;

To ensure a reduction in carbon emissions in-line with adopted policy.

CONDITION 25;

The Sustainable Transport Package ref PJ/EON/ed/JNY8027-03A dated 13 November 2013 and the Residential Travel Plan ref PJ/EON/ed/JNY8027/02A dated 18 November 2013 both contained in Chapter 11, Appendix A of the Environmental Statement Addendum shall be implemented in accordance with the detailed and timetable contained therein and results of monitoring shall be submitted to the Local Planning Authority within one month of the end of each monitoring period.

REASON;

In the interest of sustainable development.

#### 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.

#### ENVIRONMENTAL STATEMENT:

The information contained within the Environmental Statement submitted under the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) as part of this planning application has been taken into account in the assessment, consideration and determination of the application by the Local Planning Authority.

#### INFORMATIVE 1;

This permission is subject to a Section 106 Legal Agreement.

#### INFORMATIVE 2;

The applicant and agent are advised that in the reserved matters submission connections to existing highway and adjacent parcels of land shall be located and laid out in general accordance with the principles as shown on drawing BIR.322\_69-1.

#### INFORMATIVE 3;

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 4;

Public footpaths R104 and R110 must remain open and available for public use at all times.

#### INFORMATIVE 5;

If it is necessary to close any public right of way for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this.

#### INFORMATIVE 6;

Any disturbance or alteration to the surface of a public right of way requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public right of way.

#### INFORMATIVE 7;

The applicant is advised that care should be taken when clearing the ground prior to development and storing materials on site. If evidence of specifically protected reptile species is found (grass snake, common lizard or slow-worm) work should stop while WCC Ecological Services or Natural England is contacted. Reptiles are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000.

#### INFORMATIVE 8;

If mature trees are likely to be affected by the development (e.g. by felling or lopping work) it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protect Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used.

#### INFORMATIVE 9;

The applicant is advised that the site should be surveyed for the presence of badgers prior to the submission of the reserved matters in order that, if found, they can be taken in to account during the detailed design stage. This is in addition to that required by condition 15 above.

#### INFORMATIVE 10;

The applicant / agent is advised that the development should either

- a) Be timetabled and be carried out to avoid the bird breeding season of March to September inclusive to prevent possible disturbance to nesting birds; or
- b) Be carried out in the presence of a qualified ecologist to inspect the building / vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not be able to proceed in that area until outside the nesting season or until the young have fledged as advised by the ecologist. 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.

#### INFORMATIVE 11;

The applicant should give due regard to the advice contained in BS5228:2008 'Noise and Vibration Control on Construction and Open Site'. This Authority wishes to draw your attention to the Considerate Contractors Scheme. This is a voluntary Code of Practice driven by the construction industry which seeks to :-

- Minimise 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 on construction sites; and
- 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 or online [www.considerateconstructors.co.uk](http://www.considerateconstructors.co.uk) The applicants is advised that compliance with planning conditions does not prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection 1990 Act or any other statutory provisions.

#### INFORMATIVE 12;

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, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposal.

Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

INFORMATIVE 13;

The applicant / agent is advised that the details, layout and arrangements shown in the Illustrative Layout plan numbered BIR.3222\_24-2 received by the Local Planning Authority on 17 December 2010, Illustrative Layout plans for both phases B1 and B2 under drawing numbers Bir.3222\_69-1 A, Bir.3222\_68-1 and Bir.3222\_67-1 submitted to and received by the Local Planning Authority on 19 January 2010; and Illustrative Layout drawing numbered BIR.3222\_24-2 A (B2) submitted to and received by the Local Planning Authority on 29 May 2014 is expected to be reflected in the reserved matters submission.

INFORMATIVE 14;

The applicant / agent is advised that the reserved matters details relating to the balancing pond are expected to include cross sections of the pond.

**Reference number: R10/1708**

**Site address: Land off Long Hassocks, Long Hassocks, Coton Park East, Rugby**

**Description: Use of land for residential development comprising a maximum of 40 dwellings and associated open space and infrastructure.**

**Case Officer Name & Number: Richard Redford, (01788) 533 625**

**The Proposal;**

The application seeks outline permission with all matters reserved for the use of the land for residential purposes comprising a maximum of 40 dwellings with associated open space and infra-structure. Indicative plans submitted as part of the application show how the proposal could be arranged with dwellings, gardens, opens space, roads and footpaths. The indicative plans also show an area to be used to provide a balancing pond connecting with the dwellings proposed in this application as well as those proposed in application R10/0905. An Environmental Statement (covering both this application and that on the adjacent site by the same applicants being considered under reference R10/0905), Planning Statement and Design & Access Statement have been submitted with the application. Within the Environmental Statement matters relating to and including transport and highways, noise, landscape, visual, ecological and archaeology are addressed.

Following objections from a number of consultees a Revised Planning Statement was submitted with an addendum to the Environmental Assessment and Tree Survey Report / Arboricultural Impact Assessment.

Additional indicative plans have been provided showing the adjacent development allowed on appeal and currently being implemented.

**Site History;**

Use of land for residential development comprising a maximum of 165 dwellings and associated open space and infrastructure (R09/0188/MEIA)  
Refused 01.07.2009 allowed on appeal on 29.06.2010

Submission of reserved matters comprising access, appearance, landscaping, layout and scale and discharge of related conditions nos. 4 (details of roads, footpaths etc), 5 (foul and surface water drainage), 6 (parking), 7 (site boundaries treatment), 8 (levels), 10 (hard and soft landscaping), 12 (tree protection), 14 (materials) and 17 (acoustic ventilation) pursuant to outline planning permission ref. APP/E3715/A/09/2113178 (LPA ref. R09/0188/MEIA) dated 29 June 2010, for the erection of a maximum of 165 dwellings complete with associated open space and infrastructure (R11/0014)  
Approved 25.01.2012

Use of land for residential development comprising a maximum of 110 dwellings and associated open space and infrastructure (R10/0905) Under consideration

**Consultee Correspondence;**

Central Networks	No objection	Provide detail on its own guidance with regards to, amongst other things proximity distances from its apparatus to buildings
Environment Agency	No objection	Request a conditions

Highway Agency	No objection	
National Grid	No objection	
Natural England	No objection	
Severn Trent Water	No objections	Request a condition and an informative
Warwickshire Police	No objection	Provides comments and guidance for use in detailed design to aid with crime prevention
Warwickshire Wildlife Trust	Comment	Raise a number of questions relating to habitats and protected species
RBC Environmental Health	No objections	Request conditions and informatives
RBC Housing	No objection	
RBC Tree Officer	No objections	Request conditions
WCC Ecology	No objections	Request conditions and informatives
WCC Education	No objections	Request a financial contribution through a Section 106 Legal Agreement
WCC Fire & Rescue	No objection	Request condition
WCC Highways	No objections	Request conditions, informatives and financial contributions through a Section 106 Legal Agreement
WCC Rights Of Way	No objection	Request informatives and a financial contribution toward public rights of way improvement and maintenance through a Section 106 Legal Agreement

### **Third Party Correspondence;**

#### Original Documents;

Neighbours (13)	Object	On the grounds of increased traffic flow along Long Hassocks; parking problems; pedestrian and highway safety concerns; increased noise pollution; inadequate infrastructure provision; increased congestion; at odds with the Rugby Borough Development Plan; limit access to the Great Central Way as well as other rights of way; access to rights of way during construction if approved would be limited or blocked albeit temporarily; proposed use of existing access is inadequate; traffic levels during construction and post completion; not part of the Core Strategy or Local Plan; no involvement in localism act; likely positioning of affordable housing; out of character with the area; impact upon amenity; impact on wildlife; and impact on local schools.
Newton & Biggin	Object	On the grounds of the site not being designated within the Core Strategy; Parish Council it is thought the mast site would allow for the following 5 years housing needs with the mast site to follow; the site is not one of the reserve housing sites; in

allowing the adjacent development of 165 dwellings on appeal the Inspector indicated it would not set a precedent for other such development; and major impact on traffic flow, schooling and recreational demands.

Coton Park Residents Association Object On the grounds of it being outside of the Rugby Urban Area; inappropriate site when sites with greater locational fundamentals are available in the Borough area; loss of green field nature of the site and impact on wildlife; need for an additional access point; unacceptable levels of additional traffic and nuisance on existing roads in the area; highway safety concerns including speed, traffic management and health matters; need for improved community facilities; limited bus service in the area; need for existing facilities to be re-appraised including due to location of things such as shops within the Coton area; impact on local schools; and impact due to lack of medical facilities.

Amended / Updated Documents;

Neighbours (29) Object On the grounds of increased housing numbers with no additional amenities or facilities proposed; lack of community facilities including doctors and dental facilities; increase in vehicular movements of this proposal on its own and even more when taken into account with the other proposed development; increased congestion; highway and pedestrian safety concerns; deliver and construction problems; detrimental noise level impact due to use of Snellsdale Road during and after construction; gives way for further development; contrary to RBC Core Strategy policy as no reference is made for further development at Coton Park; potential need for a compulsory purchase order to facilitate the bus route described; additional highway and pedestrian concerns due to the bus route; changes to character and appearance of the area; the proposal only covers a third of a field thus gives a suggestion for further development; high density proposed and provision of affordable housing at odds with Long Hassocks; insufficient parking provision for the high density proposed as is the case elsewhere where vehicles park on the road and pavements to the detriment of highway and pedestrian safety as well as the character of the area so will be the same here; loss of privacy; loss of wildlife and its habitat; the site does not form part of the Core Strategy adopted for the next 20 years; would represent an unacceptable precedent; the plans, whilst illustrative, give no indication of the applicants thoughts; affordable dwellings need to be distributed throughout the development if approved; change in character through introduction of semi-detached and terraced properties; badger easement covered by part of the development; need to integrate existing rights of way into the development as opposed to obliterating and replacing with estate roads; reduction in open space on-site; application reduces living environment for the occupiers of the existing dwellings; inability of road to cope with existing traffic levels;

Neighbours (1)	Comment	Supports the provision of a bus route however has concerns over its potential route
Coton Park Residents Association (CPRA)	Object	On the grounds of increased housing numbers with no increased or additional amenities / facilities; lack of community facilities; highway safety concerns through construction traffic utilising Snellsdale Road from the service road to access the site; vehicular manoeuvring concerns; and expansion concerns.
Coton Forward	Object	On the grounds of vehicular manoeuvring concerns; expansion concerns; highway comments made in the additional and amended documents provided conflict with current issues being addressed by the Coton Park Residents Association (CPRA); highway safety concerns through potential car parking arrangements; contrary to RBC Adopted policy; housing numbers; issues over the proposed bus route indicated in the submitted documents including likely need to purchase land from existing houses to facilitate road provision and provision of the road on an existing footpath; changes to the character of the area; loss of privacy; and increase in noise.
Cllr Walton	Concerns	Has concerns over highway matters and the main access through the estate whilst indicating consideration should be given for a second access route due, in part, to multiple accidents at the main access roundabout

**Other Relevant Information;**

Located in the open countryside but immediately adjacent to the edge of the Rugby Urban Area, the site is bordered to the west by existing dwellings with the area to its south currently having the dwellings approved on appeal in June 2010 being implemented following reserved matters having been approved in January 2012. To its north and east is agricultural land being used for grazing purposes at the time of writing this report. Ground levels generally fall in an easterly direction with there being undulation within the site and wider area with field boundaries comprising a mixture of hedgerows and fencing.

**Relevant Policies;**

Core Strategy:

RBCS Policy CS1	Development Strategy
RBCS Policy CS10	Developer Contributions
RBCS Policy CS11	Transport & New Development
RBCS Policy CS16	Sustainable Development
RBCS Policy CS17	Reducing Carbon Emissions
RBCS Policy CS19	Affordable Housing

Saved Local Plan Policies:

Saved Policy GP2	Landscaping
Saved Policy GP6	Safeguarding Development Potential
Saved Policy E6	Biodiversity
Saved Policy LR1	Open Space Standards
Saved Policy LR3	Quality & Accessibility of Open Space

SPD's:

Planning Obligations SPD

National Documents:

NPPF

**Consideration;**

Given that the application seeks outline permission with all matters reserved the main issue relates to the acceptability or otherwise of the proposed development, with subsequent matters including the sites capability to accommodate the development proposed, contributions and technical matters.

Principle:

The application site is located within the open countryside, as identified on the Proposals Map. Countryside locations are the penultimate tier of consideration for development on the development strategy hierarchy, as contained within Core Strategy Policy CS1 Development Strategy with this policy stating that development must be resisted within the countryside and only where national policy on countryside locations allows will development be permitted. Given the sites location in the countryside and the provisions of this policy, it is necessary to look at the proposal against the contents and provisions of the NPPF.

The NPPF is clear that planning applications must be determined in accordance with the development plan. However, paragraph 47 specifically relates to local authorities significantly boosting the supply of housing and requires that local planning authorities demonstrate a five year (plus 5% moved forward from later in the plan period to ensure choice and competition in the market) housing land supply.

The Councils latest Council 5 Year Land Supply Statement was produced in December 2013 and is accompanied by commentary explaining and justifying the components that inform the 5 year (plus 5%) land supply position. As detailed in the land supply statement, the process included contacting all site representatives that form the five year (plus 5%) land supply to ensure that the Council gains a robust position and understanding of the current situation. The statement demonstrates that the Council has a housing land supply of 3.29 years which therefore demonstrates a housing land supply below the required five year supply (plus 5%).

Where no five year housing land supply exists, relevant policies for the delivery of housing must then be considered to be out of date. In this instance, guidance is therefore sought from the NPPF and the demonstration of a site meeting the policy provisions within the NPPF. Paragraph 49 of the NPPF, states that housing applications should be considered in the context of the presumption in favour of sustainable development.

When this is applied to the application site – as well as the adjacent site being considered by this committee – it can be seen that they can in principle be considered to be a sustainable

location in part as they are located on the edge of Coton Park, which forms part of the Rugby urban area. Policy CS1 specifies that the Rugby urban area is the primary focus for meeting strategic growth targets. Although being within a countryside location and not within the Rugby urban area, the site proximity in the context of the NPPF presumption in favour of sustainable development is, in principle, considered to be sustainable. This is clearly provided that the sites are supported by appropriate levels of infrastructure and access, such as public transport.

The sites location on the edge of the existing urban area at Coton Park, which in turn is edge of Rugby urban area which policy CS1 states is the primary focus for meeting strategic growth as well as the second tier of the settlement hierarchy, and the short fall in the Councils 5 Year Land Supply are such that it is considered on balance they collectively result in the proposal being acceptable in principle.

#### Site Capability:

Outline applications are required to provide a basic level of information in respect of factors such as layout, amount of development, indicative layout and indicative access points in order that as part of the assessment of outline applications it can be assessed and established that the site is capable of being developed to the level sought taking account of the proposal along with gardens, highways etc. This gives a clearer indication of the potential outcome of the proposed development and assists in demonstrating that the amount of development proposed can be satisfactorily accommodated on the site having regard to the nature and relationship with its surroundings.

In this instance the application was submitted with indicative plans for the site showing how the site could be arranged in a manner allowing for the siting of the dwellings including their amenity space and parking / garaging, roads, open space and a proposed storm water pond. Within the Design & Access Statement, the amended Planning Statement, the indicative plans, Environmental Statement and its addendum the basic information and parameters necessary are provided.

The indicative layout broadly follows the design approach adopted on the neighbouring Coton Park development with perimeter blocks and the incorporation of feature areas to provide a sense of place and identity. Such an approach will complement and assist in integrating the proposals with existing development and is considered acceptable. The proposals make appropriate provision for public open space in accordance with policies LR1 and LR3. The plans and information show the development could be provided without having an adverse impact on the public rights of way network. Landscaping is considered as an integral part of the development.

There are certain constraints, however, which would need to be taken fully into account and addressed in working up the detailed layout proposals for the development of the site. These relate principally to the relationship with neighbouring properties, including where there are differences in levels and the need to ensure that there is no adverse impact on residential amenity, and the sensitive boundary with the Great Central Walk local nature reserve.

In terms of scale, the proposals take account of the local context to ensure that a detailed scheme can be satisfactorily assimilated and integrated with its surroundings. The height limits and their location proposed in the Design & Access Statement respects the adjacent built form, has full regard to the topography of the site, visual impact and the relationship with neighbouring development and it is considered would be acceptable in any detailed scheme.

In view of the above, it is considered that the illustrative layout demonstrates that the amount of development proposed can potentially be satisfactorily accommodated on the site having regard to the relevant criteria contained in the relevant policies. It is considered that residential development in principle would be an appropriate alternative use of the site which would be compatible with the adjacent residential land use to the south and west.

#### Technical Issues:

Whilst the Environmental Statement raised a number of issues capable of being addressed through conditions, following a holding objection from the Highways Agency as well as comments from consultees including WCC Highways and WCC Ecology, an Environmental Statement Addendum was produced along with revised Planning Statements and Tree Survey Report including arboricultural impact assessment and draft tree protection plan for both proposed phases.

As a result of this further work contained within the Environmental Statement Addendum and other documents the Highway Agency has removed their holding objection as they are satisfied the proposal would not impact on either the M6 motorway or A5 trunk road with the additional information provided also addressing concerns relating to residential travel through the provision of further information within the Residential Travel Plan element.

In addition to this, WCC Highway Authority have commented that with appropriate conditions and obligations the development would be acceptable on the Local Highway Network. This is due, in part, to the applicant having carried out a microsimulation assessment of the Stonechat Road roundabout due to local concerns regarding its operation that demonstrated the proposed development would not give rise to highway safety issues. Nonetheless this work was then included in wider modelling to demonstrate the development impact with WCC Highway Authority considering that in line with RBC's Core Strategy, the development is required to contribute towards improvements at the Avon Mill roundabout on the A426. Questions have been raised in the neighbour objections with regards to public transport provision and in relation to this matter WCC highway Authority has commented that the sum secured through the development allowed on the adjacent site allowed on appeal in 2010 would provide for both that phase as well as that to which this application relates and the other application currently under assessment.

The Environmental Statement also included further technical matters relating to ecology, archaeology, air quality and other items. These have been assessed through re-consultation with all consultees who have all in term commented no objections subject to conditions and or informatives where necessary.

#### Contributions:

The applicants have confirmed their willingness to enter into a Section 106 Agreement to make relevant contributions in respect of affordable housing, education, transport and public open space in accordance with policies whilst also accepting provisions within the Agreement relating to ecological matters.

Financial contributions have also been requested for public rights of way and ecological purposes however, the sums sought are not based on adopted calculations and are not known to be CIL compliant. On this basis they will not form part of the Agreement.

#### Conclusion:

In conclusion it can be seen that the short fall in the Councils 5 Year Land Supply when taken into account with the sites location in a highly sustainable location in the open countryside immediately adjacent to the Rugby Urban Area, the primary focus for meeting

strategic growth targets, is such that the principle of the development is considered to be acceptable. Furthermore, the indicative plans provided show that the site is capable of accommodating the dwellings proposed with amenity space, highways and other relevant infrastructure.

Therefore the application is recommended for approval subject to conditions and the applicant entering into a Section 106 Legal Agreement.

**Recommendation;**

Planning permission be approved subject to conditions and the applicant entering to a Section 106 Legal Agreement.

Report prepared by: Richard Redford 20<sup>th</sup> June 2014

**DRAFT DECISION**

**APPLICATION NUMBER**

R10/1708

**DATE VALID**

17/12/2010

**ADDRESS OF DEVELOPMENT**

Land off Long Hassocks  
Long Hassocks  
Coton Park East  
RUGBY

**APPLICANT/AGENT**

Miss Hanna Mawson  
Pegasus Planning Group  
5 The Priory  
Canwell  
Sutton Coldfield  
West Midlands  
B75 5SH  
On behalf of , Persimmon Homes South  
Midlands

**APPLICATION DESCRIPTION**

Use of land for residential development comprising a maximum of 40 dwellings and associated open space and infrastructure.

**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 [for each plot/phase] before any part of the development [of that plot/phase] is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

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

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:

Location Plans numbered BIR.3222\_60-1 and BIR.3222\_47-1, Parameters Plan numbered BIR.3222\_22-2, Site Survey Drawing (Topographical Survey) numbered S123/EAST/03, Landscape Masterplan drawing numbered BIR.3222\_59, Design and Access Statement, and Environmental Statement (3 Volumes) all submitted as part of the application received and validated by the Local Planning Authority on 17 December 2010;

Site Location Plan numbered BIR.3222\_48-1 dated 19th November 2010 and Site 2 Location Plan numbered BIR3222\_61-1 dated November 2010 both received by the Local Planning Authority on 7 December 2014; and

Topographical Survey Sheet 4 of 5 under Drawing number S123/East/04 submitted to and received by the Local Planning Authority on 19 January 2010; and

Environmental Statement Addendum dated December 2013, Environmental Statement Addendum Non-Technical Summary dated December 2013, Revised Phase B2 Planning Statement dated November 2013; and Public Right of Way Plan drawing numbered BIR.4315\_71) all submitted to and received by the Local Planning Authority on 12 December 2013; and

Arboricultural Report dated September 2013 submitted to and received by the Local Planning Authority on 25 February 2014.

REASON:

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

CONDITION 5:

No development shall commence unless and until full details of the colour, finish and texture of all new materials and fittings to be used on all external surfaces, together with samples of the facing bricks and roof tiles have 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:

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

CONDITION 6:

Development shall not begin until details of the treatment of the site boundaries, including those of the individual plots, shall be submitted to and approved in writing by the Local Planning. The development shall be carried out in accordance with the approved details. The boundaries shall be retained thereafter and shall not be replaced at any time other than with boundaries of identical design, height, materials and finish.

REASON:

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

CONDITION 7:

Development shall not begin until details of existing and proposed site levels and their relationship with adjoining land and buildings and the finished ground floor levels of all buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION 8:

No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority

REASON:

To ensure the preservation of important archaeological remains and that any archaeological history of the site is recorded.

CONDITION 9;

The developer shall provide secure, well lit pedestrian links to the development parcel to the south of the site, shown in blue on figure 1 of the updated transport assessment in accordance with details to be submitted concurrently with those required by condition 3 above. Such details shall include a programme of implementation.

REASON:

In the interests of pedestrian safety.

CONDITION 10;

Prior to the commencement of the development, the Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site in accordance with details including type, method of operation and control of use which shall be submitted for approval in writing to the Local Planning Authority in consultation with the Highway Authority.

REASON:

In the interests of highway safety.

CONDITION 11;

The development hereby permitted shall not be commenced 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 Public Safety from fire, and the protection of Emergency Fire Fighters.

CONDITION 12;

No development shall commence until an ecological enhancement and management scheme for the open space has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include details of habitats to be retained, species to be planted (including seed mixes with proportions), timings of works, locations and numbers of bat and bird boxes, reptile and amphibian refugia, details of lake / pond creation, programme of implementation and monitoring. The ecological enhancement and management scheme shall thereafter be carried out in accordance with the approved details.

REASON;

To protect / enhance the ecological character of the area in accordance with the NPPF and ODPM Circular 2005/06

CONDITION 13;

Prior to the commencement of development, a Construction and Environmental Management Plan to include details concerning pre-commencement checks for badgers, bats, other mammals and breeding birds as well as appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place, shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full in accordance with the approved details.

REASON;

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

CONDITION 14;

The development hereby approved shall not commence until a detailed schedule of Great Crested-Newt mitigation measures (to including timing of works, protection measures, enhancement details, monitoring and further survey if necessary) has been submitted to and approved in writing by the Local Planning Authority in-line with the recommendations made

in paragraphs 5.5.4 and 5.5.5 of Aspect Ecology's 'Land at Coton Park East, Rugby, Protected Species Masterplan' Report dated November 2013 ECO1954.PM.vf. The development shall then be carried out in accordance with the approved details.

REASON;

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

CONDITION 15;

Prior to the commencement of development the site shall be surveyed for the presence of badgers. If any evidence of badgers is found a full badger survey of the site shall be undertaken with resultant report, to include mitigation where necessary, submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON;

To ensure appropriate measures are taken in relation to protected species.

CONDITION 16;

The development hereby permitted shall only be carried out in accordance with the approved Environmental Statement including Chapter 12, Hydrology and Drainage FRA prepared by EWE Associates and dated November 2010 and the following mitigation measures details within the FRA;

- 1.No raising of ground levels within the area established in Section 4.2, Figure 4.4 of the FRA as liable to flooding;
2. Limiting the rate of surface water run-off generated by the site to discharge at a rate of not more than the Greenfield runoff rate;
3. Provision of surface water attenuation on the total site to retain the 1:100 year (including 30% climate change allowance) flow event assuming the discharge rate above;
4. Demonstration that the detailed surface water drainage system proposed will also provide water quality improvements by implementing the SuDS methods outlined in the FRA; and
5. Details of how the entire surface water scheme shall be maintained and managed after completion.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the system.

CONDITION 17;

Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include details relating to:

1. The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise and vibration emissions from the site during the construction phase;

2. The control of dust including arrangements to monitor dust emissions from the site during the construction phase.

The development shall be carried out in compliance with the approved Construction Method Statement.

REASON;

In the interests of amenity and environmental protection.

CONDITION 18;

No construction work shall be carried out outside of the hours listed below (including construction traffic entering or leaving the site):

- Monday to Friday 07:30 am to 18:00 pm;
- Saturdays 08:30 am to 13:00 pm;
- No works on Sundays or Bank holidays.

REASON:

In the interest of residential amenity.

CONDITION 19;

No piling works shall be undertaken outside the following hours:

- Monday to Friday 08:30 am to 18:00 pm;
- Saturday 09:00 am to 13:00 pm;
- No Piling Permitted on Sundays or Bank holidays.

REASON:

In the interest of residential amenity.

CONDITION 20;

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul drainage including any pumping station 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 the development is first brought into use.

REASON:

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

CONDITION 21;

Development shall not begin until details of the car parking, motor cycle and cycle parking provision has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and those areas shall not thereafter be used for any purpose other than the parking of vehicles and cycles.

REASON;

To ensure sufficient parking provision and in the interests of highway and pedestrian safety.

CONDITION 22;

No dwelling shall be occupied until vehicular and pedestrian access to the property, parking provision required by condition 21 and boundary treatment required by condition 7 have been provided in accordance with the approved details.

REASON;

To ensure access, parking and boundary treatments are provided prior to occupation.

CONDITION 23;

The details required to be submitted in accordance with Condition 3 above shall include full details of both hard and soft landscape works, including the design and treatment of open spaces, planting plans with written specifications, a schedule of plants noting species, plant sizes, numbers and density, means of enclosure, paving and other surface treatments. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme agreed with the Local Planning Authority. If within a period of five years from the date of planting any plant is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.

REASON;

In the interests of visual amenity.

CONDITION 24;

All development shall achieve as a minimum an energy efficiency of 10% above the Building Regulations standard in place at the time of the reserved matters submission unless this requires a zero carbon development.

REASON;

To ensure a reduction in carbon emissions in-line with adopted policy.

CONDITION 25;

The Sustainable Transport Package ref PJ/EON/ed/JNY8027-03A dated 13 November 2013 and the Residential Travel Plan ref PJ/EON/ed/JNY8027/02A dated 18 November 2013 both contained in Chapter 11, Appendix A of the Environmental Statement Addendum shall be implemented in accordance with the detailed and timetable contained therein and results of monitoring shall be submitted to the Local Planning Authority within one month of the end of each monitoring period.

REASON;

In the interest of sustainable development.

## 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.

## ENVIRONMENTAL STATEMENT:

The information contained within the Environmental Statement submitted under the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) as part of this planning application has been taken into account in the assessment, consideration and determination of the application by the Local Planning Authority.

## INFORMATIVE 1;

This permission is subject to a Section 106 Legal Agreement.

## INFORMATIVE 2;

The applicant and agent are advised that in the reserved matters submission connections to existing highway and adjacent parcels of land shall be located and laid out in general accordance with the principles as shown on drawing BIR.322\_69-1.

## INFORMATIVE 3;

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 4;

Public footpaths R104 and R110 must remain open and available for public use at all times.

## INFORMATIVE 5;

If it is necessary to close any public right of way for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this.

## INFORMATIVE 6;

Any disturbance or alteration to the surface of a public right of way requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public right of way.

## INFORMATIVE 7;

The applicant is advised that care should be taken when clearing the ground prior to development and storing materials on site. If evidence of specifically protected reptile species is found (grass snake, common lizard or slow-worm) work should stop while WCC Ecological Services or Natural England is contacted. Reptiles are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000.

#### INFORMATIVE 8;

If mature trees are likely to be affected by the development (e.g. by felling or lopping work) it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protect Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used.

#### INFORMATIVE 9;

The applicant is advised that the site should be surveyed for the presence of badgers prior to the submission of the reserved matters in order that, if found, they can be taken in to account during the detailed design stage. This is in addition to that required by condition 15 above.

#### INFORMATIVE 10;

The applicant / agent is advised that the development should either

- a) Be timetabled and be carried out to avoid the bird breeding season of March to September inclusive to prevent possible disturbance to nesting birds; or
- b) Be carried out in the presence of a qualified ecologist to inspect the building / vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not be able to proceed in that area until outside the nesting season or until the young have fledged as advised by the ecologist. 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.

#### INFORMATIVE 11;

The applicant should give due regard to the advice contained in BS5228:2008 'Noise and Vibration Control on Construction and Open Site'. This Authority wishes to draw your attention to the Considerate Contractors Scheme. This is a voluntary Code of Practice driven by the construction industry which seeks to :-

- Minimise 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 on construction sites; and
- 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 or online [www.considerateconstructors.co.uk](http://www.considerateconstructors.co.uk) The applicants is advised that compliance with planning conditions does not prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection 1990 Act or any other statutory provisions.

#### INFORMATIVE 12;

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, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposal.

Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

INFORMATIVE 13;

The applicant / agent is advised that the details, layout and arrangements shown in the Illustrative Layout plan numbered BIR.3222\_24-2 received by the Local Planning Authority on 17 December 2010, Illustrative Layout plans for both phases B1 and B2 under drawing numbers Bir.3222\_69-1 A, Bir.3222\_68-1 and Bir.3222\_67-1 submitted to and received by the Local Planning Authority on 19 January 2010; and Illustrative Layout drawing numbered BIR.3222\_24-2 A (B2) submitted to and received by the Local Planning Authority on 29 May 2014 is expected to be reflected in the reserved matters submission.

INFORMATIVE 14;

The applicant / agent is advised that the reserved matters details relating to the balancing pond are expected to include cross sections of the pond.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	02.07.2014
<b>Report Title</b>	Delegated Decisions –23.05.2014 to 12.06.2014
<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>	Y
<b>Report En-Bloc</b>	N
<b>Forward Plan</b>	N
<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 – 02.07.2014**

**Delegated Decisions – From 23.05.2014 To 12.06.2014**

**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: 02.07.2014  
Subject Matter: Delegated Decisions – 23.05.2014 to 12.06.2014  
Originating Department: Planning and Culture

### LIST OF BACKGROUND PAPERS

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

\* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER  
DELEGATED POWERS FROM 23.05.2014 TO 12.06.2014

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R14/0826 Refused 22.05.2014</i>	37 Clement Way Cawston	Retention of picket fence 0.90m in height to the front of the property.
<i>R14/0835 Refused 27.05.2014</i>	57 Overslade Lane Rugby	Erection of two storey side extension, single storey porch, and single storey rear extension.
<b>Applications Approved</b>		
<i>R13/2179 Approved 22.05.2014</i>	24 Everest Road Overslade	Two storey side extension
<i>R13/1919 Approved 23.05.2014</i>	Hobleys Furze Little Walton Pailton	Conversion of existing barn/workshop into 1no.dwelling together with construction of an extension to form garage
<i>R14/0658 Approved 23.05.2014</i>	1 South View Broad Street Brinklow	Erection of single storey extension to front/side, formation of new first floor window in side elevation.
<i>R14/0580 Approved 23.05.2014</i>	Land adjacent to 10 Top Park Top Road Coventry	Construction of stable block & store with concrete hardstanding
<i>R14/0619 Approved 27.05.2014</i>	19 Cave Close Cawston	Conversion of garage to provide play room
<i>R14/0088 Approved 28.05.2014</i>	St Peters Church Church Road Church Lawford	Installation of 10 no. air source heat pumps frame mounted within fenced compound located in churchyard
<i>R14/0777 Approved</i>	Unit 2 Leigh Road	Change of use from B2 and B8 to B8 [ storage and distribution] with ancillary offices

28.05.2014	Swift Valley Industrial Estate Rugby	
R14/0853 Approved 29.05.2014	32 Holly Drive Ryton on Dunsmore	Erection of two storey side extension, single storey rear extension and single storey front extension
R14/0873 Approved 30.05.2014	21 St Margarets Avenue Wolston	Erection of a single storey rear extension.
R14/0871 Approved 30.05.2014	4 Ansty Court Main Road Ansty	Erection of a single storey side extension and a single storey extension to existing garage, alterations to enclose existing covered walkway to create additional ancillary residential accommodation (including conversion of an existing garage bay), and extension of the existing veranda to the rear.
R14/0450 Approved 02.06.2014	Ryefield Cottage Halfway Lane Dunchurch	Erection of side extension to existing garage
R14/0881 Approved 02.06.2014	4 Maple Gardens Dunchurch Road Rugby	Provision of rear dormer window and two rooflights
R14/0714 Approved 02.06.2014	16 Westfield Road Rugby	Erection of two storey side, single storey rear, and single storey side and front extensions.
R14/0754 Approved 02.06.2014	16 Dunsmore Avenue Rugby	Extension of existing brick garden shed (part retrospective)
R14/0872 Approved 03.06.2014	3 Mill Farm Close Dunchurch	2nd storey extension over existing ground floor extension and single storey garden room.
R14/0468 Approved 03.06.2014	Manor House 28 Church Hill Stretton on Dunsmore	Change of use of outbuilding from ancillary residential to B1 office and storage
R14/0758 Approved 04.06.2014	3 Fieldfare Close Coton	Retention of single storey rear extension

<i>R14/0885 Approved 04.06.2014</i>	2 Noble Drive Cawston	Erection of a single storey rear extension.
<i>R14/0660 Approved 04.06.2014</i>	Station Cottage 5 Smeaton Lane Stretton Under Fosse	Formation of a new vehicular access and erection of a gate
<i>R13/2166 Approved 04.06.2014</i>	50 John Simpson Close Wolston	Erection of single-storey side and rear extensions, and new access, parking space and car port to side.
<i>R14/0923 Approved 09.06.2014</i>	1 Manor Farm Cottage Daventry Road Rugby	Erection of a single storey rear extension
<i>R14/0845 Approved 09.06.2014</i>	34 Clifton Road CV21 3QF	Change of use of ground floor to A1 (restricted to Pharmacy use), together with internal alterations, provision of an external ramped access to the principle entrance and the provision of two no. parking spaces and bin store.
<i>R14/0816 Approved 10.06.2014</i>	Area U Whitefriars Drive Cawston	Erection of 9 dwellings and associated garages and works - substitution of house types on plot nos. on plots 550, 559, 560, 561, 562, 563, 564, 566 and 567, approved under approval of details ref. R04/1118/2137/D, dated 9th November 2005.
<i>R14/0661 Approved 11.06.2014</i>	Land West of Bulkington Road Shilton	Retention of menage and associated fencing
<b><i>Prior Approval Applications</i></b>		
<i>R14/0825 Prior Approval 27.05.2014</i>	45 Lindale Brownsover	Prior Approval for the erection of a single storey rear extension 3.3 m projection from the original dwelling and 2.5 m to eaves and 3.2 m to highest point
<i>R14/0727 Prior Approval 02.06.2014</i>	Upper Floors 9 North Street	Prior Approval change of use from offices (Use Class B1(a)) to 29 residential flats (Use Class C3) comprising twenty-one x 2-bed units and eight x 1-bed units.
<i>R14/0884</i>	52 Kingsley Avenue	Prior approval application for single storey rear

<i>Prior Approval</i> 09.06.2014	Hillmorton	extension: 3.45m projection from original dwelling, 3m eaves height, 4m ridge height.
<i>R14/0552</i> <i>Prior Approval</i> 09.06.2014	19 Rugby Lane Stretton on Dunsmore	Prior Approval application for erection of single-storey rear extension measuring 3.8m projection from original dwelling, 2.6m eaves height and a maximum height of 3.85m.
<b>Prior Notification</b>		
<i>R14/0900</i> <i>Prior Notification</i> 06.06.2014	Coton House Management Centre Lutterworth Road Churchover	Application for prior notification of proposed demolition of 'non-listed' curtilage buildings
<i>R14/1072</i> <i>Prior Notification</i> 11.06.2014	New Barn Stables Coppice Farm Burnthurst Lane Princethorpe	Prior notification of intention to convert existing redundant barn to form a residential unit.
<b>Listed Building Consents</b>		
<i>R14/0543</i> <i>Listed Building Consent</i> 23.05.2014	Hobleys Furze Little Walton Pailton	Listed building consent for the conversion of existing barn/workshop into 1no.dwelling together with construction of an extension to form garage and erection of attached brick wall
<b>Advertisement Consents</b>		
<i>R14/0610</i> <i>Advertisement Consent</i> 23.05.2014	The Freeman Company (UK) Limited Unit DC5, Site B Former Peugeot Factory Oxford Road Ryton-on-Dunsmore	Proposed non-illuminated signage and flagpole with flag (advertisement consent is not required for national flags)
<b>Certificate of Lawful Use or Development</b>		
<i>R14/0542</i> <i>Certificate of Lawful Use or Development</i> 23.05.2014	The White House Oxford Road Princethorpe	Certificate of lawfulness in respect to use of land for residential purposes associated with the existing dwelling house.
<b>Agricultural Determinations</b>		
<i>R14/1018</i> <i>Prior Notification</i>	Home Farm Main Street	Determination as to whether prior approval is required for the erection of a general purpose

06.06.2014	Broadwell	agricultural building.
<b>Approval of Details/ Materials</b>		
<i>R13/0295 Approval of Details 02.06.2014</i>	Land on the West side of Oxford Road (Sunrise Park) Ryton on Dunsmore	Use of land for the siting of caravans for residential purposes. (Removal of Condition 1 (the use of the land for a limited period of 4 years) of Planning Permission APP/E3715/C/09/2110115 (R09/0291/MDPT) granted on appeal on 4th February 2010 to allow the permanent occupation of the land by the applicants. (Re-submission of previously withdrawn application R12/1225 dated 28/11/2012)) together with the creation of an earth bund and associated landscaping works.
<i>R13/1567 Approval of Details 03.01.2014</i>	Barn at Manor Farm Off Moor Lane Willoughby	Conversion of barn to 1 no. dwellinghouse and the erection of an associated detached garage - amended scheme to that approved under planning permission R12/1620
<i>R09/0707/PLN Approval of Details 03.06.2014</i>	26 David Road Bilton	Erection of a detached dormer bungalow (resubmission).
<i>R12/0620 Approval of Details 03.06.2014</i>	13 North Street Marton	Erection of detached garage and home office to rear of dwelling
<i>R13/1169 Approval of Details 04.06.2014</i>	Coventry and Warwickshire NHS Ambulance Trust Ambulance Station Brownsover Lane Brownsover	Erection of 29 dwellings with associated access, parking, landscaping and works.
<i>R10/1713 Approval of Details 05.06.2014</i>	41 Clifton Road (Land to Rear) Rugby	Outline application with access, layout and scale for erection of building to provide 6 apartments.
<i>R12/1353 Approval of Details 06.06.2014</i>	Coton House Lutterworth Road Churchover	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3

		<p>dwelling, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total)</p>
<p><i>R14/0016</i> <i>Approval of Details</i> <i>09.06.2014</i></p>	<p>Wolvey Hall 8 Hall Road Wolvey</p>	<p>Change of use and conversion of the existing chapel into a single residential dwelling</p>
<p><i>R13/1702</i> <i>Approval of Details</i> <i>11.06.2014</i></p>	<p>Land at Liapari Back Lane Harborough Magna</p>	<p>Erection of a detached dwelling and a detached garage, with vehicular access off Back Lane (resubmission of planning application reference R11/2097, dated 10/10/2012).</p>
<p><b>Approval of Non-Material Changes</b></p>		
<p><i>R14/0344</i> <i>Approval of Non-Material Changes</i> <i>30.05.2014</i></p>	<p>New house Halfway Lane Dunchurch</p>	<p>Erection of a single storey rear extension and external alterations.</p>
<p><i>R14/0060</i> <i>Approval of Non-Material Changes</i> <i>04.06.2014</i></p>	<p>8 Wych Elm Close Bilton</p>	<p>Two-storey side extension following demolition of existing garage.</p>
<p><i>R12/1539</i> <i>Approval of Non-Material Changes</i> <i>05.06.2014</i></p>	<p>The Forge The Square Dunchurch</p>	<p>Proposed conversion and extension of existing builders yard and office to a residential dwelling</p>
<p><i>R12/1884</i> <i>Approval of Non-Material Changes</i> <i>10.06.2014</i></p>	<p>Land at Leicester Road Leicester Road Rugby</p>	<p>Erection of 101 dwellings (Class C3), garages and associated works including internal access roads, emergency access, car parking, earthworks, landscaping and drainage - submission of reserved matters comprising appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP dated 17.09.2007</p>
<p><i>R13/0530</i> <i>Approval of Non-Material Changes</i> <i>10.06.2014</i></p>	<p>Land at Leicester Road Leicester Road Rugby</p>	<p>Erection of 87 dwellings (Class C3), garages and associated works including internal access roads, car parking, open space and associated earthworks, drainage including attenuation</p>

		basin, landscaping and electricity sub-station - submission of reserved matters comprising layout, scale, appearance and landscaping pursuant to outline planning permission ref. R07/1918/MAJP dated 8.2.2012.
<b><i>Withdrawn/ De-registered</i></b>		
<i>R14/0413 Withdrawn 28.05.2014</i>	1 White Barn Close Willoughby	Erection of 1.8m boundary fence.
<i>R14/0918 Withdrawn 10.06.2014</i>	Little Walton Lodge Farm Lutterworth Road Pailton	Modification of outbuilding including provision of a pitched roof and alterations to previously approved fenestration.