

19th December 2014

PLANNING COMMITTEE - 7TH JANUARY 2015

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 7th January 2015 in the Council Chamber, Town Hall, Rugby.

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 meeting held on 26th November 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 – 7th November – 12th December 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 – 10) are attached.

Membership of the Committee:-

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

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). 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).

Planning Committee – 7th January 2015
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	R14/2097	54 Rugby Road, Binley Woods Change of use of existing detached garage to a separate dwelling and erection of a single storey side extension incorporating a single garage, including works to raise the roof height. Provision of a dropped kerb to serve an independent site access.	3

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	R14/1582	Gala Site and Cemex House, Evreux Way, Rugby Outline application for erection of building for retail (Class A1) and leisure (Classes D2 and A3) uses, with associated works including demolition of existing buildings. All matters reserved except for access.	8
3	R12/1947	Grange Farm Cottage, Coventry Road, Cawston, Rugby, CV22 7RZ Outline application for the erection of up to 10 dwellings including new access onto Coventry Road (all matters reserved) including the demolition of Grange Farm Cottage and outbuildings.	30
4	R12/1188	Land South of Back Lane, Long Lawford Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.	48
5	R14/2239	15a Southfield Road, Rugby Proposed Single Storey Extension.	71
6	R13/2000	Disused railway line embankment west of Nethercote Road, Nethercote Road, Flecknoe Erection of a detached 5-bed dwelling with ancillary, associated outbuildings comprising a detached garage and store building with one-bed flat above, and a stable and tack building. Erection of gates. Provision of an agricultural barn, a 12 horse stable tack and feed building, a horse walker and a 30m by 40m polo arena / ménage all for personal purposes. Associated landscaping and access works.	75

Reference number: R14/2097

Site address: 54 Rugby Road, Binley Woods

Case Officer: Chris Davies 01788 533627

Description: Change of use of existing detached garage to a separate dwelling and erection of a single storey side extension incorporating a single garage, including works to raise the roof height. Provision of a dropped kerb to serve an independent site access.

History:

R07/0783/PLN	Retention of a detached garage and a two storey side and rear extension.	Approved 15/06/07
R14/0592	Conversion of existing detached garage to a dwelling, including raising the roof and provision of a new dropped kerb. Refused 02/05/14	Appeal allowed 26/08/14

Proposal:

Following the refusal by the LPA to grant planning permission to convert the existing detached garage to a dwelling including alteration and extension, the applicant appealed and the Planning Inspectorate granted planning permission. The applicant now seeks to raise the roof further to create a two storey dwelling with loft room over, as well as an associated extension and alterations. The drive serving the property is as previously allowed by the Inspector.

Relevant Information:

This application is brought before the Committee for consideration at the request of Councillor Heather Timms.

Rugby Road is the main road through Binley Woods, and there are a wide variety of housing sizes and styles along the entirety of its length. A common feature is for dwellings to be set back from the highway by several metres, with gardens and/or off street parking to the front.

No.54 sits on a plot at the end of the established ribbon development of housing as you approach the Coventry boundary. To the right of the site is a former substation building, which is now used as a church meeting room. To the left is another dwelling of similar size and proportions.

The garage subject of this application is located to the rear of the main house, such that position of the former substation building and No.54 itself limit views of it from the highway. At present access is via the existing vehicular access off Rugby Road then through an open carport to the right of the main dwelling. There are block paved parking areas both to the front of the garage building and to the front of the main dwelling.

The garage building itself is brick built with a gabled dual pitch roof. In addition to a garage door opening there is also a pedestrian door and some windows at ground floor level.

The location of the building is such that it does not sit directly adjacent to any other dwellings; the closest building would be the church meeting room, whilst the rear garden area to be retained for No.54 flanks the site.

The rear boundary is marked by several mature trees and fully screened. Side boundaries with adjacent properties are screened by a combination of fencing, trees and mature planting.

A small backland development comprising a cluster of bungalows can be seen from the site (Oakdale Court, off Oakdale Road) but this is separated from the site by the ends of two domestic rear gardens.

Technical Responses:

WCC Ecology - Bat and nesting bird notes required.

RBC Tree Officer -

Parish/Ward Responses:

Parish - Objection (contrary to Binley Woods Village Design Statement and access too narrow).

Ward - Called in to the Planning Committee by Councillor Mrs Heather Timms.

Neighbour Responses:

Objection (1) - Loss of privacy, loss of light, contrary to planning policy, detrimental impact on the character of the locality, and shouldn't allow an additional access.

NB – the access is as per the one approved by the Inspector, and so effectively already has consent.

Planning Policy:

National Planning Policy Framework March 2012 Conflicts

Rugby Borough Core Strategy 2011

CS1: Development Strategy Complies

CS2: Parish Plans Conflicts

CS16: Sustainable Design Conflicts

CS20: Local Housing Needs Complies

Considerations:

Principle

Binley Woods is a Main Rural Settlement. In such locations housing is considered acceptable in principle provided that it falls within the village boundary. However, Local Needs housing would take priority over market housing.

The Binley Woods Housing Needs Survey 2011 (HNS) identifies a need for housing in the village. However this identified need is limited to properties that would be made available for social renting or shared ownership. The applicant has indicated a possible intention to rent both the existing house and the converted garage privately to local residents. Although local people would qualify for housing in terms of existing residence within the village, this arrangement would not comply with the identified *type* of housing availability shown in the HNS.

As Policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011 prioritises local needs housing but does *not* resist market housing, this arrangement is considered acceptable in principle, given the small scale of the proposal and the fact that it would not be viable to provide affordable social housing on the site.

Policy CS20: Local Housing Needs states that housing will be acceptable where it meets a local housing need. As discussed above, as the applicant's intended audience already have direct links to the village this would be considered to be a reasonable justification for housing provision requirements within the village.

The proposed development therefore complies with Policies CS1: Development Strategy and CS20: Local Housing Needs of the Rugby Borough Core Strategy 2011.

The other key considerations in determining this application are the impact of converting the garage to a dwelling on a) the character and appearance of the building and the locality, b) residential amenity, and c) biodiversity.

Character and Appearance

Whilst the Binley Woods Parish Plan 2013 does not make precise statements on acceptable development, it does refer to the Village Design Statement 2013, which was published alongside the Parish Plan. This document includes a policy relating to new housing on land to the rear of existing properties (BW 4) which specifically highlights the need for new development to reflect the character of the surrounding residential area.

Policy CS16: Sustainable Design also requires development to reflect and enhance the character of the environment of which it forms a part.

The Planning Inspector who allowed the recent appeal observed that in his opinion the scheme before him was of modest scale and massing and that the impact was not therefore detrimental to the character or appearance of the setting or the locality.

However, the scheme now being proposed sees a further increase in the height, scale and massing of the converted building, with the roof height increased further to enable accommodation in the roofspace. The size of the single storey side extension has also been significantly increased from that included in the scheme allowed at appeal. It is therefore the opinion of the LPA that the current scheme represents an unsympathetic increase in the building beyond that deemed acceptable by the Planning Inspector.

The proposed scheme therefore conflicts with policy CS2: Parish Plans and the elements of policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to character and appearance, and Part 12 of the NPPF.

Residential Amenity

At the time of allowing the appeal, the Planning Inspector was only considering a single first floor side facing window facing towards the rear garden of No.56 Rugby Road, and so felt the potential impact due to overlooking and loss of privacy would be minimal.

This scheme sees an additional first floor side facing window, with both windows serving dwelling, both of which serve primary habitable rooms (bedrooms). It is considered that this increase in overlooking potential would detrimentally impact on the amenities of neighbouring occupants, including No.54 itself.

It is therefore considered that the proposal would conflict with the elements of policy CS16: Sustainable Design that relate to residential amenity, and accords with the relevant core principles of the National Planning Policy Framework March 2012.

Recommendation:

Refusal due to conflicts with Policies CS2 and CS16, and with the principles of the NPPF.

DRAFT DECISION

APPLICATION NUMBER

R14/2097

DATE VALID

24/10/2014

ADDRESS OF DEVELOPMENT

54 Rugby Road
Binley Woods
Coventry
CV3 2AX

APPLICANT/AGENT

Mr Simon Harber
S H Architectural Services Limited
33 Belvedere Road
Coventry
West Midlands
CV5 6PG
On behalf of Mr Duffy

APPLICATION DESCRIPTION

Change of use of existing detached garage to a separate dwelling and erection of a single storey side extension incorporating a single garage, including works to raise the roof height. Provision of a dropped kerb to serve an independent site access.

REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL 1:

The proposed amendments to the height, scale and massing of the previously approved scheme are considered to be unsympathetic to the appearance and character of the site that would be detrimental to the visual amenities of the property 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 7 of the NPPF.

REASON FOR REFUSAL 2:

The provision of additional windows in the side elevation facing towards No.56 Rugby Road would result in an un-neighbourly form of development that would result in a loss of privacy to adjacent properties to the detriment of the amenities of the occupants thereof. The proposal therefore conflicts with the elements of Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

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 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: R14/1582

Site address: Gala Site and Cemex House, Evreux Way, Rugby

Description: Outline application for erection of building for retail (Class A1) and leisure (Classes D2 and A3) uses, with associated works including demolition of existing buildings. All matters reserved except for access.

Case Officer Name & Number: Karen McCulloch, 01788 533623

This is a major application and a departure from the development plan.

Description of site

This application relates to a site located in Rugby Town Centre, opposite the Town Hall.

The site includes the site of the former Gala Bingo building, which is currently used as a car park and the Cemex offices and associated car parking. The application site also includes a small part of the Clocktowers Shopping Centre, currently occupied by Poundland. The Clocktowers car park is included within the application site as it is intended to utilise this for the development.

The existing Cemex offices are located within a 9 storey concrete and glass tower block, this is flat roofed with telecommunication equipment on the roof and is a design typical of the time when it was built. There is vehicle and pedestrian access to the front of the building which can be accessed from Corporation Street or Evreux Way and this is separated from the roads by a landscaped area which includes trees. To the south of the building is a surfaced car park, this is at a higher level than Evreux Way and can be accessed from both Evreux Way and Corporation Street.

The former Gala Bingo site is currently used as a public car park and has a hard core surface with green solid fencing to the boundaries. This also slopes up away from Evreux Way.

The side elevation of the Clocktowers shopping centre is visible across the site. This is a mostly blank elevation which is a mix of brick and grey cladding that has a range of roof heights and contains plant and equipment.

The side elevation of the existing Clocktowers multi-storey car park is visible from Corporation Street. This is a building that is around three storeys in height that is constructed of grey vertical cladding. This car park is accessed from Corporation Street.

Description of proposals

This is an outline application for the demolition of the existing building and the development of a mixed use scheme including A1 – retail, A3 – restaurant & café and D2 – assembly and leisure uses. The submitted plans show the D2 element of the proposals comprising a 5 screen cinema.

As this is an outline application the only matters to be considered at this stage are the principle of the development and the access. If permission is granted reserved matters submissions will be required to agree the layout, scale, appearance and landscaping.

Plans and elevations have been submitted that show how the site could be developed.

These show the cinema located in the southern part of the development site, immediately adjacent to the Clocktowers Shopping Centre, this is shown as a two storey building including a cinema bar and access to the car park at first floor.

The plans show additional food and retail units as single storey buildings. A row of 4 food units is shown next to the cinema with a smaller detached food unit close to the boundary with Evreux Way. A new retail unit is shown replacing Poundland and 3 further units for retail or food use are shown in an L-shape linking with North Street.

The units at the west of the site will be served by a new service yard accessed from Corporation Street. Those at the east of the site will use the existing Clocktowers service yard accessed from North Street.

The illustrative plans show a widened potential link through to the existing Clocktowers shopping centre and pedestrian access from Evreux Way and North Street. No additional car parking is proposed and it is intended to provide links to the Clocktowers car park and utilise this in relation to the development.

The proposals are for a total of 4,958 square metres of floorspace with 1,456 square metres of this to be used D2 use.

The Design and Access Statement and submitted visuals show how the site could be developed. These show the building curving around the junction with Evreux Way and Corporation Street and show buildings constructed from grey cladding with large areas of glazing. These will have flat roofs with strong vertical elements breaking up the facades. Horizontal brise soleil features are also used to break up the shop fronts. The area between the units provides a pedestrianised area and areas to be used as outdoor seating. Areas of landscaping are shown on the frontages of Evreux Way, North Street and Corporation Street.

However, as detailed above these plans and elevations are for illustration only and are not to be considered in detail at this stage.

The applicant states that the development is likely to generate jobs in the area, both during construction and once the development is occupied. An estimated 200 jobs would be created by the proposals.

Relevant planning history and applications

R10/1860 Outline planning application for redevelopment of site comprising demolition of existing buildings and erection of a retail food store (Class A1– max floorspace 6255m² gea) and additional retail units (Classes A1, A2, A3, A4 & A5– max floorspace 785m² gea), the provision of new access arrangements together with associated parking and servicing with all matters reserved for future determination except for access. Currently under consideration

R13/1916 Outline application for erection of building for retail (Class A1), office (Class B1) and leisure (Classes D2, A3, A4 and A5) uses, with associated works including demolition of existing buildings. All matters reserved except for access. Approved, 29th January 2014

Technical consultation responses

Environmental Services	No objection	Subject to conditions and informatives
WCC Ecology	No objection	Subject to informatives
Warwickshire Police	No objection	Make suggestions to improve security

Warks Fire & Rescue	No objection	Subject to condition
Environment Agency	No objection	Subject to condition & informatives
WCC Highways	No objection	Subject to conditions, informatives and s106
Landscape Officer	No comments received	
Tree Officer	No comments received	
WCC Archaeology	No comments received	
Severn Trent	No comments received	
Stagecoach	No comments received	

Third party comments

Rugby First Support

- Believe way forward for the town centre is to embrace the leisure industry.

Local resident (1) Comment

- Access for cyclists is extremely important;
- Development should link to the national cycle network to encourage alternative travel and reduce car use.

Relevant planning policies and guidance

Rugby Borough Core Strategy 2011

CS1	Complies	Development Strategy
CS6	Complies	Development in Rugby Town Centre
CS7	Complies	Retail frontages
CS8	Conflicts	Town Centre Retail Allocations
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions

Rugby Borough Local Plan 2006 – Saved Policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities
ED6	Conflicts	Retention of other employment land

Sustainable Design and Construction SPD, 2012

Planning Obligations SPD, 2012

National Planning Policy Framework, 2012 (NPPF)

Assessment of proposals

As this is an outline application the key issues to assess at this stage are whether the principle of the development and the proposed access are acceptable.

Principle of development

The site is located within Rugby Town Centre. Guidance contained within the NPPF states that when drawing up plans authorities should recognise town centres as the heart of the community and pursue policies to support their vitality and viability. This goes on to state that authorities should require main town centre uses such as those proposed to be located in town centres. This should be given weight in the determination of the application.

Policy CS1 of the Core Strategy includes a hierarchy for development within the borough and states that the Town Centre is the primary focus for services and facilities, the proposals therefore comply with this policy.

Town Centre sites are also referred to in policy CS7 which states that development within classes A1-A5 will be permitted if it will not harm the character or vitality and viability of the primary shopping area and could not be accommodated within the Primary Shopping Area. As the site is located within the town centre the NPPF does not include a requirement for any impact or sequential assessment. As the site has been allocated for retail development within the Core Strategy it is not considered the proposals will cause harm to the Primary Shopping Area and this policy is complied with.

The application is for the following:

- 1,226 square metres of A1/A3 floorspace;
- 418 square metres of A1 floorspace;
- 1,858 square metres of A3 floorspace; and
- 1,456 square metres of D2 floorspace.

The proposals will therefore result in a maximum of 1,644 square metres of A1 floorspace, this does not comply with policy CS8 as this allocates the site for comparison retail only and refers to an approximate provision of 10,000 square metres of comparison floor space.

The applicant has submitted information in support of the proposal. This explains that since the granting of consent in January 2014 for the previous retail led scheme (R13/1916), which complied with policy CS8, there has been significant marketing of the site. However, this has not resulted in sufficient interest, particularly in the anchor store. As a result the current application represents an alternative that the applicant hopes will generate more interest.

Whilst this proposal will not secure the 10,000sqm of comparison floorspace envisaged within policy CS8, a level of compliance with CS8 is being achieved by the provision of A1 floorspace which could be occupied by comparison retailers.

If these A1/A3 units are occupied by A3 users it is not considered this would adversely impact on the vitality and viability of the town centre. It is considered that these occupiers, as well as the proposed D2 use, would allow for vibrancy in the town centre after 6pm by attracting residents and visitors to the town centre for leisure activities. This would comply with the intentions of the NPPF and Core Strategy which aim to improve the vitality and viability of town centres through development.

It is important to note that the circumstances relevant to retail in the town centre have changed dramatically since the adoption of the Core Strategy in June 2011 and these factors should be given weight in the determination of this application. The approval of the refurbishment and extension of the Elliotts Field Retail Park and a small amount of comparison floorspace at Junction One Retail Park results in much of the comparison retail need identified in the evidence base to the Core Strategy being met outside the town centre. The proposed scheme will serve to address some of the remaining comparison need within the town centre.

It is therefore considered that sufficient information has now been submitted to support a departure from CS8 of the Core Strategy.

Policy CS8 also refers to the provision of a masterplan, although a masterplan as such has not been provided the application is accompanied by a Design and Access Statement and detailed plans which show how the proposed development could be accommodated on site. The proposals also relate to the whole of the allocated site, as required by this policy.

This policy also refers to development being in accordance with the Town Centre Area Action Plan DPD, however this has not been produced by the Council.

Part of the site is currently occupied by the Cemex offices, which fall within Use Class B1 and these will be demolished. Saved policy ED6 states that permission will not be granted for development that will result in the loss of buildings in employment use, with the exception of sites that are allocated for development by other policies.

Whilst the applicant refers to the relevance of saved policy ED6 no evidence to support the loss of the Cemex offices has been provided. However, the allocation of the site for development through policy CS8 was based on the fact that the existing employment use would relocate away from this site and this is a situation that ED6 allows for. The applicant advises that the proposal will result in economic benefits, including the provision of around 200 jobs on the site, and this can be given weight when assessing the proposals in relation to ED6. It is therefore considered that a departure from ED6 is acceptable in order to facilitate the redevelopment of the site, as envisaged within the Core Strategy.

In summary, whilst this proposal represents a departure from both CS8 and Saved Policy ED6 it is considered that the principle of the development proposed can be considered to be acceptable for the reasons outlined above.

The principle of the proposed development is therefore considered acceptable in accordance with the NPPF, policies CS1 and CS7 and despite the departure from policy CS8 and saved policy ED6.

Visual amenity

Policy CS16 states that development should demonstrate high quality, inclusive and sustainable design and that the scale, density or design should not harm the quality, character or amenity of the surrounding area. In addition policy CS6 relates to developments within the Town Centre and states developments should demonstrate high quality design that complements and enhances the existing environment and townscape in a way which contributes to local distinctiveness and sense of place.

At present the site does not enhance the character of the area, the removal of the Gala Bingo building exposed the rear and side elevations of the Clocktowers shopping centre allowing views of the rear service yards and associated equipment. In addition the site is now used as a public car park with a temporary hardcore surface and panel fencing. The Cemex building is also very much of its time and does not make a positive contribution to the

character of the area, the existing Cemex car park to the rear is screened by large advertising hoardings which do not add to the character of the area.

It is therefore considered that the redevelopment of the site would improve the character and amenity of the area.

Although the appearance of the proposed development is not being considered at this stage elevations and plans have been provided which show how the site could be developed.

Landscaping is shown on the site frontages to Evreux Way, North Street and Corporation Street. Trees are also shown within the pedestrianized area although landscaping would be considered in more detail at the Reserved Matters stage.

The area surrounding the site consists of a wide variety of ages and styles of building, with each of these being typical of the time that it was constructed; this adds interest to the area and adds character. The building as shown on the illustrative plans is a more modern design constructed of cladding with flat roofs and large areas of glazing. The part of the building close to the Evreux Way and Newbold Road roundabout is curved which adds interest to this prominent corner of the building. It is considered that this will complement the existing buildings in the area.

It is therefore considered that a building could be developed that would not have an adverse impact on the character of the area and would comply with policies CS6 and CS16.

Saved policy GP2 relates to landscaping and states that appropriate site features should be retained and that a high standard of hard and soft landscaping will be required.

At present the majority of the site is hardsurfaced however there are areas of landscaping between the Cemex building and the road and on the Corporation Street frontage. There are trees on the site and the proposal is for these to be removed. The Council's Tree Officer commented on the previous application and advised that the trees on the site are reaching maturity, are of variable quality and of limited future potential. Therefore there is no objection to the removal of these trees, subject to a condition requiring suitable replacement planting. In addition the Council's Landscape Officer raised no objection to the previous application and a suitable detailed scheme can be secured by condition.

Although landscaping is not being considered in detail at this stage it is considered that a suitable scheme could be achieved and that the development would therefore comply with saved policy GP2.

Amenity of the area

The closest residential properties to the site area those located on Oliver Street. These are separated from the development by Corporation Street and the closest house is around 45m from the site with the rear garden being around 25m from the site. It is therefore considered there will not be an adverse impact on this property in terms of loss of light or privacy in accordance with the relevant part of policy CS16.

The application was accompanied by a range of reports including those relating to Air Quality, Noise and Site Investigation.

Colleagues in Environmental Services commented on the application and initially requested additional information regarding air quality. This was discussed with the applicants' air quality consultants who confirmed that the proposals will utilise the existing Clocktowers car park and will not increase traffic flows on the local road network to a greater extent than the previously approved development. On this basis no objection was raised in relation to air quality impacts.

Conditions were also requested relating to site investigation, noise survey, Construction Environmental Management Plan, asbestos survey, construction hours and a range of other issues relating to the operation of the site following construction.

Subject to these conditions it is not considered that the development will have an adverse impact on the character of the area or amenity of neighbouring residents.

Transport, Highways and Parking

Access to the site is to be considered at this stage. The proposals include a service yard accessed from Corporation Street with a separate entrance and exit. The service yard to the east of the site will utilise the existing access from North Street.

The Highway Authority, Warwickshire County Council commented on the application and raised no objection subject to conditions requiring the submission of travel plans, a construction phasing plan and HGV routing plan. The development is therefore considered acceptable in accordance with policy CS11.

The comments from the Highway Authority also request a financial contribution and the dedication of land within the site to provide shared pedestrian/cycleways on Corporation Street and North Street and to upgrade the pedestrian crossing on North Street to allow cycles to cross.

In relation to planning obligations, the Community Infrastructure Levy Regulations and the NPPF state that obligations must only be sought where they comply with the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably relation in scale and kind to the development.

As detailed above planning permission has previously been granted for a larger development on the site and this did not include these requirements. There have been no significant policy changes since this decision. It is therefore considered that these cannot be justified in this instance and do not comply with the above tests.

The application site is located within the town centre and in close proximity to a range of bus stops and services. The Transport Assessment details how the site could be accessed by pedestrians, bus and cycle from the surrounding urban area. This also includes a Framework Travel Plan detailing how staff will be encouraged to use sustainable transport methods to access the site. This is in accordance with the NPPF which seeks to promote sustainable means of transport.

The Council's parking standards, which are contained within the Planning Obligations SPD include maximum car parking standards for the uses proposed. Based on the floorspace detailed on the application form the proposed uses would generate a maximum requirement of 219 car parking spaces and 153 cycle spaces.

As detailed above it is not proposed to provide new car parking to serve the development and the existing Clocktowers car park will be used. This has 594 spaces and the applicants carried out studies to assess whether this car park has suitable capacity for the development. These found that the maximum current occupancy rates are 53%, 315 spaces, during weekdays and 69.5%, 413 spaces on Saturdays.

The car parking requirements were considered in relation to the previous application R13/1916, which included more retail floorspace than currently proposed as well as a cinema and offices. It was predicted that the retail part of that development would lead to an increase of around 7.9% above the existing car park occupancy levels resulting in occupation of 430 spaces, 72.4% on weekdays and 464 spaces, 78.1% on Saturdays. This retained sufficient capacity to accommodate visitors to the other parts of the development such as the cinema and was considered acceptable.

The current application is for a smaller development than that previously approved and it is considered that the car parking requirements could be met within the existing Clocktowers car park.

It is therefore considered that suitable levels of car parking will be provided. Cycle parking will also be provided and a condition can be used to ensure suitable cycle parking is provided.

Notwithstanding the above as the site is located within the town centre there is other car and cycle parking available nearby and this may also be utilised by users of the development.

It is therefore considered that a suitable level of parking can be provided in accordance with saved policy T5 and the Planning Obligations SPD.

Sustainable design and construction

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

CS16 states that sustainable drainage systems (SUDS) should be used and that developments should meet specified water conservation levels.

This policy also states that developments should meet the water conservation standards equivalent to the BREEAM very good standard, a condition can be attached to ensure that this requirement is met.

The application was accompanied by a Flood Risk Assessment which states where possible sustainable drainage systems will be used. However, it must be acknowledged that due to the confined space within the site there may be practical restrictions on the use of SUDS.

The Environment Agency have raised no objection to the proposals subject to a condition relating to site investigation, and no comments have been received from Severn Trent. The proposed drainage arrangements are therefore considered acceptable in accordance with CS16.

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that, as a minimum, developments of over 1000 square metres of non-residential floorspace shall include equipment to reduce carbon dioxide emissions by at least 10%. This can be secured through a condition.

Ecology

The submitted ecological survey found no evidence of protected species on the site. The County Ecologist commented on the application and requested informatives relating to bats, nesting birds and biodiversity enhancements. Subject to these informatives it is therefore considered there will not be an adverse impact on protected species in accordance with saved policy E6.

Other issues

WCC Archaeology have made no comments on this application. However, on the previous application for the same site they raised no objection, subject to a condition relating to a programme of archaeological works and it is considered appropriate to replicate this condition in relation to the current application.

Warwickshire Fire and Rescue have no objection subject to a condition and Warwickshire Police made comments regarding measures to include security.

Recommendation

Approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R14/1582

DATE VALID

23/09/2014

ADDRESS OF DEVELOPMENT

LAND AT GALA AND CEMEX HOUSE
EVREUX WAY
RUGBY

APPLICANT/AGENT

Nikki Sills
Zerum Consult Ltd
4 Jordan Street
Manchester
M15 4PY
On behalf of CBRE UK Property Fund LP

APPLICATION DESCRIPTION

Outline application for erection of building for retail (Class A1) and leisure (Classes D2 and A3) uses, with associated works including demolition of existing buildings. All matters reserved except for access.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON

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

CONDITION: 2

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

REASON:

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

CONDITION: 3

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

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

REASON:

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

CONDITION: 4

The development shall be carried out in accordance with the plans and documents detailed below:

<u>Plan/Document</u>	<u>Reference</u>	<u>Date Received</u>
Site Location Plan	10413/0200	10/09/2014
Phase 1 Preliminary Site Investigation Report	LE12059/002A	10/09/2014
Sustainability Appraisal	LE12069/002A	10/09/2014
Arboricultural Report	LE12069/002a	10/09/2014
Preliminary Ecological Appraisal	LE12069/003b	10/09/2014
Noise Assessment	LE12069/N003	10/09/2014
Flood Risk Assessment	LE12069/006	10/09/2014
Transport Assessment	0413 Rev 2	10/09/2014
Archaeology Report	00042011	10/09/2014
Construction Dust Assessment & Air Quality Assessment Addendum	LE12069/005-2	10/09/2014

REASON:

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

CONDITION:

The vehicular access and egress shall be provided in the position as shown on the Proposed Ground Floor Layout Plan - 10413/300 received by the Local Planning Authority on 10 September 2014.

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REASON:

In the interest of highway safety.

CONDITION: 6

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks, render, cladding and roof material 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: 7

No development shall commence unless and until full details of the siting, design and materials of bin and cycle stores have been submitted to and approved in writing by the Local Planning Authority.

The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of the development.

REASON:

In the interest of visual amenity and sustainability.

CONDITION: 8

No development shall commence unless and until details of all proposed walls, fences and gates 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:

In the interest of visual amenity.

CONDITION: 9

No development shall commence unless and until full details of finished floor levels of all buildings and ground levels of all access roads, servicing areas and footways have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 10

The landscaping scheme, as required by condition 3(e), shall include a specification of all proposed tree planting detailing the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance.

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

REASON:

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

CONDITION: 11

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

REASON:

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

CONDITION: 12

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

REASON:

In the interests of fire safety.

CONDITION: 13

The buildings hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to the BREEAM 'very good' standard.

REASON:

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

CONDITION: 14

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

REASON:

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

CONDITION: 15

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: 16

Unless otherwise agreed in writing by the Local Planning Authority no part of the site, other than within the proposed buildings, shall be used for storage or class A1 retail purposes.

REASON:

In the interests of the visual amenities of the locality.

CONDITION: 17

Accommodation for the loading and unloading of vehicles shall be provided before the occupation of the development hereby permitted and shall be retained permanently for vehicles 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: 18

No external lighting shall be erected or installed 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.

CONDITION: 19

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

REASON:

In the interest of health and safety.

CONDITION: 20

No development shall commence unless and until a noise survey and assessment by a competent noise consultant including details of any proposed works, has been submitted to and approved in writing by the Local Planning Authority. This shall take into account predicted noise from any piling operations (if employed), operational noise from

loading/unloading activities, fixed plant in the service yard area and air handling plant and an assessment of future traffic noise levels attributable to the proposed development based on the estimated percentage change in vehicles numbers and proposed mitigation.

Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 21

No development shall commence unless and until full and precise details of the glazing and ventilation schemes have been submitted to and approved in writing by the Local Planning Authority.

The glazing and ventilation shall meet the level of attenuation for each property type detailed in Table 8 of the approved Noise Assessment – LE12069/N003 received by the Local Planning Authority on 10th September 2014 in order to ensure compliance with the good internal noise standards contained within BS8233:1999 'Sound Insulation and Noise Reduction for Buildings: Code of Practice'.

The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 22

No development shall commence unless and until a Construction Environmental Management Plan has been submitted to and approved in by, the Local Planning Authority. This shall include details relating to:

- Construction phasing plan;
- HGV routing plan;
- Full details of any proposed road closures, durations, diversion routes and projected impacts;
- The control of noise and vibration emissions from construction and demolition activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- The control of dust during construction and demolition, including arrangements to monitor dust emissions from the development site during the construction phase and details of hoarding boards to prevent dust;
- Measures to reduce mud deposition offsite from vehicles leaving the site.

Development shall be carried out in compliance with the approved Construction Environmental Management Plan.

REASON:

In the interest of the amenity of the area, highway safety and residential amenity.

CONDITION: 23

Demolition and construction shall not occur outside of the following hours:

Demolition: Monday - Friday 09:00-16:00, Saturday 09:00-13:00.

Construction: Monday - Friday - 07:00 - 19:00, Saturday - 08:30 - 13:00.

No work shall occur on Sundays or Bank Holidays.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 24

No fixed mechanical ventilation or refrigeration/air conditioning plant shall be installed unless and until full and precise details for each unit have been submitted to and approved in writing by the Local Planning Authority. Plant shall not be installed or thereafter be maintained other than in accordance with the approved scheme.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 25

All mobile plant operating permanently on the site should be fitted with broadband reversing alarms.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 26

No unit where the preparation and sale of hot food will be undertaken shall be occupied unless and until full and precise details of a suitable fume extraction system for that unit have been submitted to and approved in writing by the Local Planning Authority.

The system shall installed in accordance with the approved details before the first occupation of the unit and shall thereafter be maintained in accordance with the approved details.

REASON:

In the interest of the amenity of the area and residential amenity.

CONDITION: 27

No unit to be used for uses falling within Class A3 or D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be first occupied unless and until details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.

REASON:

To ensure the proper drainage of the site.

CONDITION: 28

No unit shall be first occupied unless and until the refuse storage and collection arrangements including provision for the recycling of waste for that unit have been submitted and approved in writing by the Local Planning Authority.

The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.

REASON:

In the interest of the amenity of the area and highway safety.

CONDITION: 29

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

(a) An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning

Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

CONDITION: 30

No shall commence unless and until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the Local Planning Authority:

1. A site investigation scheme, based on the conclusions of the preliminary risk assessment carried out by Wardell Armstrong (report ref. LE12059-002A, dated September 2014), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON:

To ensure the protection of controlled waters.

CONDITION: 31

No unit shall be first occupied unless and until a Travel Plan for that unit has been submitted to and approved in writing by the Local Planning Authority.

The measures included within the approved Travel Plan shall be implemented in accordance with the approved details.

REASON:

To encourage the use of sustainable transport.

CONDITION: 32

No development shall commence unless and until details of a Rodent Management Plan for the construction period, including a systematic baiting programme, have been submitted to and approved in writing by the Local Planning Authority.

Development shall not be carried out other than in accordance with the approved plan.

REASON:

In the interest of health and safety.

CONDITION: 33

The noise mitigation measures detail in section 5 of the Wardell Armstrong Noise Assessment, September 2014, reference LE12069/N003 received by the Local Planning Authority on 10th September 2014 shall be implemented in full.

All fixed plant (including mechanical and electrical plant) shall be rated to operate 10db(A) below the existing background noise level measured at each noise monitoring location.

REASON:

In the interest of the amenity of the area and residential amenity.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

This permission does not convey any approval for the submitted illustrative visuals, elevations or floorplans.

INFORMATIVE: 2

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

This can be downloaded at:

http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295 .

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

INFORMATIVE: 3

Warwickshire Police make a range of recommendations regarding measures to improve security and reduce crime, these have previously been provided to the agent, they also recommend the development be built to Secured by Design Standards.

INFORMATIVE: 4

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

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

INFORMATIVE: 5

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

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

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

For further information contact:-

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

Tel 0800 783 1423

www.considerateconstructors.co.uk

INFORMATIVE: 6

Lighting should conform to the Institute of Lighting Engineers document 'Guidance Notes for the Reduction of Obtrusive Light' in order to protect residential amenity and minimise the likelihood of light nuisance complaints.

INFORMATIVE: 7

To allow proposed plant to be properly assessed, the following information would be expected to be submitted to the Local Planning Authority

- Full noise specification including sound power levels and frequency analysis for the equipment to be installed.
- Details of noise mitigation measures to be utilised to prevent the proposed system from causing disturbance to immediately adjacent premises.

- A scale plan showing the positioning and orientation of the equipment in relation to adjacent premises.

INFORMATIVE: 8

When designing fume extraction systems reference should be made to guidance contained in the Department of Environment, Food & Rural Affairs document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. A copy of the document is available online via the link below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf

INFORMATIVE: 9

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

The Control of Pollution Act 1974 (COPA) gives Local Authority power to serve a notice under Section 60 imposing requirements as to the way in which works are to be carried out (e.g. covering times of operation, maximum noise levels which should be emitted and type of plant which can/ cannot be used). If noise/ vibration complaints are received the Local Authority may request the applicant/developer to voluntarily submit a Section 61 COPA application.

INFORMATIVE: 10

The sale of alcohol, provision of hot food after 11pm and operation of a cinema are licensable activities under the Licensing Act 2003. Future businesses' that will require relevant licence(s) are advised to contact the councils Public Health and Licensing Team on 01788 533882, before taking on any lease agreement for further advice and for the relevant application forms.

INFORMATIVE: 11

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

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

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

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

INFORMATIVE: 12

The County Ecologist recommends that where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species and areas of native species planting to provide habitats and food for invertebrates and birds. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

INFORMATIVE: 13

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

INFORMATIVE: 14

The applicant / developer should refer to the Environment Agency's 'Groundwater Protection: Policy and Practice' (GP3) document, available from their website at www.gov.uk/environment-agency. This sets out their position on a wide range of activities and developments, including:

- Storage of pollutants and hazardous substances
- Solid waste management
- Discharge of liquid effluents into the ground (including site drainage)
- Land contamination

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to the Environment Agency's guidance 'PPG1, General guide to the prevention of pollution', available from their website.

INFORMATIVE: 15

The applicant will require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works 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: 16

The total floorspace proposed should not exceed 4,958 square metres, as detailed on the application form.

Reference number: R12/1947

Site address: Outline application for the erection of up to 10 dwellings including new access onto Coventry Road (all matters reserved) including the demolition of Grange Farm Cottage and outbuildings.

Description: Grange Farm Cottage, Coventry Road, Cawston, Rugby, CV22 7RZ

Case Officer Name & Number: Karen McCulloch, 01788 533623

Description of site

This application relates to a long narrow site located within Cawston, accessed from Coventry Road. The site currently contains a residential dwelling, Grange Cottage with associated gardens. This property has a pitched roof with brown tiles and is built of buff bricks.

The rear of the site is occupied by an agricultural contractors business. This area is mostly grassed with a hardsurfaced track running the length of the site. There are shipping containers sited close to the rear boundary of Grange Cottage and the land is used site for storing tractors and other machinery. At the rear of the site is a large building built of timber and cladding with a shallow pitched roof, this also contains machinery and other equipment. This is largely screened from within the site by a conifer hedge.

There is a footpath/cycleway to the front of the site which links to other routes within Cawston.

To the north of the site is a pathway and landscaping/open space which form part of the Cawston Grange development. There is a hedgerow including trees on the boundary between the site and this area, some trees are within the site whilst others are in this open space area. Houses on Durrell Drive face the site across this area, some of these are separated from the open space by a hedge whilst others are more open with a kick rail providing the boundary treatment.

To the other side of the site is Cawston Manor and the site currently shares a vehicular access with this property. Cawston Manor is occupied by a plastic surgery clinic with flats at first floor (although these do not all currently have planning permission.) This property is white render with grey slate tiles and stone detailing.

The land to the rear of Cawston Manor and to the side and rear of the application site is agricultural land, which has a gated access from the site. This forms part of the Cawston Extension site where outline planning permission (R11/0114) has been granted for residential development. This side boundary of the site is formed by a hedgerow containing mature trees.

There are a mix of housetypes and styles on Coventry Road including detached and semi-detached properties. There are many traditional properties including hipped roofs and bay windows. The houses on Durrell Drive are modern detached houses in a mix of styles.

Description of proposals

This is an outline application for the erection of up to 10 dwellings on the site. Although all matters are to be reserved the proposals include a new access onto Coventry Road. Given the submitted site boundary it is only possible for this to be provided as shown on the illustrative plan.

The plans show the existing access, currently shared with Cawston Manor, being closed and a new access provided further north, closer to the Cawston Grange roundabout. This will cross the existing grass verges and footway.

An illustrative plan has been submitted to show how 10 dwellings could be accommodated on site. The originally submitted plan showed a long cul-de-sac running along the boundary with Cawston Manor with dwellings to the north of this. This showed nine 4-bedroom properties and one 3-bedroom property, these were each shown with a garage and parking space except plot 1 which was shown with a double garage and 2 parking spaces.

During the course of the application an amended illustrative plan was submitted this shows the road crossing the site with dwellings to both sides and properties at the end of this cul-de-sac looking down the length of the site.

This did not specify the number of bedrooms of the proposed properties, however they are a similar size to the 3 and 4 bedroom properties originally shown. Nine plots are shown with 2 parking spaces (either 2 spaces or a garage and a space) and one plot is shown with a double garage and 2 spaces.

Technical consultee responses

Environment Agency	No comment
WCC Archaeology	No objection Subject to condition
WCC Ecology	No objection Subject to condition and informatives
WCC Highways	No objection Subject to conditions and informatives
WCC Rights of Way	No objection
Warks Fire & Rescue	No objection Subject to condition
Environmental Health	No objection Subject to conditions and informatives
Severn Trent	No objection Subject to condition
WCC Planning	No comments received

Amended illustrative layout & tree report

WCC Highways	No objection
Tree Officer	No objection Subject to condition

Third party comments

Neighbours (3) Objection

- Chose property as there were no plans for development;
- Overlooking and loss of privacy;
- Can see into site in winter despite hedgerow;
- Loss of outlook;
- Access onto a busy road will be dangerous;
- Noise and disturbance to dwellings and adjacent clinic business;
- Impact on rural landscape;
- There are bats in the area which may live in the buildings on site;
- Proposed scheme is a poor design with a long road and inadequate parking and does not reflect the character of the area;

- People will not park in garages leading to parking problems, visitor spaces should be provided;
- Road should be set away from the boundary with landscaping to prevent damage to the fence;
- Vehicle turning insufficient;
- If existing access is closed tarmac area should be reduced and replaced with landscaping;
- All new properties should have storage for 3 bins;
- Application documents do not refer to adjacent bridle path and are incorrect and inconsistent regarding current business, number of staff and vehicles, use of buildings and nearby bus routes;
- How can application be considered when details are reserved for approval?
- Hedgerow and trees will be lost;
- New access would be dangerous to vehicles, pedestrians and cyclists;
- Site is not "natural infill" as does not relate to adjacent properties;
- Suggest 2 houses as infill close to Coventry Road with rear part of site accessed through Cawston Extension site and separated by landscaping;
- Council should use s106 money to buy property to keep site as open space;

Neighbours (2) Comment

- Generally support the application;
- No changes should be made from the outline plan;
- Hedgerow should be retained to provide a visual screen and habitat, this should be protected by a condition and requirement for a landscape assessment;
- Condition should be used to ensure business use ceases when development commences;
- Development should not be higher than 2 storey or more than 10 dwellings;
- Vehicle and pedestrian access should be from Coventry Road only;
- A Tree Preservation Order should be considered for significant trees.

Amended illustrative layout & tree report

Neighbours (1) Objection

- Had insufficient time to comment on amended illustrative plans;
- Plans do not show that 10 dwellings could be provided in an adequate of attractive way;
- Scheme will be high density, with insufficient gardens, parking and turning;
- Permission for adjacent clinic required turning facilities, these cannot be provided on the site;
- Gardens do not have sufficient depth for patios, sheds, washing line and 3 bins;
- A large amount of the site will be used to provide the houses and road;
- Could only realistically accommodate 7 houses on the site, this would allow the existing access to be used;
- House 1 should face Coventry Road, houses 2 and 3 should face Coventry Road or be bungalows to prevent overlooking;
- Insufficient parking and turning, cars will park on the road and pavement;
- Road up against the fence is a health and safety issue, the bend in the road makes it more dangerous;
- Houses should be built as part of the Cawston Extension site;
- Part of site facing Coventry Road should be used to provide a much needed medical centre;
- Development not in keeping with the character of the area;

- No parking is proposed for the allotments on the Cawston Extension site, people will park on Coventry Road and a bridleway should be provided;
- If an acceptable scheme is submitted conditions should be attached requiring the electric supply to be underground, mains gas to be provided, garages must be used for parking, specifying size of parking spaces and for fencing to be erected on the boundary with Cawston Manor.

Neighbours (1) Comment

- Requirements of tree report should be required by condition;
- 4 trees outside of boundary are not included in the tree report;
- These could lead to a loss of light for proposed properties.

Relevant planning policies and guidance

Rugby Borough Core Strategy, 2011

CS1*	Complies	Development Strategy (*see assessment below)
CS2	Complies	Parish Plans
CS5*	Complies	Growth Delivery (*see assessment below)
CS10	Complies	Developer Contributions
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions

Rugby Borough Local Plan, 2006, Saved policies

GP2	Complies	Landscaping
GP6	Complies	Safeguarding development potential
E6	Complies	Biodiversity
T5	Complies	Parking facilities
H11	Complies	Open space provision in residential developments in the urban area
LR1	Complies	Open space standards

Planning Obligations SPD, 2012

Sustainable Design and Construction SPD, 2012

Cawston Parish Plan, 2010

National Planning Policy Framework, 2012 (NPPF)

Assessment of proposals

As this is an outline application the main issue to consider is whether the principle of the development is acceptable. However, as the access can only be provided in one position the suitability of this as well as the suitability of the site to accommodate 10 dwellings must be considered. The impact on factors such as the character of the area, visual amenity and neighbouring properties must also be considered.

Principle of development

The site is located in the countryside, immediately adjacent to the Rugby Urban Area. The site is also located within the area identified by policy CS5 as the South West Broad Location. This is an area that will be considered for development if the housing targets contained within the Core Strategy are not met.

Since the adoption of the Core Strategy, the Government published the NPPF which updated the way local policies can be applied if a five year housing land supply cannot be achieved.

Paragraph 47 of the NPPF specifically relates to significantly boosting the supply of housing and requires authorities to 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. Where there has been a record of persistent non-delivery of housing, local planning authorities are then required to increase this buffer to 20% (again moved forward from later in the plan period).

In order to establish whether this development proposal is acceptable in principle it is first necessary to consider whether the Council can demonstrate the required five year land supply. The Council has undertaken monitoring for 2013/2014 to establish the current position. This shows that the Council can currently demonstrate 4.13 years land supply with a shortfall of 558 dwellings.

Where the required land supply cannot be demonstrated the NPPF is specific, at paragraph 49, that relevant local policies for the delivery of housing must then be considered to be out of date. Therefore in this case policies CS1 and CS5, which would ordinarily be applied to directing the location of housing, cannot be relied on. In such instances paragraph 49 of the NPPF therefore requires that housing applications should be considered in the context of the presumption in favour of sustainable development.

The application site is considered to be a sustainable location, it is located on the edge of Cawston immediately adjacent to the Rugby urban area. Furthermore, the site is immediately adjacent to the "Cawston Extension" site, where outline permission for up to 600 houses has been granted.

Although Policy CS1 can be given no weight as part of the determination of this application, it specifies that the Rugby urban area is the primary focus for meeting strategic growth targets, this is because the Rugby urban area is the most sustainable location for growth in the Borough. Weight is therefore given to the proximity of the site to the urban area when considering whether it is a sustainable location as the NPPF requires. As with CS1, CS5 is now considered to be out of date and therefore has no weight in determining this application. However, CS5 identified land, including this site that was considered to be a sustainable location, with accessibility to Rugby town and the services that it provides.

There is a footpath/cycleway to the front of the site which provides links to other routes within the Cawston development and the wider area. There is also a bus route in Cawston with regular services to the town centre. These factors also add to the sustainability of the site.

It is therefore considered that the principle of residential development on the site is acceptable in accordance with the presumption in favour of sustainable development contained within the NPPF.

Saved policy GP6 states that permission will not be granted for development that would prevent the development potential of other land from being realised. Although the site is immediately adjacent to the Cawston Extension site outline planning permission has been granted for this development and this will not be affected by the current proposal. This policy is therefore complied with.

Cawston Parish Plan is not directly relevant to the proposed development. However, in relation to future housing within the Parish this states that the majority of respondents would like to see more 3-6 bedroom properties. Although the layout plans submitted are illustrative the plans shows that properties with floorspaces typical of 3 and 4 bedroom properties can be accommodated and this is in accordance with the Parish Plan and policy CS2.

Character of the area

As detailed above this application is for the erection of up to 10 dwellings. Therefore in order for planning permission to be granted it must be demonstrated that 10 dwellings could be accommodated on the site in a manner that is acceptable in terms of design and impact on visual amenity.

The application initially included an illustrative layout that showed a long linear cul-de-sac with all properties located to the north of this. It was considered that this layout was bland and highway dominated and did not show the good design required by the NPPF.

The Tree Officer raised an objection to the initial plans as the proposed access could damage a mature lime tree within the highway verge and that the siting of dwellings shown on the illustrative plan could cause harm to the trees on the north eastern boundary of the site and lead to pressure for their removal in the future. These trees and hedgerow form part of the open space to the Cawston development and it is considered their removal would harm the character of the area.

It was considered that it had not been demonstrated that 10 dwellings could be accommodated on the site in an acceptable manner. An amended illustrative layout plan was therefore submitted, this shows the road crossing the site with dwellings to both sides and properties at the end of this cul-de-sac looking down the length of the site.

Although the submitted plan shows a long straight section of road serving plots 1-5 the plan has been provided for illustrative purposes only and it is considered that this demonstrates that variety can be incorporated into the layout moving away from the unacceptable linear form originally shown. It is also considered that the properties at the end of the site could form an end stop to the development. Although some changes to the layout shown will be required at the reserved matters stage it is considered that this shows that 10 dwellings could be accommodated on the site in a way that would not have an adverse impact on the character of the area. Detailed issues related to the design of properties, materials and the need for a dwelling to form a focal point when viewed from the cul-de-sac in Durrell Drive would be considered in detail at the reserved matters stage and it is considered a suitable design could be achieved.

A tree report was also submitted to address comments made by the Tree Officer. This advised that the majority of trees would be retained, including those on the boundary with the open space to the north. Some trees in the front garden of the existing house and a row of leylandii conifers within the site would be removed along with trees which are in a poor condition. The report also showed the roof protection areas of trees to be retained.

The Tree Officer commented on this report and advised that the information shows the proposed access would be outside of the root protection area of the Lime tree within the highway verge. He raised no objection to the loss of 3 trees on the site frontage as the impact on amenity will be minimal as these are in close proximity to better quality trees which will be retained. He also advised that there are some trees within the site that may require removal due to the development, however these are considered to have minimal public amenity value and the Tree Officer does not object to the possibility that they may be removed in the future.

In relation to the hedgerow between the site and adjacent open space colleagues from Parks have advised that the intention is for the hedge to be reduced in height to 2-3m, with specific individual trees retained, and for this to be cut approximately every 5 years. This will not be affected by the current application.

The Tree Officer therefore has no objection to the application, subject to a condition requiring the submission of a tree report with reserved matters submissions.

Details of the landscaping to be provided on the site would be considered at the reserved matters stage and it is considered that it would be possible to secure a suitable landscaping scheme.

It is therefore considered that 10 dwellings could be accommodated on the site in a form that would be acceptable and would not harm the important trees and hedgerows, in accordance with the relevant part of CS16 and saved policy GP2.

Detailed comments received from a neighbour suggest that a more suitable development could be achieved if the rear part of the application site was incorporated into the Cawston Extension site and access provided through this larger housing development. It is accepted that this could result in a more appropriate layout, however, the application as submitted must be determined and this is not in itself grounds to refuse the current application as it is considered an acceptable layout could be achieved.

Access and parking

Although this is an outline application the development description specifically refers to the formation of a new access to Coventry Road. Given the area of land included within the application site boundary this can only be provided as shown on the illustrative plans and the suitability of this access must be considered at this stage.

The plans show a new access to the north of the existing access, closer to the roundabout. The shared access with Cawston Manor will remain but will no longer provide access to the site and will serve Cawston Manor only.

The highway authority, Warwickshire County Council, comment that the visibility splays exceed those required and raise no objection subject to a range of conditions and informatives. These include a request for sustainability packs for occupiers, however it is considered this should be secured through a s106 agreement. As detailed above the site is also close to bus routes and pedestrian and cycle links which will encourage the use of sustainable transport. The proposals are therefore in accordance with policy CS11.

Warwickshire County Council advised that the bends and turning head shown on the amended illustrative plan appear too small to accommodate service vehicles, such as refuse collections. This will be considered in detail as part of the reserved matters submissions, however, if this cannot be resolved a bin storage area will be required close to Coventry Road to allow bins to be collected and this can be controlled by a condition.

The amended illustrative plan shows 1 parking space and a single garage for the majority of plots, 2 spaces and a double garage for plot 8 and 2 spaces for plot 9. The Council's Parking Standards, contained within the Planning Obligations SPD require 3 spaces for a 4-bedroom property and 2 spaces for a 3-bedroom property in this location.

If 4 bedroom properties are provided it is considered that the illustrative plan does not show sufficient parking and this could lead to vehicles obstructing the access road. However, the submitted plan is for illustrative purposes and it is considered that additional parking spaces could be accommodated within the areas shown as gardens if required. It is therefore considered that a suitable level of car parking could be provided on the site. Cycle parking could be provided in garages or rear gardens and this is in accordance with saved policy T5.

Amenity of the area

The closest residential property to the site is Cawston Manor to the south, this property has a clinic at ground floor and 3 flats at first floor. These flats do not currently have planning permission, however it is understood the owner is seeking to regularise this.

The main building is located around 10m from the site boundary with a parking area between the building and the site boundary, there is also a single storey building in the rear garden close to the boundary.

The amended illustrative plans show that dwellings could be sited around 20m from the house and 10m from the boundary. Dependant on the design, window positions and orientation of the proposed properties it is considered that plot 2 on the illustrative plans could lead to a sense of overlooking in the rear garden of Cawson Manor. However, it is considered this could be addressed by making alterations to the layout, perhaps by reducing the gap between plots 2, 3 and 4 and repositioning plot 2 further north west. This will be considered in detail at the reserved matters stage and it is considered a development could be accommodated on the site which would not have an adverse impact on Cawston Manor in terms of loss of light or privacy.

Properties in Durrell Drive face the site across the open space area. The front elevations of these properties are around 25m from the site boundary and it is considered this is sufficient separation to ensure these properties are not adversely affected in terms of loss of light or privacy.

Neighbours have objected on the grounds that there will be a loss of outlook, however views cannot be protected under planning and this is not grounds to refuse the application.

Environmental Services have raised no objection to the application subject to conditions, including a requirement for details of dust control measures to be submitted.

The impact on residential amenity is therefore considered acceptable in accordance with the relevant part of policy CS16.

Sustainable design and construction

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

CS16 states that sustainable drainage systems (SUDS) should be used and that developments should meet specified water conservation levels.

Although drainage details have not been provided at this stage the application forms state soakways will be used for surface water drainage. No objection has been received from Severn Trent or the Environment Agency and this is considered acceptable.

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

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that, as a minimum, developments of 10 dwellings or more shall include equipment to reduce carbon dioxide emissions by at least 10%. This can be secured through a condition if 10 dwellings are proposed at the reserved matters stage.

Planning obligations

Policy CS10 and the Planning Obligations SPD state that financial contributions may be sought to mitigate against the impacts of a development whilst saved policies LR1 and H11 state that developments should provide open space in accordance with the Council's Open Space Standards and that this could include off-site provision.

Comments have been received from Parks who have requested a contribution towards natural and semi-natural open space within the Cawston area. This can be secured by a s106 agreement and is in accordance with these policies.

If 10 dwellings are proposed a contribution towards indoor sports is required in accordance with the Planning Obligations SPD, this can also be secured by a s106.

Recent changes to the Government's National Planning Policy Guidance state that tariff type s106 contributions should not be sought for developments of 10 or less dwellings where the total floorspace is less than 1,000 square metres. As the proposed floorspace is not known at this stage a clause can be included in the s106 to this effect.

Other matters

The County Ecologist has no objection to the application, subject to a condition relating to the submission of a Construction and Environmental Management Plan and an informative regarding native planting. The impact on protected species is therefore considered acceptable in accordance with saved policy E6.

WCC Archaeology and Warwickshire Fire and Rescue have no objection to the application, subject to conditions.

Recommendation

Approval, subject to s106 and conditions

DRAFT DECISION

APPLICATION NUMBER

R12/1947

DATE VALID

30/07/2014

ADDRESS OF DEVELOPMENT

GRANGE FARM COTTAGE
COVENTRY ROAD
CAWSTON
RUGBY
CV22 7RZ

APPLICANT/AGENT

John Clarke
Howkins & Harrison
7-11 Albert Street
Rugby
Warwickshire
CV21 2RX

On behalf of Mr G Graham

APPLICATION DESCRIPTION

Outline application for the erection of up to 10 dwellings including new access onto Coventry Road (all matters reserved) including the demolition of Grange Farm Cottage and outbuildings.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON

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

CONDITION: 2

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

REASON:

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

CONDITION: 3

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

- a - Layout,
- b - Scale,
- c - Appearance,

d - Access &

e - Landscaping

REASON:

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

CONDITION: 4

The development shall not be carried out other than in accordance with the Site Location Plan - 1340-01 received by the Local Planning Authority on 29 July 2014.

REASON:

For the avoidance of doubt.

CONDITION: 5

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

No development shall commence unless and until details of all proposed walls, fences and gates 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:

In the interest of visual amenity.

CONDITION: 7

No development shall take place until details of the proposed refuse collection arrangements, including details of the design and location of any bin collection area, 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:

In the interest of visual and residential amenity.

CONDITION: 8

No development shall commence and until full details of finished floor levels of all buildings [and ground levels of all access roads, parking areas and footways] have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 9

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: 10

No development shall commence unless and until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details concerning pre-commencement checks for badgers, bats, breeding birds, reptiles and amphibians and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site.

The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

REASON:

To ensure that protected species are not harmed by the development

CONDITION: 11

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

REASON:

In the interest of health and safety.

CONDITION: 12

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

(a) An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

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

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

CONDITION: 13

No development shall commence unless and until a Demolition and Construction Dust Management Report has been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION: 14

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

REASON:

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

CONDITION: 15

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

REASON:

In the interests of fire safety.

CONDITION: 16

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

REASON:

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

CONDITION: 17

The vehicular access to the site shall not be used until it has been constructed to include the following requirements:-

- a) A minimum width of 5.0 metres with a gradient not steeper than 1 in 15, and hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway footway.
- b) Gates and barriers opening into the site and not being placed within the vehicular access any closer than 5.5 metres from the near edge of the highway footway (bridleway).
- c) The access not allowing surface water to run off the site onto the highway.

REASON:

In the interest of highway safety.

CONDITION: 18

The development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the kerb, footway and verge have been reinstated in accordance with the standard specification of the Highway Authority.

REASON:

In the interest of highway safety.

CONDITION: 19

The development shall not be used for the purposes hereby permitted unless adequate vehicular turning space is provided and maintained within the site so that vehicles are able to enter and leave the highway in a forward gear.

REASON:

In the interests of public and highway safety.

CONDITION: 20

Unless otherwise agreed in writing by the Local Planning Authority vehicular access to the site shall not be provided other than from Coventry Road.

REASON:

In the interest of highway safety and the character of the area.

CONDITION: 21

The landscaping scheme, as required by condition 3(e), shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION: 22

The Reserved Matters submission shall be accompanied by a Tree Report in accordance with BS5837:2012 (Trees in relation to design, demolition & construction: recommendations) relating to the proposed site layout plan, including an arboricultural method statement/tree protection plan.

No development shall commence unless and until the Tree Report has been approved in writing by the Local Planning Authority and work shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of the character of the area.

CONDITION: 23

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

REASON:

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

CONDITION: 24

No loading or unloading of vehicles either calling at the premises or being in the control of the occupiers of the site shall be carried out other than within the curtilage of the site. No vehicles which have been left with or are in the control of the occupier or their employees, shall be stored or parked on the highway [Coventry Road - B4642].

REASON:

In the interest of highway safety.

CONDITION: 25

The footpath/cycleway to the front of the site must not be obstructed or damaged at any time.

The development shall not be first occupied unless and until works to prevent vehicular access along the footpath/cycleway to the front of the site have been carried out in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

This development is subject to a s106 legal agreement.

INFORMATIVE: 2

This permissions does not convey any approval for the illustrative layout shown on the Block/Site Layout plan.

INFORMATIVE: 3

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

Monday - Friday - 8.00 a.m. - 18.00 p.m.,

Saturday - 9.00 a.m. - 13.00 p.m.

No work on Sundays & Bank Holidays.

INFORMATIVE: 4

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants.

INFORMATIVE: 5

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

INFORMATIVE: 6

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team – Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

INFORMATIVE: 7

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: 8

The applicant / developer is required to contribute £75 per dwelling (at the time of Outline Application) for; sustainable welcome packs; promoting sustainable living and to deliver road safety education in the area.

For further information regarding Sustainable Welcome Packs, contact Nicola Small, Sustainable Project Officer on 01926 412105.

INFORMATIVE: 9

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: 10

Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises or property adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises or property onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing

INFORMATIVE: 11

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

This can be downloaded at:

http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223

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

Reference number: R12/1188

Site address: Land South of Back Lane, Long Lawford

Description: Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.

Case Officer Name & Number: Karen McCulloch, 01788 533623

Description of site

This application relates to a site to the south and west of Back Lane, Long Lawford. The majority of the site is currently agricultural land that is laid to pasture. The majority of the site is relatively level with fields divided by hedgerows which contain some trees. There is a brook which runs through the centre of the site.

Two public footpaths cross the site, one runs diagonally across the site in a south easterly direction, the other runs north to south close to the bend in Back Lane. Overhead electric cables also cross part of the site.

The western part of the site comprises a mix of land uses. Close to the bend in Back Lane is The Croft, this is a dwelling that is currently in a derelict condition. This is secured by palisade fencing and the former gardens are overgrown and include dense scrub and conifers. To the north of The Croft, adjacent to the railway, is an area used for horses and other livestock. This area contains stables and containers.

An area of the site, to the east of the former Croft, contains evidence of ridge and furrow.

To the south of The Croft is an area of paddock, there is a row of mature trees on this southern boundary of the site.

Residential properties on The Green are to the west of the site. Number 22 is a chalet bungalow with side facing windows looking towards the site. Number 26 is a cottage which has the rear elevation facing the site. Number 30 is a bungalow which has side and rear windows facing the site and a first floor rear facing window within the gable end.

Across Back Lane, to the north, is a recently completed residential development. At the western end of the site Back Lane rises to a bridge across the railway.

There is agricultural land to the south of the site.

Description of proposals

This is a full application for 112 dwellings with associated works.

Vehicular access will be provided onto Back Lane in a central location. An additional pedestrian link is proposed to the east and a pedestrian link and emergency access are proposed to the west.

Two areas of amenity open space are proposed, 1 adjacent to the site access and 1 towards the western end of the site, these will also contain balancing ponds for surface water. The central area will incorporate the existing brook which will be retained through the site. It is also proposed to divert the public footpath within the site to run through the open space and along the site access road.

Highway works are also proposed outside of the site. It is proposed to signalise Back Lane across the railway bridge and make alterations to the junction with School Street and

Railway Street, make alterations to the junction of Back Lane and the A428 Rugby Road and to provide additional bus stops on Back Lane.

The proposals are for a mix of 2, 3 and 4 bedroom houses and 1 bedroom flats. All properties will be 2 storeys. Gable features, bay windows, chimneys and porches are proposed to add interest to the development. Some properties are also proposed in render, or with render elements. Where side elevations of properties will be prominent within the development dual aspect properties are proposed.

Technical consultation responses

WCC Highways	No objection	Subject to conditions & informatives
WCC Rights of Way	No objection	Subject to condition & informative
Warwickshire Police	Comment	Suggest design changes
Warks Fire & Rescue	No objection	Subject to condition
Severn Trent	No objection	
WCC Archaeology	No objection	Subject to condition
WCC Ecology	No objection	Subject to conditions and s106
WCC Planning contributions	Comment	Request library & education
Environmental Health	No objection	Subject to conditions & informative
Network Rail	No objection	Subject to conditions & informative
Environment Agency	No objection	Subject to conditions & informative
Tree Officer	Comment	Properties are very close to trees
WCC Flood Risk	No objection	

Amended Plans

Warwickshire Police	No objection	
Network Rail	No objection	Subject to condition
Stagecoach Bus	Support	

Third party comments

Long Lawford Parish Council Observations

- submitted photographs ignore recent large developments;
- school is struggling to accommodate pupils, how could needs of future residents be assured;
- increased traffic would cause health and safety issues on the railway bridge and Sheaf & Sickle junction;
- transport survey does not consider developments under construction;
- 5m road is insufficient for parking and access, this causes issues at Tee Tong Road;
- there is only 1 road proposed leading to access issues for emergency vehicles;
- reports do not assess nearby developments, could have drainage implications;

- pumping station is insufficient;
- housing needs survey is out of date, an updated survey may prevent housing.

Neighbours (8) Objection

- this is a rural area, this was confirmed by a Planning Inspector in 2001;
- impact on the rural landscape;
- this along with previous development will harm rural area;
- will change from a rural village to suburb of Rugby;
- village has been overdeveloped;
- loss of open space used for recreation;
- site contains protected Rights of Way;
- application has been submitted despite an application for the land to be a Village Green;
- site is used for recreation such as fishing and picnics;
- site contains ridge and furrow which should be protected;
- pumping station is too small for existing development, it has blocked and flooded the road;
- field is has flooded many times, is waterlogged and has poor drainage;
- there is already congestion at junctions, this would add to it;
- roads cannot sustain more development and will be damaged;
- traffic report is not independent and is flawed;
- increased traffic will be dangerous and cause serious accidents;
- traffic currently speeds and this will get worse;
- increased noise and disturbance;
- loss of privacy, light and views from neighbouring properties;
- site is higher than neighbouring properties;
- headlights will affect existing properties;
- highway safety, like existing development proposal has narrow roads, blind bends and insufficient parking;
- modern properties will be out of character with nearby cottages there should be physical delineation between The Green and new houses;
- impact on wildlife;
- trees will be lost;
- there are a lot of bird species close to the site;
- development has been done in sections and does not include sufficient amenities;
- school cannot cope with demand;
- infrastructure could not cope with demand;
- residents need play areas, cycle paths, shops and a post box, these have been provided at Cawston;
- developers will maximise views from new houses whilst taking them from existing properties;
- existing developments have led to anti-social behaviour;
- security risk from development;
- partner is a wheelchair user and the proposals will affect wellbeing and standard of life;
- applicants' solicitor has asked for more time in Village Green case, this is unfair;
- would be sensible to retain the ridge and furrow area as a Green.

Amended plans

Long Lawford Parish Council Comment

Amended plans do not change original observations

Neighbours (1) Objection

- since development north of Back Lane there has been an increase in noise pollution from the railway;
- there has been a rise in anti-social behaviour such as noise, fights, litter, theft and damage to property;
- Committee should be aware of increased crime statistics;
- youths use the park and take drugs, this prevents other people from using the park;
- local residents have had to invest in expensive security equipment;
- next phase of development will exacerbate these issues;

Relevant planning policies and guidance

Rugby Borough Core Strategy, 2011

CS1	Complies	Development Strategy
CS2	Complies	Parish Plans
CS10	Complies	Developer Contributions
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions
CS19	Complies	Affordable Housing

Rugby Borough Local Plan, 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities
H12	Complies	Open space provision in residential developments in the rural area
LR1	Complies	Open space standards

Planning Obligations SPD, 2012

Housing Needs SPD, 2012

Sustainable Design & Construction SPD, 2012

National Planning Policy Framework, 2012 (NPPF)

Assessment of proposals

The key issues to assess in relation to this application are whether the principle of the development is acceptable and whether there will be an adverse impact on residential amenity or the character of the area. An assessment of the impacts on highway safety and protected species must also be made.

Principle of development

This application relates to land located within the Long Lawford settlement boundary. Long Lawford is defined by policy CS1 as a Main Rural Settlement, this policy states that development is permitted within existing village boundaries but that local housing needs are prioritised over market housing.

Long Lawford produced a Housing Needs Survey in 2006, this identified a need for rented and shared ownership accommodation. Policy CS2 refers to Parish Plans and equivalent documents and states that these will be a material consideration in planning decisions. However, this goes on to state that these documents should be updated regularly if necessary. The Council's Housing Needs SPD expands on this and states that Housing Needs Surveys should be reviewed at least once every 5 years.

It is therefore considered that the Long Lawford Housing Needs Survey is out of date and cannot therefore be given weight in the determination of this application. Notwithstanding this the housing need identified was met by the Back Lane north development by Bloor Homes,

It is therefore considered that the principle of erecting market dwellings on the site is acceptable in accordance with policies CS1 and CS2.

Guidance within the NPPF states that authorities should take into account the economic and other benefits of the best and most versatile agricultural land, which is defined as that of grade 1, 2 or 3a in the Agricultural Land Classification, and where significant development of agricultural land is necessary authorities should seek to use areas of poorer quality land.

The application site is identified by Natural England and DEFRA as comprising grade 3 agricultural land although no distinction is made between grade 3a and 3b. Information provided by Natural England details that 75.5% of agricultural land within Rugby borough is grade 3, although this is not divided into grades 3a or 3b, this total 26,686 hectares. The development would therefore result in the loss of around 0.015% of grade 3 land within the borough.

Natural England produced a technical note in 2009 entitled Agricultural Land Classification: protecting the best and most versatile agricultural land. Although the note was produced to support guidance contained within the now superseded PPS7, it is the most up to date information Natural England have published on agricultural land classification. In this Natural England make it clear that although developing on the best and most versatile agricultural land is not ideal, it is not the sole consideration and other factors may need to be taken in to account.

A significant proportion of land adjacent to the Rugby Urban Area is grade 2 and it is considered that the development of grade 3 land is preferable to the loss of grade 2 land. It is also considered that the development would result in the loss of a very small proportion of grade 3 land within the borough.

Overall, it is considered that although part of the site may include grade 3a agricultural land there is a need for additional housing and it is considered that this is not outweighed by the loss of agricultural land.

Visual amenity and design

The proposals will introduce built development into an area that is currently mostly agricultural land, there will therefore be a change to the character of the area.

However, the scheme has been designed to reduce this impact. Boundary hedgerows and mature trees will be retained and these will provide an element of screening. Where hedgerows run through the site these will be retained where possible and incorporated into areas of open space.

The proposed dwellings will be a similar style to those recently constructed on the north side of Back Lane. Design features such as gables, bay windows, and porches are proposed to add interest to the development. Where properties are in key locations, and those close to the railway bridge where roofs will be more prominent will include chimneys to break up the roofscape. Other properties in key locations are also proposed in render, or with render elements. Where side elevations of properties will be prominent within the development dual aspect properties are proposed. It is considered that, subject to a condition regarding materials, that the design of the properties is acceptable.

Neighbours have raised concerns that the proposed modern dwellings will not be in keeping with traditional properties on The Green to the west of the site. The Green contains a mix of housetypes including traditional cottages, some of which have been extended and bungalows. Notwithstanding this although the proposed dwellings will be visible from The Green these will be accessed through the proposed development and will clearly form a part of this development.

It is therefore considered that the impact in terms of visual amenity and the character of the area is acceptable in accordance with the relevant part of CS16.

Residential amenity

The impact on the amenity of neighbouring properties must also be assessed. The properties will be over 25m from the properties on the other side of Back Lane and it is not considered these properties that will be adversely affected.

The neighbours which will be most impacted by the development are those located on The Green, numbers 22, 26 and 30.

Number 22 is a chalet bungalow with side facing ground floor windows looking towards the site. Plot 88 is proposed adjacent to this property, this is a two storey house with a side facing first floor window serving a bedroom. This property will be 18m from the boundary with number 22 The Green and it is considered that the impact in terms of loss of light or privacy is not so significant as to warrant refusal of the application.

Number 26 The Green was previously 2 cottages which have been joined and a two storey rear extension constructed. The rear garden and house are at a lower level than the site. Plot 89 is proposed to the rear of this house and this will have first floor rear facing bedroom windows. This house will be around 28m from the rear elevation of 26 The Green and around 18.5m from the boundary. The rear of the detached garage will be around 22m from 26 The Green and 10m from the boundary. It is considered that this is sufficient separation in relation to the impact in terms of loss of light or privacy.

Number 30 is a bungalow which has windows in the side elevation looking towards plot 89. There are also ground and first floor windows in the rear elevation looking towards plot 90. Plot 89 is proposed forward of the side facing windows at number 30 so will not block the direct outlook from these windows. This property is also over 15m from these windows, at an angle and this is considered acceptable.

Plot 90, at the rear of 30 The Green is proposed as a two storey house, this will not have any side facing windows. Due to the position of this property it will not block direct views from the windows at number 30, the building will also be around 15m from the windows and this is considered acceptable.

The application was accompanied by reports regarding noise and air quality. Environmental Health commented on these and raised no objection, subject to a range of conditions relating to noise barriers and glazing to prevent future occupiers being affected by the adjacent railway.

The impact on the amenity of neighbouring residents is therefore considered acceptable in accordance with the relevant part of policy CS16.

Landscape & Ecology

As detailed above boundary hedgerows and mature trees are retained where possible. This includes a row of mature trees on the southern boundary, adjacent to plots 83 to 88 which form a key feature in the landscape.

The Council's Tree Officer expressed concern that the construction of dwellings close to these trees could lead to pressure for these trees to be removed in the future. The applicants confirmed that the proposed dwellings will be outside of the root protection areas and canopies to these trees which would allow the trees to be retained.

To ensure these trees are not removed or harmed by future residents a Tree Preservation Area has been placed on these trees.

Other hedgerows, trees and the ditch which runs through the site are to be retained and incorporated into the layout and open space areas.

A detailed proposed landscape scheme has not yet been provided. However, this can be secured by condition to ensure a suitable high quality scheme is provided.

Subject to this condition the impact in relation to landscaping is considered acceptable in accordance with saved policy GP2.

The application was accompanied by an Ecology Report. WCC Ecology commented on this and requested a survey of the grassland habitat. Additional information regarding the grassland was provided and the eastern field was designated as a Local Wildlife site due to containing high quality grassland. WCC Ecology advised that as this grassland habitat will be lost, and to ensure there is no overall loss of biodiversity an offsetting contribution should be sought to achieve biodiversity enhancements off-site.

This was discussed with the applicants and a contribution will be sought towards an area for grassland enhancement within Rugby. This will ensure the development does not result in a loss of biodiversity and will be in accordance with the NPPF which refers to harm to biodiversity being compensated from off-site.

WCC Ecology also requested conditions relating to a protected species contingency plan and any proposed lighting scheme. Subject to off-setting being included in the s106 and these conditions the impact on protected species and biodiversity is considered acceptable in accordance with saved policy E6.

Open space

The proposals will include 2 areas of open space, which will also include balancing basins, which will usually be dry but provide storage for surface water in times of high rainfall. Other smaller landscaped areas will also be provided throughout the development. This provides suitable amenity space within the development and contributions will be sought towards the maintenance of this.

No formal play equipment is proposed on the site and the Parish Council confirmed that they do not support the provision of additional small play areas within Long Lawford. The Parish

Council advised that they are hoping to develop sports pitches within the area and an off-site contribution towards this will be sought through a s106 agreement.

This will secure open space facilities within the area in accordance with saved policies LR1, H11 and H12.

Access, Highways and Car Parking

Vehicular access to the site will be provided from Back Lane with an emergency access provided further west, closer to the railway bridge.

A range of highway improvements are also proposed outside of the site. It is proposed to signalise Back Lane across the railway bridge, widen the footpath and make alterations to the junction with School Street and Railway Street, make alterations to the junction of Back Lane and the A428 Rugby Road and to provide additional bus stops on Back Lane.

The Highway Authority, Warwickshire County Council have no objection to the proposals, subject to conditions to ensure the highway works are carried out. The changes to the bus stops are also supported by Stagecoach, a local bus service provider. The impact on highway safety is therefore acceptable in accordance with policy CS11. WCC also request contributions towards sustainable travel packs to be included within the s106 agreement.

Pedestrian and cycle links will be provided from the development to Back Lane from the main access and emergency access, through the open space and at the eastern end of the site. This will provide connections with the bus stops on Back Lane and the wider area. The pedestrian access into Long Lawford will also be improved by the proposal to widen the footway across the railway bridge.

Two public footpaths cross the site. The alignment of the western footpath, which runs from close to the bend in Back Lane, will not change this will run adjacent to proposed dwellings and along the side of the open space area.

The other footpath which currently runs diagonally across the site will be diverted to run through the central open space and along the road through the development. The County Rights of Way team have no objection subject to conditions regarding the surfacing of the Rights of Way and an informative regarding the proposed diversion.

Based on the sizes of dwellings proposed the Council's parking standards, contained within the Planning Obligations SPD would require 256 spaces. A total of 283 car parking spaces are proposed and in this location it is considered providing additional spaces is acceptable. Cycle parking could be provided in rear gardens or garages of houses and this is considered acceptable, a condition is proposed requiring details of the cycle parking for the flats to be agreed. Suitable parking is therefore provided in accordance with saved policy T5.

Sustainable Design

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

CS16 states that sustainable drainage systems (SUDS) should be used and that developments should meet specified water conservation levels.

The application includes a Flood Risk Assessment. This explains that surface water currently drains naturally into the watercourse through the centre of the site. The proposals are for the surface water to be drained through SUDS with attenuation basins proposed in the open

space areas. The Environment Agency have no objection to the proposals, subject to conditions.

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

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that as a minimum developments of 10 or more dwellings shall include equipment to reduce carbon dioxide emissions by at least 10%. These requirements can be controlled by conditions.

Archaeology

The County Archaeologist raised no objection to the application, subject to a condition regarding archaeological works. It is therefore considered that the impact on heritage assets is acceptable in accordance with the NPPF.

Affordable housing

Policy CS19 states that on developments of the size proposed a target affordable housing provision of 40% will be sought. This goes on to state that where the provision of the target level of affordable housing will threaten the viability of a scheme the Council will consider a reduced target.

The applicant initially proposed to provide 10% of dwellings as affordable housing and provided a viability appraisal to support this. This was independently assessed on behalf of the Council and the assessor queried some of the contents of the appraisal.

The applicants amended the appraisal to reflect the assessor's comments and increased the affordable housing offer to 16% (18 units). It is considered that the applicants have suitably demonstrated that 16% is the most affordable housing that can be sought from the site and this is in accordance with policy CS19.

The affordable housing proposed is to comprise a mix of 1, 2 and 3 bedroom properties and will be either shared ownership or social rent and the provision is considered acceptable.

Planning obligations

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

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

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

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

As detailed above contributions will be requested towards biodiversity off-setting, sustainable welcome packs, the maintenance of on-site open space and off-site sports provision.

Contributions will also be required towards education and indoor sports facilities, this is in accordance with the Planning Obligations SPD.

Warwickshire County Council requested a contribution towards library facilities. However, no information was provided to explain how this was linked to the proposed development and this cannot therefore be supported.

Other issues

Local residents have raised concerns about the suitability of the pumping station to accommodate foul drainage from the development. However, no objection has been received from Severn Trent or the Environment Agency, subject to conditions.

The western part of the site is adjacent to the railway. Network Rail commented on the application and requested a range of conditions and informatives, including a requirement for trespass proof fencing. This has been included on the amended plans and Network Rail raised no objection to the proposals.

Recommendation

Approval, subject to S106 agreement.

DRAFT DECISION

APPLICATION NUMBER

R12/1188

DATE VALID

26/03/2013

ADDRESS OF DEVELOPMENT

LAND SOUTH OF BACK LANE
BACK LANE
LONG LAWFORD

APPLICANT/AGENT

Kirstie Clifton
Define
Unit 6
133-137 Newhall Street
Birmingham
B3 1SF

On behalf of: Bloor Homes and William Davis

APPLICATION DESCRIPTION

Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.

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:

<u>Plan</u>	<u>Reference</u>	<u>Received</u>
Site Location Plan	12-081/P0001	13/03/2013
Proposed Site Plan	12-081/P003/L	18/12/2014
Back Lane/Rugby Road Junction	WTD/SA/06/004/A	25/09/2013
Highway Proposals – Access & Bridge	WTD/SA/06/001/F	25/09/2013
Flood Risk Assessment	12102	13/03/2013
Drainage Statement	12102	13/03/2013
Existing Tree Report	011.971.R1B	13/03/2013
Tree Survey Plan 1 of 2	012.971.001/A	13/03/2013
Tree Survey Plan 2 of 2	012.971.002/A	13/03/2013
Setting of Heritage Assets Summary	3122	20/03/2013
Written Scheme of Investigation for Archaeological Geophysical Survey		
	3122.R01	13/03/2013
Written Scheme of Investigation for Archaeological Evaluation		
	3122.R02	13/03/2013
Geophysical Survey Report & Plans	J3232	13/03/2013
Air Quality Assessment	1504/1/F1	13/03/2013
Noise and Vibration Assessment	AA742/R1	13/03/2013
Transport Assessment	TRN10957-100/001	13/03/2013
Rye Housetype	10-100/101/A	13/03/2013
Eden Housetype	10-100/102/A	13/03/2013
Meden Housetype	10-100/103/A	13/03/2013
Dove Housetype	10-100/104/A	13/03/2013
Solent Housetype	10-100/110/A	13/03/2013
Leen Housetype	10-100/112/A	13/03/2013
Waldon Housetype	10-100/113/A	13/03/2013
Teme Housetype	10-100/133	13/03/2013
Tyne Housetype	10-100/136	13/03/2013

Dart Housetype	10-100/122	13/03/2013
Blyth Housetype	10-100/126/A	13/03/2013
Arun Housetype	10-100/139/A	13/03/2013
Denwick Housetype	10-100/1	26/07/2013
Rye Chimney Housetype	12-081/101	26/07/2013
Meden Chimney Housetype	12-081/103	26/07/2013
Nene Rendered Housetype	12-081/10	26/07/2013
Solent Chimney Render	12-081/110	26/07/2013
Waldon Chimney Render	12-081/113	26/07/2013
Dee Chimney Housetype	12-081/124	26/07/2013
Ryton Housetype	10-100/109/B	13/08/2013
Solent (dual aspect)	12-081/210	13/08/2013
1-bedroom apartment	12-081/P004/B	13/08/2013
Single Garage Front Gable	7040/P-G23/B	13/03/2013
Single Garage Side Gable	7040/P-G28/A	13/03/2013
Double Garage Side Gable	7040/P-G25/A	13/03/2013
Double Garage Front Gable	7040/P-G26/A	13/03/2013
2B4P Elevations	2B4P-PL03/A	13/03/2013
2B4P Ground Floor Plan	2B4P-PL01/A	13/03/2013
2B4P First Floor Plan	2B4P-PL02	13/03/2013
3B5P Elevations	3B5P-PL03	13/03/2013
3B5P Ground Floor Plan	3B5P-PL01	13/03/2013
3B5P First Floor Plan	3B5P-PL02	13/03/2013
306 Cottage Brick	306.C-CPL01	13/03/2013
313 Cottage Brick	313.C-PL01	13/08/2013
401 Cottage Brick	401.C-PL01/A	26/07/2013
405 Cottage Brick Elevations	405.C-PL02/A	26/07/2013
405 Cottage Render Elevations	405.C-PL03/A	26/07/2013
405 Floor Plans	405.C-PL01	26/07/2013
411 Cottage Brick Elevations & Plans	411.C-PL01/A	26/07/2013
411 Brick Side & Rear Elevations	411.C-PL01.1	26/07/2013

414 Cottage Brick Elevations & Plans	414.C-PL01/A	26/07/2013
414 Brick Side & Rear Elevations	414.C-PL01.1	26/07/2013
414 Render Elevations & Plans	414.C-PL02/A	26/07/2013
414 Render Side & Rear Elevations	414.C-PL02	26/07/2013
419 Cottage Brick Elevations & Plans	419.C-PL01/A	26/07/2013
419 Brick Side & Rear Elevations	419.C-PL01.1	26/07/2013
419 Cottage Render	419.C-PL02	13/03/2013
427 Cottage Render	427.C-CPL02	13/03/2013
430 Render Elevations	430.C-PL02	26/07/2013
430 Floor Plans	430.C-PL01	13/03/2013
Single Garage Side Gable	G01[SG]01/C	13/03/2013
Single Garage Front Gable	G01[GF]01/D	13/03/2013
Double Garage Front Gable	G02[GF]01/C	13/03/2013
Paired Garage Side Gable	G02.P[SG]01/C	13/03/2013
Paired Garage Front Gable	G02.P[FG]01/C	13/03/2013
Substation	GTC-E-SS-0012_R1-7	28/08/2013

REASON:

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

CONDITION: 3

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles 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: 4

Full details of the siting, design and materials of the proposed bin and cycle stores serving plots 19-24 shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of these flats.

REASON:

In the interest of visual and residential amenity.

CONDITION: 5

No development shall commence unless and until details of all proposed walls, fences and gates, including details of trespass proof fencing adjacent to the railway boundary and bollards or gates to be installed to the footpaths and emergency access, 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:

In the interest of visual amenity, to protect the railway boundary and to prevent vehicles using unauthorised accesses.

CONDITION: 6

No development shall commence in any phase unless and until full details of finished floor levels of all buildings and ground levels of all access roads, parking areas and footways have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 7

No development shall commence unless and until details of the proposed noise barrier adjacent to the railway have been submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be occupied until the noise barrier has been installed in accordance with the approved details, this shall then be permanently retained.

REASON:

In the interest of residential amenity.

CONDITION: 8

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out to plots 44, 75, 76, 83, 84, 85, 86, 87, 88, 89, 90, 101, 102, 103 or 104 which comes within Classes A or E of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of visual and residential amenity and to ensure protected trees are not harmed.

CONDITION: 9

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out to any plot which comes within

Classes B or C of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION: 10

The windows to be formed in the side elevations of plots 4, 5, 8, 28, 47, 65, 74, 100 and 109 shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION: 11

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that order, no wall, fence, gate or other means of enclosure shall be erected, constructed or placed in front of the dwellings without the prior written permission of the Local Planning Authority.

REASON:

In the interest of visual amenity.

CONDITION: 12

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

REASON:

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

CONDITION: 13

The development hereby permitted shall not be carried out other in accordance with the approved Flood Risk Assessment, ref: 12102 received by the Local Planning Authority on 13th March 2013 and the following mitigation measures detailed within the Flood Risk Assessment:

1. Limiting the rate of surface water run-off generated by the site to discharge at no more than the Greenfield rate as detailed in the Flood Risk Assessment.
2. Full details of attenuation of surface water on site to the 1 in 100 year flood event standard plus an allowance of 30% for climate change. The detailed drainage scheme proposed should provide a sustainable drainage strategy to include SUDS elements with attenuation, storage and treatment capacities incorporated as detailed in the Flood Risk Assessment.
3. The Micro Drainage calculations submitted indicate a small amount of surface water flooding from the middle & east drainage networks. If the system surcharges, the location of any surcharging should be identified as should any resultant overland flood flow routes. Any excess surface water must be routed away from any proposed or existing properties. If

above ground flooding is to occur, detail must be provided of where this will go and prove that the development or adjacent property will not be flooded as a result.

4. Details of how the entire surface water scheme shall be maintained and managed after completion.

5. Finished floor levels are set no lower than 87.03 m above Ordnance Datum (AOD).

6. Details of the deculverting of the length of watercourse downstream of the existing pond as proposed in the Flood Risk Assessment.

REASON:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. 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: 14

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

REASON:

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

CONDITION: 15

All buildings shall be constructed to comply with the published Building Regulations that are relevant at the time of construction.

REASON:

To ensure sustainable design and construction.

CONDITION: 16

Prior to the first occupation of the development, details of the equipment and technology to be incorporated to achieve carbon emission reductions for that phase shall be submitted to the Local Planning Authority in writing and include the submission of an Energy Performance Certificate. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be implemented in accordance with this approval and shall be retained in working order in perpetuity.

REASON:

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

CONDITION: 17

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

REASON:

In the interests of fire safety.

CONDITION: 18

Unless otherwise agreed in writing by the Local Planning Authority development must not occur outside of the following hours: Monday-Friday 07:30 - 18:00, Saturday 08:30-13:00 with no work on Sundays or Bank Holidays.

REASON:

In the interests of residential amenity.

CONDITION: 19

Unless otherwise agreed in writing by the Local Planning Authority, within 6 months of the first occupation of the development the following highway improvement works shall be carried out:

- works at the junction of Back Lane and the A428 Rugby Road as shown on plan WTD/SA/06/004A received by the Local Planning Authority on 25/9/2013 &
- works including a signalisation scheme for the bridge between Back Lane and School Street, footway works and bus stop improvements as shown on plan WTD/SA/06/001F received by the Local Planning Authority on 25/9/2013.

REASON:

In the interest of highway safety.

CONDITION: 20

No dwelling shall be occupied until the estate roads including footways serving it have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety.

CONDITION: 21

Unless otherwise agreed in writing by the Local Planning Authority public footpath R129 (where it crosses the site) shall be constructed to Warwickshire County Council adoptable standards with a minimum width of 2 metres.

REASON:

To protect and enhance the public right of way.

CONDITION: 22

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: 23

No development shall commence unless and until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), has been submitted to and approved in writing by the Local Planning Authority.

The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

REASON:

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

CONDITION: 24

No works shall commence, including site clearance, unless and until a combined ecological and landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all aspects of; landscaping including details native species planting, habitat enhancement and habitat management.

The agreed scheme shall be fully implemented before/during development of the site as appropriate.

REASON:

In the interest of biodiversity.

CONDITION: 25

No works shall commence, including site clearance, unless and until a Protected Species Contingency Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of a reptile survey and pre-commencement checks for bats, breeding birds and appropriate mitigation measures and safeguards for wildlife that are to be employed whilst works are taking place on site.

The agreed mitigation measures shall thereafter be implemented in full.

REASON:

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

CONDITION: 26

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.

CONDITION: 27

Prior to the occupation of any dwelling the noise mitigation measures detailed in the Noise and Vibration Assessment reference AA742/R1 received on 13/03/2013 shall be provided.

These shall include passive ventilation inside walls of habitable rooms with windows overlooking the railway, passive acoustic ventilators for habitable rooms fronting Back Lane and 1.8m close boarded fencing for rear gardens adjacent to Back Lane.

REASON:

In the interest of residential amenity.

CONDITION: 28

No development shall commence unless and until a Construction Dust Management report has been submitted to and approved in writing by the Local Planning Authority.

Development shall not be carried out other than in accordance with the approved details.

REASON:

To protect the amenity of the area and surrounding residents.

CONDITION: 29

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

(a) An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining

land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

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

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

This development is subject to a s106 legal agreement.

INFORMATIVE: 2

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

This can be downloaded at:

http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295 .

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

INFORMATIVE: 3

The granting of planning permission is not authority to divert or obstruct Public Footpath R125. A legal order is required and an application must be made to Rugby Borough Council, under the Town and County Planning Act 1990. Until a legal order is made, confirmed and certified, R125 must remain open and available for public use, at all times, free of obstructions.

INFORMATIVE: 4

Glazing, doors, lighting and boundary treatments should be designed to ensure the occupants do not become victims of crime or anti-social behaviour. The Warwickshire Police Crime Prevent Design Advisor can provide more information if required.

INFORMATIVE: 5

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 2003 and it is not possible to build close to, directly over or divert a public sewer without consent. It is suggested that Severn Trent Water are contacted to discuss the proposals, they will seek to assist in obtaining a solution which protects both the public sewer and the proposed development.

INFORMATIVE: 6

Network Rail advise that:

- any earthworks or excavations within 20m of the Network Rail boundary will need to be approved by the Network Rail Asset Protection Engineer. Network Rail will need to review all excavation works to determine if they impact upon the support zone of Network Rail land and infrastructure as well as determining relative levels in relation to the railway. There must be no excavation into, nor deep continuous excavations near, the toe of embankments or retaining walls or bridge support slopes;
- no trees are planted next to the boundary with Network Rail land and the operational railway;
- only evergreen shrubs should be planted and these should be planted a minimum distance from the Network Rail boundary that is equal to their expected mature growth height;
- the developer should ensure there is a minimum 2 metres gap between the buildings and structures on site and Network Rail boundary fencing.

INFORMATIVE: 7

The Environment Agency advise that the applicant contact the Lead Local Flood Authority, as a Flood Defence Consent may be required for the culverting/trash screen installation on the ordinary watercourse on site.

INFORMATIVE: 8

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

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

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

For further information contact:-

Considerate Constructors Scheme, PO Box 75, Ware. SG12 9LN, Tel 0800 783 1423, www.considerateconstructors.co.uk

INFORMATIVE: 9

The estate roads including footways, verges and footpaths should be designed, laid out and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads.

The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980.

An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

INFORMATIVE: 10

The proposals require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works 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: 11

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.

Reference number: R14/2239

Site address: 15a Southfield Road, Rugby

Description: Proposed Single Storey Extension

Case Officer Name & Number: Owain Williams – 01788 533789

This application has been brought forward to planning committee as the one of the applicant's is an employee of the Local Authority

Site Description

The dwelling number 15a Southfield Road is a converted stable building associated to number 15 Southfield Road which appears to be the main farm house to which it was associated.

It is difficult to picture these buildings as the original farmstead as the properties have now been swamped by a residential estate and the stable building which is number 15a Southfield Road now appears as backland development.

The stable building has been altered and extended over time with a rendered finish and outward projecting extension.

An area to the front of the stable building between the 15a and 15 has been enclosed to create a private amenity space.

Proposal Description

The proposal is for the erection of a single storey extension. This extension will project out from the main elevation by approximately 2.5 metres at a width of 8.7 metres and will also connect to an existing extension which projects out from the front of building.

The extension will be a flat roofed extension which will sit under the eaves of the existing building and will have a glazed roof lantern sat upon it centrally.

Relevant Planning History

Conversion of stable block into separate dwelling – Approved 28/04/72

Erection of a single storey front extension – Approved 16/06/05

Technical Consultation Responses

WCC Ecology – No objection subject to informatives

Third Party Responses

Neighbours – No comments received

Relevant Planning Policy

Core Strategy

CS1 – Development Strategy

CS16 – Sustainable Design

Saved Local Plan Policies

E6 – Biodiversity

Rugby Borough Residential Design and Construction SPD

Assessment of Proposals

The determining issues to take into account in this case would be the impact upon the character and appearance of the dwelling and surrounding area and the impact upon neighbouring amenities

Policy CS1, Development Strategy, states that the location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. The dwelling is located within the urban area so therefore would comply with policy CS1.

Policy CS16 states that all development will demonstrate high quality, inclusive and sustainable design and 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 dwelling is a converted stable block however its positioning amongst a built up residential estate has altered its setting together with the alterations that have already been made the integrity of the stable block has been diminished. The proposed extension is a modest extension to the overall size of the dwelling so would not appear overly prominent. The extension has been designed with a flat roof so not to interfere with the design or appearance of the existing roof as the shape and positioning of the extension would not be able to match that of the existing. The extension will be under the eaves of the existing and will have a sympathetic glazed roof lantern to allow further light into the dwelling therefore would not significantly affect the appearance of the dwelling.

The proposed extension is situated to the rear of the dwellings which front Southfield Road so would not be visible within the street scene. The extension therefore would not impact upon the character and appearance of the area.

Policy CS16 continues to state that development will ensure that the amenities of existing and future neighbouring occupiers are safeguard.

The positioning of the properties is such that there is adequate spacing between the dwellings and there are no side facing windows serving habitable rooms in the neighbouring property which face towards the extension and the front of 15a Southfield Road, therefore the proposed extension when added would not impact upon any neighbouring property.

Taking into account the above it is considered that the proposed extension would comply with policy CS16 of the Core Strategy.

Saved Local Plan Policy E6 seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. The County Council ecology department have assessed the proposal and location of the property and deemed the proposals unlikely to affect protected species, therefore it is considered that the proposals comply with saved policy E6.

Recommendation

Grant Permission Subject to Conditions

DRAFT DECISION

APPLICATION NUMBER

R14/2239

DATE VALID

17/11/2014

ADDRESS OF DEVELOPMENT

THE BUNGALOW
15A SOUTHFIELD ROAD
RUGBY
CV22 5NJ

APPLICANT/AGENT

Mrs Lucinda Hudson
31 Holyoake Terrace
Long Buckby
Northamptonshire
NN6 7RH
On behalf of Mr and Mrs Cramp

APPLICATION DESCRIPTION

Proposed Single Storey Extension

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:

Drawing No. JHC-SCH-01B received by the Local Planning Authority on the 17th November 2014

REASON:

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

CONDITION: 3

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

REASON:

To ensure a satisfactory external appearance.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended), making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and the National Bat Helpline must be contacted on 0845 1300 228 for advice on the best way to proceed.

INFORMATIVE: 2

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

Reference number: R13/2000

Site address: Disused railway line embankment west of Nethercote Road, Nethercote Road, Flecknoe

Description: Erection of a detached 5-bed dwelling with ancillary, associated outbuildings comprising a detached garage and store building with one-bed flat above, and a stable and tack building. Erection of gates. Provision of an agricultural barn, a 12 horse stable tack and feed building, a horse walker and a 30m by 40m polo arena / ménage all for personal purposes. Associated landscaping and access works.

Case Officer Name & Number: Richard Redford, extension 3625

The Proposal;

Planning permission is sought for the erection of a detached 5-bed dwelling with ancillary, associated outbuildings comprising a detached garage and store building with one-bed flat above, and a stable and tack building with one-bed flat above (both flats to be occupied by live-in staff). In addition to these 9 sets of gates are proposed as well as the provision of an agricultural barn, a 12 horse stable tack and feed building, a horse walker and a 30m by 40m polo arena / ménage all of which will be for purposes personal to the applicant. Associated landscaping and access works form part of the proposal. All of the buildings, with the exception of the main dwelling which will be set within the railway embankment, are to be set to the north of the former railway embankment.

The 5-bed dwelling will be single and 2-storey in height and will be sited within a historic railway embankment, a section of which will be removed to facilitate this element of the proposal, where the single storey elements flank will follow the line of the top of the railway embankment. The centrally located 2-storey section will sit above the top of the embankment but be lower than the top of trees on the embankment. Providing 5 bedrooms (some with en-suite facilities), a bathroom and utility room at first floor level there will be a reception hall, drawing room, library, dining room, farm office and a combined kitchen and family dining room sitting area at ground floor level immediately below the first floor and partly contained within one of the single storey side elements. The remainder of the side storey elements comprise a walled kitchen garden, games room, gym, swimming pool, sauna, steam room and changing area.

To the front of the dwelling there will be two buildings, one providing a triple garage and store at ground floor with one-bed flat above with the second providing 3 stables, a feed room, a tack room and foal box store at ground floor with a one-bed flat above. Both buildings will be 1 ½ storey in nature with the upper floor served by dormer windows.

The dwelling and 2 associated building to its front will be constructed of Stoke Ground Bath Stone with a lime render, slate roof and timber doors and windows. Detailed sectional plans of windows, doors and the portcullis have been provided with the application.

The proposal also includes a further stable building providing a total of 12 stables as well as a tack and food store within it. With a footprint measuring 24m by 12m there will be solar panels on the southern side of the dual pitched roof of the building that will be constructed of timber on a brick plinth with slate grey coloured cement sheeting on the roof. There will be 3 access points to the building and internal T shaped space with stables situated around it.

Between the 2 stable buildings will be located a circular based horse walker with a diameter of 14m constructed of a combination of rubber, timber and steel.

The ménage / polo arena will be sited to the rear of the larger stable building and will be enclosed from view by a newly planted hedgerow forming part of the proposed landscaping

scheme. It will have a 0.3m high retaining board around its perimeter with the arena, constructed with a mixed surface including sand, measuring 40m by 30m at its greatest.

Access to the site will be via an existing un-adopted road off which a formal drive will be provided across an existing field. Both the un-adopted and the drive will have their surface treatment up-graded from an un-surfaced road to one of bound gravel providing a firm, solid base for vehicles to drive on.

On the opposite side of the un-adopted highway will be an agricultural building measuring 29.5m by 14.8m constructed of timber boards above a brick plinth with a slate grey coloured cement sheeting roof.

There will, at various points across the site, be a total 10 gates. The main gate at the start / end of the driveway where it joins the un-adopted road will comprise wrought iron double vehicular gate attached to stone piers with horse and pedestrian gates on the outside of both piers. The remaining gates will comprise 5-bar post and rail gates of timber construction.

The final element of the scheme comprises substantial, extension landscaping works across the site incorporating the re-introduction of hedgerows, planting of a variety of trees in both groups and isolation, enhancement of existing planting and provision of other landscaping features including water features and formal garden features.

Following a request from officers the agent has confirmed the stable building plan is the building called 'American Barn' on the landscape master plan as well as that the gate plan provided relates to the main access gate only with all other gates being 5-bar timber field gates. They have also confirmed solar panels will only be on the south facing elevation stable building with a condition requiring their specific details be provided acceptable. Confirmation has also been given that the proposed equine facilities will be personal to the applicant and his family.

Amended plans showing the removal of the two one-bed units, including dormer windows, above the garage building and smaller stable building have been received. This was in response to a request by officers following receipt of the Councils Rural Affairs advisors report into the need for these 2 units of accommodation that were to be occupied by people employed in association with the farming and equine operations on the site. The sizes of these buildings remain unaltered with the roof space being used for storage purposes.

Additional plans showing the steps and ramps in the embankment have been provided along with a plan providing details on the lakes and the 2 bridges over it.

Site History;

The site has no relevant planning application.

Consultee Correspondence;

Canal & Rivers Trust No comments

Environment Agency No objection Request conditions if approved

Highway Agency No objection Request informative

Inland Waterways Object Has no objection in principle but object to firstly the blocking of the former transport route that would make reinstatement of such a route problematic if economic conditions altered making the line necessary again; and secondly the proposal is too large and of inappropriate design that will have a significant impact

on the surrounding area with little or no economic, social or environmental benefit to the community.

Natural England	No objection	
Network Rail	No objection	
Rugby Rambler	Object	On the grounds public footpath R251 is not included on the plans and they object until all paths are included on the submitted documents and protected.
Western Power	No objection	
RBC Landscaping	No objection	Indicate they consider the proposal is an imaginative scheme of high quality with the existing landscaping having been taken into account and the new planting providing improved habitats and biodiversity
RBC Environmental Health	No objection	Request conditions relating to a contaminated land investigation, construction management plan, sewage treatment plant, external lighting and plant, energy provision, occupation restrictions for the 2 flats and general stable matters have been requested. Informatives relating to construction and ground working hours and sewage discharge have also been requested.
RBC Tree Officer	No objection	Request condition and informative
Rhodes Rural Planning & Land Management	Object	On the grounds of there being only marginal functional need for the grooms accommodation and no essential functional need for the grounds man / farm worker / part time grooms accommodation
WCC Archaeology	No objection	
WCC Ecology	Object	On the grounds the proposal will create a significant gap in the existing ecological corridor with an indirect impact also occurring from general disturbance that collectively will adversely impact on a Local Wildlife Site they recommend the application be refused. They indicate that despite their objection the submission contains ecological enhancements that are well thought out, comprehensive and addressed from the developments inception so should the application be approved they support the landscaping scheme put forward.
WCC Highway Authority	No objection	Request a condition relating to wheel washing and 4 informatives be attached to any approval

WCC Rights Of Way No objection Request informatives be attached to any approval

Third Party Correspondence;

Wolfhampcote Parish Council Comment Comment that the scale and facilities would indicate the proposal is not just residential but will have a significant commercial use increasing vehicular traffic (lorries and horseboxes) and their impact on the surrounding communities; its size and scale will create major construction traffic; restrictions should be imposed to minimised impact on surrounding settlements by way of condition; likely impact of light pollution on area currently unaffected by this but local communities impacted through lighting due to topography; significant equine facilities suggest likely future equine events leading to noise pollution; is a real likelihood of flooding from ground water as indicated by the EA 'Risk of Flooding from Surface Water' map which could in turn affect the health of livestock; horse / stable waste potential hazard in flood instances; impacted exacerbated through intended use of Bath Stone and similar coloured rendering to external surfaces; softer coloured stone and render should be selected; inclusion of stone sections would be more in-keeping with area; would like to see additional heavy / mature tree landscaping to the south of the development where impact and views are at their greatest; and seek assurances the proposal would be completed once approved and, due to likely costs associated with the proposal, would not become a smaller or incomplete alternative building.

Neighbours (9) Object On the grounds of all information not having been made available; the proposal would represent a drastic and irreversible change on the use of the land; impact on the character of the land and the surrounding area; the size and nature are disproportionate and out of character with anything else in Wolfhampcote; the change from agricultural to domestic equestrian is significant; very prominent from a distance including Sawbridge, Flecknoe and Flecknoe Station; increased light pollution; the proposal would prevent the regeneration of landscaping removed by a previous landowner; significant water displacement including on existing local water courses that are stretched; the proposed access appears to be seriously understated in the submission; vehicle levels at and using the site; the main dwelling, ancillary

accommodation, vehicles, stables numbers and other elements of the proposal will add to the visual impact; access concerns; a previous replacement hedge reducing the usable width of the access route; the access track is single width with no passing places for vehicles or where walkers or horse riders meet vehicles on the access track; the proposed upgraded road is likely to lead to traffic levels on it with resultant increased vehicle speeds; the access is an important amenity; the proposed vehicular access being wholly inappropriate with pedestrian access to public routes being reduced and potentially comprised; noise concerns; the size of the development not truly represented by the artists impression; light pollution concerns; architecture of the proposal not in-keeping with surrounding farmhouses or the area; size and scale issues; the materials proposed would stand out too much with red brick being better suited; more time for consultation needed; would set a precedent for Leam Valley where the proposal will be located and the wider Rugby area; scale is not sensitive to the local area; examples of other large buildings are distant to Leam Valley so not true comparisons from the local area; conflicts with Core Strategy policy CS1; more personal benefit over local economic benefits; proposed reinstatement of hedging and other features previously removed would not be sufficient to offset the destructive and irreversible alteration to the environment and character of the area the proposal would create.

Other Relevant Information;

Cllr Hazelton has requested the application be determined by your Committee.

Located within the open countryside, the site is located to the south-east of Sawbridge and north-west of Flecknoe adjacent to the E2989, an un-adopted road connecting the 2 settlements that whilst being a public highway is not required to be maintained by the Highway Authority.

The majority of the land within the application site comprises agricultural land used for arable purposes with the route of a disused former railway running through the site, which rises from the ground to the west to the site before continuing and eventually falling back to ground level in the east. Within the area ground levels undulate however from the north they fall slightly to the Grand Union Canal, which forms the southern site boundary, before rising to the south on the opposite side of the canal with a significant increase in height to Flecknoe after which it falls.

Historically, the application site along with substantial other land in the immediate and wider area was characterised by arable fields well defined by established, mature native hedging with the railway embankment having substantial tree coverage along a large part of its

length. However, significant amounts of hedgerows and a section of trees on the embankment were removed prior to the applicant taking ownership and control of the site.

Relevant Policies;

RBCS Policy CS1	Complies	Development Strategy
RBCS Policy CS14	Complies	Enhancing the Strategic Green Infrastructure Network
RBCS Policy CS16	Complies	Sustainable Design & Construction
RBCS Policy CS17	Complies	Reducing Carbon Emissions

Saved Rugby Borough Local Plan policy GP2

Saved Rugby Borough Local Plan policy GP5

Saved Rugby Borough Local Plan policy E6

Planning Obligations SPD

NPPF

Consideration;

Within the scheme there are numerous individual elements contributing to the proposal as a whole needing to be assessed both individually as well as collectively. The main elements to be assessed include the principle of the development, the design and appearance of the elements individually and collectively, as well as matters relating to access, amenity and ecology.

Principle;

Within the Rugby Borough Core Strategy the provisions of policy CS1 on Development Strategy seek to direct development to appropriate locations. The application site is situated within the open countryside – the 5th priority location for development – where the policy details development will only be supported where in accordance with national policy contained within the NPPF.

The application as submitted seeks permission primarily for the dwelling with the other elements of the scheme ancillary to and associated with the main dwelling. Within the submitted Design & Access Statement and other supporting documents it is detailed that the application is submitted for consideration under paragraph 55 of the NPPF. This paragraph states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural community and that Local Planning Authorities should avoid new isolated dwellings in the countryside unless there are special circumstances of which it details 4 such instance where special circumstances may exist. In the context of this application the final example is that relevant which states;

‘..the exceptional quality or innovative nature of the design of a dwelling. Such a design should

- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance its immediate setting; and
- Be sensitive to the defining characteristics of the local area.

At the pre-application stage, it was suggested to the agent that if they were keen to pursue an application under paragraph 55, they would need to provide details and clarity in respect of the proposal fulfilling the above requirement with significant emphasis placed on the proposal being ‘..truly outstanding or innovative..’.

To establish opinion on this matter the proposal was presented to MADE at the pre-application stage showing detailed plans for the dwelling, garage building and smaller stable building as well as wider landscaping plans which also showed the other buildings proposed. The panel – comprising a mixture of architects, planners and landscape architects – reported, following the meeting where the agent and the Local Planning Authority put forward their comments and opinions, stating that they were generally positive about this proposal with the decision to site the house so that it ‘completes’ the line of the disused railway embankment is a bold and innovative one. They continued that the more obvious approach would be to place it in the middle of the field, but this approach ensures that the house has open views to the north and the south where the result will be unique and some onlookers may be disturbed by it, but that is what makes it interesting as placing the house in this position does not hide it but we should expect an ‘outstanding’ house to draw attention to itself.

Further to this they were heartened by the work that had gone into the detailed design of the house and the way that different options had been explored for its façade derived from a good understanding of classical proportions. They considered the arrangement of accommodation, including the leisure wing and kitchen courtyard appears to be well resolved with views from the first floor side bedrooms being quite special with the proposals regarding materials being convincing. The one aspect of the design that had not been resolved was the ‘join’ between the end walls of the two ‘wings’ of the house and the existing embankment with further work needed on this. They also commented that there is no specific requirement under paragraph 55 for houses to be ambitious in terms of sustainability, but given the overall commitment of the NPPF to sustainable development they have always interpreted this to be part of the definition of ‘outstanding’ so the discussion in the documents they were sent of passive solar gain, photovoltaic panels and ground source heat pumps needed to be developed into a coherent and robust specification. They also highlighted that they were pleased to see that a landscape architect had been appointed at an early stage and proposals for the improvement of this degraded landscape were being developed alongside those for the house.

In conclusion MADE commented that this was the first paragraph 55 house they had seen at the MADE design review to take a classical approach to its architecture with there being nothing within the NPPF that excludes this approach although it may make it more difficult to demonstrate that the designs are outstanding or innovative. However, the innovative decision to site the house within the embankment and the care and attention shown towards the design and detailing of the building and the restoration of the surrounding landscape lead them to conclude that this proposal is well on the way to passing the test under paragraph 55. Given the commitment of architect and client and the local authority’s approach of resolving matters of detail in the initial planning application, rather than through conditions, we are confident that this potential will be fulfilled.

Since the MADE report was issued, further work has taken place to address the matters highlighted as requiring further work or clarification including materials, the junction points between the wings of the dwelling and the embankment as well as wider landscaping elements of the scheme and both the garage and small stables building which help establish the setting and views of the main dwelling.

With regards to the other built elements forming part of the proposal - namely stable building, horse walker and agricultural building – they are all for purposes that are acceptable in the open countryside and as such the provision of them in such a location as proposed is

acceptable in principle. In the context of the submission their provision to be used in association with the main dwelling proposed is such that they continue to be appropriate in principle whilst supporting the main building.

Based on the comments by MADE and subsequent works done in respect of the additional elements highlighted as requiring further details and clarification, officers are of the opinion that the principle of the development as a whole under paragraph 55 of the NPPF is acceptable by virtue of the innovative nature of the main dwelling taken into account with the associated buildings and landscaping. As such it complies with the provisions of the NPPF and Core Strategy policy CS1.

Design, Appearance & Layout:

The main dwelling has been designed in a classical style with a scale, massing, bulk and proportions reflective of this style, with the top of the wings / ground floor being level with the top of the railway embankment and centrally positioned first floor. It can be seen that it is a large dwelling, designed to meet the applicants needs whilst also be visually impressive and innovative within the area which, based on the independent comments from MADE, has been achieved. When viewed from Flecknoe the dwelling has, due to the single storey wings following the line of the embankment top, an appearance an old viaduct type structure with the first floor element having the appearance of having been an old train station affording views of the attractive surroundings. On the approach to the proposal from the intended access road from Sawbridge it will be seen in the context of the embankment as well as the garage and smaller stable building which will frame the main entrance to the dwelling, provide an enhanced visual aspect of the dwelling frontage and create an attractive, proportioned entrance arrangement. The layout and arrangement of the upper floor and the tops of the wings are such that it allows for views in all directions including along the embankment top with walkways around the top of the wings – providing a kitchen garden at ground level in one and roof top garden on the other – which enhances the innovation of the dwelling.

The intended materials – slate, Stoke Ground Bath Stone Base Bed stone and sections of lime render with timber windows and doors – are such that whilst not readily visible in the immediate area are of a type, style and appearance that will serve and enhance the dwelling more than traditional bricks and will weather in a manner more appropriate and respectful of the area than would be the case if the dwelling was constructed of bricks. The use of arched windows in locations, a portico to the front of the dwelling and rooftop walkways above the single storey elements add interesting features to the building contributing to the visual enhancement of the building as well as the wider landscape from locations where it will be capable of being seen. In their assessment of the scheme MADE commented that further clarification work was needed in relation to the points where the dwelling meets the embankment at the end of the single storey wings. A plan has been provided showing the provision of a right-angled brick wall on the corners of the wings with an arched section from the corner points around to the sides of the embankment with additional planting to provide a softer edge between the stone work and the embankment which is acceptable, addressing the matter in a positive manner.

Both the garage and small stable building are of the same design, appearance, scale, massing and proportions albeit with openings in different locations. Their design and appearance drawn from and resemble the main dwelling element of the scheme as do their scale, massing and proportions resulting in their being respectful and appropriate to the dwelling. The use of the first floor in both to provide a one-bed flat for occupation by persons employed in association with the equine operations on the site have been removed on the basis that following an assessment of their requirement it was established there was insufficient justification. As such amended plans have been provided removing the dormer windows from both buildings. Whilst the removal of the first floor accommodation could have

resulted in the height of both buildings being reduced, it is considered by officers that such a reduction would appear odd whilst also detracting from the character, appearance and design of not only the buildings themselves but the main dwelling and the setting of the dwelling and the wider area. The materials to be used match those of the main dwelling enabling them to fit in with the dwelling and to contribute to the enhanced character and appearance of the area. It is considered necessary to attach a condition to any approval prohibiting the roof space from being used for residential accommodation purposes either independently or associated with the main dwelling.

Access will be along a formal drive way with the garage building to the right hand side with the small stable building directly opposite it to the front of the dwelling. Immediately to the rear of this small stable building is a stable yard on the opposite side of which will be the larger stable building to be constructed of timber walls on a brick plinth with a grey fibrous cement roof on the south facing slope of which solar panels will be provided. This stable building will provide stabling for 12 horses with a tack room arranged around a T shaped movement area. It has been designed in a manner typical of stable buildings of this nature and uses materials typical of both rural locations such as this and associated with the use of the building. As such it is acceptable.

The horse walker, to be adjacent to the stable buildings, will be constructed of a combination of rubber, timber and steel. The design and appearance of it is, to some extent, predetermined by virtue of the function they are required to fulfil in respect of equine related exercise. Whilst the materials involved are not necessarily the most in-keeping with the site location they are necessary and appropriate to the function the horse walker will provide. This, coupled with the intended landscaping proposed in the immediate and wider areas, is such that officers are satisfied the proposal would not be out of character within the local environs given adjacent buildings to a point that would justify a refusal being issued.

Situated beside both the large barn and the horse walker is a ménage / polo arena covering an area measuring 40m by 30m that will have a 0.3m high kick-board around it with hedging (forming part of the proposed landscaping) around it. As with the stable building its use will be personal to the applicant. The design, size and materials to be used in its construction are similar to other ménage within the Borough so that it will not be out of keeping with the character and appearance of the area. When read against the adjacent stable buildings and horse walker its appearance will further fit in with the locality without impact.

Nethercote Road, off which access to the site is gained, is an un-adopted highway that continues past the main driveway entrance and on to Flecknoe. Whilst the majority of the built form proposed lies to the east of this road, the agricultural building element of the scheme lies to the west of it immediately opposite the stable buildings and still on the northern side of the railway embankment in which the main dwelling will be sited. As with the larger stable building, this building is of a size, design and appearance the same as other agricultural buildings in the immediate and wider areas. To be used for the storage of items including machinery to be used on both the arable and pasture land, it will be constructed of timber on a brick plinth with grey cement roofing panels in which a small number of semi-clear panels will exist to allow natural light into the building. Its design, appearance, scale, massing and appearance are appropriate and respectful to its location whilst the embankment limits the points from which it can be viewed without impacting on the character and appearance of the area.

Gates are proposed at various points across the site with the gate proposed at the end of the main driveway to the house – where the drive meets Nethercote Road - being a wrought iron gate on stone plinths. Within the area, including both the settlements of Sawbridge and Flecknoe, there are numerous gates of different types, style and materials. This gate will be seen and read in the context of the dwelling and other buildings so will, in officers opinions, be appropriate to the location and development proposed without raising any adverse or

detrimental impacts. The agent has confirmed that all other gates shown on the submitted plans will be 3, 4 or 5-bar post and rail gates attached to timber supports tied in with and matching post and rail fencing to provide field and site boundaries whilst landscaping is being established. As this type of fencing and gate is common place in the locality it would not result in their being any adverse or detrimental impact.

Overall therefore the design and appearance of all the various elements that make up the scheme are considered to be attractive and appropriate to the site and its surroundings. The location of the main dwelling within the embankment is innovative with the connection points between the building and embankment having been addressed in an acceptable manner.

In the site the various buildings have been arranged and positioned so that the main dwelling, located within the embankment, is the most southern building with all the others positioned to the north of the embankment. They are, with the exception of the agricultural building, positioned in close proximity to each other so minimising the sprawl of the buildings for which permission is sought and, as detailed in the previous paragraphs, appropriate in the area. A plan has been provided showing the various land areas in and around the building grouping that helps to identify where the residential elements are as well as where the equine and agricultural areas area. In addition to this a plan showing the applicants land holding has been provided which details field uses in respect of land to be used for arable purposes and that to be used as pasture paddock. Due to the size of the scheme being proposed taking account of the various residential, equine and agricultural elements as well as the landscaping proposed it is considered that permitted development rights for the residential elements be removed along with agricultural permitted development in order to prevent further extensions and buildings being erected that would increase the built form whilst having the potential to impact on the character, appearance, setting and landscaping of that being proposed.

Sustainability:

The basement of the dwelling will provide the area where plant associated with the dwelling is contained. As has previously been detailed the dwelling has been arranged in a manner so as to make the most of solar gain and outlook whilst the larger stable building contains solar panels in its south facing roof slope in order to make further use of solar gains. Within the Design and Access Statement it is detailed that the proposal as a whole has the potential to incorporate other renewable energy sources such as air source heat pumps and ground source heating. The use of these is fully supported however a condition will be required on any approval seeking full details on any such measures to be provided and approved in writing by the LPA.

Amenity & Lighting:

The site is located in a position away from other dwellings such that it would not readily impact on their amenity. It is accepted that whilst work is taking place there will be an impact on a number of dwellings through traffic, noise and disturbance, however, this will be limited to the period whilst construction work is taking place. There will be no over-looking or loss of privacy to other dwellings.

Within a number of the objection letters, it has been highlighted that the proposal would be likely to result in unacceptable levels of light pollution due in part to lighting required in association with the various equine related elements of the scheme. In relation to this the agent has provided a plan showing the location of all external lighting along with basic details as to what type of lighting they will be along with, where application, confirmation that 2 flood lights will be angled below 70-degrees in order to ensure any impact is minimal.

Trees, Ecology & Landscaping:

The site is within a green corridor. The proposed dwelling element is, as previously stated, set to be sited within the railway embankment a section of which will be removed in order to facilitate this part of the proposal. Within the area of embankment where the dwelling is to be located there is an area where all landscaping was removed prior to the applicant taking ownership of the site and to both sides of this gap in the tree line there are numerous trees which are covered by a group Tree Preservation Order. In addition to the trees that were historically removed a substantial amount of hedgerow was also removed within the wider application site as well as on land outside the applicants ownership.

Due to the trees on the embankment being covered by a Tree Preservation Order (TPO) an arboricultural survey and tree protection plan were submitted as part of the application. In their response the tree officer comments that whilst there will be a loss of trees contained within TPO no.287 from the railway embankment in order to facilitate the proposals, the trees are generally of low individual quality and have emerged as 'secondary woodland' since the railway ceased to function in the 1960's. Continuing that the proposal highlights substantial mitigation planting in terms of new woodland planting (to fill large existing gaps on the embankment) individual tree planting and hedge planting with there will be an overall improvement of the landscape and net gain of green cover bearing in mind historically there has been loss of tree/hedge cover in the local area. As such the Tree Officer has no objection to the proposals subject to compliance with the provisions of the arboricultural method statement, which sets out the principals of tree protection for the construction phase to ensure retained trees are not damaged during the development, and a final arboricultural method statement should be submitted prior to commencement.

With regards to the landscaping associated with the proposal, the details submitted show the provision of substantial amounts of native hedgerows and trees at various locations including along the lines of historic hedgerows. Additionally a number of water features form part of the landscaping scheme. The landscaping scheme put forward, which was developed alongside the proposed built development during its progression prior to submission, has been assessed by the landscape officer who has commented that they have no objections to the scheme with it being an imaginative scheme of a high quality that has taken the existing landscape into account with the new planting proposed providing for improved habitat and biodiversity.

The site is located within a local wildlife corridor with Warwickshire County Council Ecology unit commenting the proposal would create a significant gap in the existing ecological corridor provided by the disused railway line with there also being an indirect impact from general disturbance. They comment that the reports produced cover the areas they would expect to be addressed in a reasonable level of details, they have recommend refusal of this application due to the direct adverse impact on a Local Wildlife Site due to the gap the proposal would create contrary to the provisions of the NPPF, Core Strategy policy CS14 and saved Local Plan policy E6 which seek to ensure no adverse or detrimental impact on ecology.

Despite this objection, they acknowledge that there is clearly a need to mitigate and compensate for impacts on biodiversity and they recognise that comprehensive and well thought out enhancements have been included within the development design. They also state that the ecological enhancements within the report which have been proposed are very much welcomed and have highlight that should the Local Planning Authority be minded to approve the application, they support the extensive ecological landscaping plans including the introduction of conservation headlands, planting up gaps in existing hedgerows, maintaining and managing existing ditches for ecological value, creation of native broadleaved woodland to enhance habitat diversity and strengthen the green infrastructure

of the site, management of the existing woodland and establishing wildflower meadows which we would like to acknowledge and support.

In addressing this issue it is important to note that the application site, including an area where the dwelling element of the proposal will be located, has already had a significant proportion of the trees, hedgerows and other ecological ground removed or significantly damaged. The dwelling will result in the existing gap in tree cover along the embankment being increased by approximately 200% to allow the dwelling to be fitted in place. However the landscaping proposed immediately adjacent to the embankment as well as within the wider landscaping far exceeds that removed with the planting provided, as acknowledged by both WCC Ecology and RBC Landscape officer, and in turn offering significant ecological enhancements beyond the current situation.

Whilst the basis for their objection is noted, in this instance it is considered that due to the existing situation on the site and within the immediate area coupled with the proposed substantial landscaping proposed, the proposal will result in an enhancement that could serve to overcome the enlargement of the gap in the embankment.

Access & Parking;

Access to the proposal will be along the E2989 which is a unclassified road. Whilst a public highway, the Highway Authority is not obliged to maintain the route for vehicular traffic. Currently unsurfaced it is proposed that a significant section of the road be surfaced in a rolled surface.

The Highway Authority has commented that, subject to a condition and a number of informatives, they have no objections to the proposal whilst also re-iterating that the upgrading of the road would not result in there being a change to its maintenance.

The garage building provides 3 covered spaces to be used in association with the dwelling whilst also having sufficient space for the storage of cycles. Due to the number of rooms in the dwelling and the sites location in the low access area 3 car parking spaces and space for 2 cycles are required. As a result of the garage providing the space for the required car and cycle spaces the requirements of this SPD has been met. There is space available for visitors to the front of the dwelling.

With regards to the equine elements of the scheme and following discussions with the Highway Authority, it has been indicated that the access way is capable of use by both horse and farm machinery so they have no objection to its use for these purposes in addition to the residential element whilst they do not consider it would result in conflicts with pedestrian users.

The Highway Agency has commented on the scheme as the site is adjacent to a bridge managed by the Historic Railway Estate – a division of the Highway Agency – stating that they have no objections to make to the proposal but request an informative be attached to any approval.

Environmental Health;

With regards to the environmental matters associated with the scheme, Environmental Health officers have commented that whilst they have no objections to the proposal, a Phase II Contaminated Land survey will be required to be by condition with resultant report including mitigation where necessary provided prior to the commencement of works on the construction of the development if approved. They have also commented that conditions will be required relating to hours of construction as well as the provision of a Construction Method Statement, external lighting, energy production methods and hours of use of the ménage. A condition was also requested restricting occupation of the 2 one-bed flats to the

dwelling however as these have both been removed from the application such a condition will no longer be required.

Details in respect of both the intended sewage treatment plant and location of external lighting have been provided.

The Environment Agency has responded to the application stating that having reviewed the reports provided they have no objections subject to a condition relating to contamination being attached to any permission and a note pertaining to flood risk and drainage.

Objections:

In respect of the various objections made which have not been addressed above the following responses are given.

In respect of comments that all information not having been made available, the ecological report provided was not made publically available initially due to it containing information not allowed under law to be put into the public domain. When a redacted version was received this was immediately made available to the public via the Council's website.

Whilst the proposal would represent a drastic change to the landscape and immediate area it would be reversible and it should be noted that the vast majority of the applicants land will continue to be used for arable and equine purposes so remaining in uses common place in rural locations. It is also acknowledged that the main dwelling is of a size and nature out of character with anything else in Wolfhampcote but in the context of the submission under para 55 of the NPPF it is, as indicated considered appropriate taking all of the factors into account.

It is not considered that the change from agricultural to domestic equestrian is overly significant as the majority of the equine land can be reverted to agricultural easily whilst the large stable building, horse walker, ménage and agricultural building would be capable of being removed relatively easily. It will be prominent from a distance at certain viewpoints including Sawbridge, Flecknoe and Flecknoe Station however for the reasons detailed is considered acceptable.

Concerns over increased light pollution have been addressed through the submission of some basic lighting details with further control capable through the use of conditions with the proposal includes substantial new landscaping to contribute toward the regeneration of landscaping historically removed. In respect of comments over water displacement including on existing local water courses that are stretched, an informative has been requested by the Environment Agency which would result in this being addressed.

The comment that the architecture of the proposal is not in-keeping with surrounding farmhouses or the area is acknowledged however the proposal submitted is for an innovative dwelling as per para 55 of the NPPF which makes no reference or stipulations in respect of architectural style, size and scale. Although the materials proposed are different from other existing dwellings in the area it is not considered that they would stand out too much and will fade allowing the development to blend in with the area. In respect of it setting a precedent for Leam Valley and the wider Rugby area, each application is dealt with on its merits so granting planning permission in this instance would not set a precedent.

Conclusion:

In conclusion whilst the proposal is sited in an area where isolated new dwellings would not normally be supported, in this instance the proposal has been assessed by officers as well as independently by MADE and considered to be an innovative nature drawing on classical styles that complies with the provisions of paragraph 55 of the NPPF as well as policy CS1

of the Rugby Borough Core Strategy. The other buildings forming part of the proposal are of designs, sizes, types and uses appropriate to the site location. Access to and from the site along with parking provision is acceptable whilst it is considered the proposal would not adversely impact upon amenities of the area through the use of appropriate planning conditions. Whilst WCC Ecology have objected to the scheme on the grounds of it creating a gap in a wildlife corridor, it is important to note that a gap already existing and that the substantial, good quality landscaping incorporating native planting proposed far exceeds that removed and has been arranged in a manner to allow the ecological situation to be enhanced from the current position. As such the proposal is acceptable and recommended for approval.

Recommendation;

Recommend approval subject to conditions.

Report prepared by: Richard Redford 19th December 2014

DRAFT DECISION

APPLICATION NUMBER

R13/2000

DATE VALID

16/10/2014

ADDRESS OF DEVELOPMENT

DISUSED RAILWAY LINE WEST OF
NETHERCOTE ROAD
NETHERCOTE ROAD
NETHERCOTE
FLECKNOE

APPLICANT/AGENT

Mr Robert Kerr
Adam Architecture
Old Hyde House
75 Hyde Street
Winchester
Hampshire
SO23 7DW
On behalf of Mr & Mrs Potter

APPLICATION DESCRIPTION

Erection of a detached 5-bed dwelling with ancillary, associated outbuildings comprising a detached garage and store building and a stable and tack building. Erection of gates. Provision of an agricultural barn, a 12 horse stable tack and feed building, a horsewalker and a 30m by 40m polo arena / menage all for personal purposes. Associated landscaping and access works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

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 forms, Design & Access Statement numbered R A 5723 dated October 2014, Arboricultural Impact Appraisal and Method Statement by Barrell Tree Consultancy numbered 14298-AIA-DC dated 23 September 2014, Desk Study Report by ASL numbered 142-14-320-11 Rev 1 dated September 2014, Ecological Assessment by Ecological Planning dated October 2014, drawings numbered 5723/01, 5723/03, 5723/04, 5723/05, 5723/06, 5723/09, 5723/10, 5723/11, 5723/12, 5723/13, 5723/14, 5723/16 and 5723/17 dated June 2014 all by ADAM Architecture, Draft wider landscapae proposals plan numbered 1321.2D dated October 2013, CLP/IH figure 1 and CLP/IH figure 2 both dated November 2013, drawings numbered 1321.09A , 1321.10 A, 1321.11A and 1321.12A dated July 2014, 1321.15A dated 2 September 2014 all by Colvin & Moggridge, and Tree Protection Plan numbered 14298-BT1 by Barrell Tree Consultancy all submitted to and received by the Local Planning Authority on 15th October 2014; and

Horse walker section plan un-numbered dated 3 November 2011, 46'-7 concrete base plan dated 8 December 2012, drawings numbered T4/36INSTAL/03 and T4/36INSTAL/04 and drawing titled Polo Arena Cross Section' all submitted to and received by the Local Planning Authority on 31 October 2014; and

Amended drawings numbered 5723/08A Rev A dated 12 December 2014 and 5723/07 dated August 2014 by ADAM Architecture, and amended plans numbered 1321.06 A Rev A, 1321.13 A Rev A and 1321.14 A Rev A all by Colvin & Moggridge dated dated 12 December 2014 submitted to and received by the Local Planning Authority on 12th December 2014; and

Kingspan Environmental BioDisc Installation Guideline document submitted to and received by the Local Planning Authority on 4 December 2014; and

Landscape Masterplan showing external lighting locations plan by Colvin & Moggridge dated July 2014 submitted to and received by the Local Planning Authority on 5th December 2014; and

Step detail plan numbered 1321.17 and Orchard Ponds Detail plan numbered 1321.16 both by Colvin & Moggridge dated December 2014 submitted to and received by the Local Planning Authority on 16th December 2014.

REASON:

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

CONDITION 3;

The residential curtilage of the dwelling hereby approved shall be the area contained within the garden areas marked 1 (forecourt), 2 (garage court), 3 (kitchen garden), 4 (garden service), 5 (south lawn / flower garden), 6 (south terrace), 7 (bastion and east bankment), 8 (kitchen garden and east walk), 9 (roof terrace and west walk) and 10 (orchard) as shown on the Amended Garden Areas plan numbered 1321.13A Rev A dated 12 December 2014.

REASON;

For the avoidance of doubt.

CONDITION 4:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-

enacting those orders, no development shall be carried out which comes within Classes A, B, C, D, E and F of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 5:

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

REASON:

In the interest of residential amenity.

CONDITION 6:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B and C of Schedule 2 Part 6 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 7;

The roof space in both the garage building and smaller stables building, as shown on approved amended plan numbered 5723/08A dated 12th December 2014, shall only be used for storage purposes associated with the main dwelling and shall not be used to provide any form of independent or ancillary residential accommodation.

REASON;

For the avoidance of doubt.

CONDITION 8:

The garage building hereby approved as part of the development shall not be used for any purpose other than for parking purposes ancillary to the main residential dwelling. They shall be provided for use prior to the first occupation of the dwelling and retained thereafter for parking purposes associated with the main dwelling.

REASON:

In the interest of residential amenity.

CONDITION 9:

Unless otherwise agreed in writing by the Local Planning Authority the stable buildings, horse walker and menage hereby approved shall only be used for the stabling of animals for private purposes and shall not be used for the holding of competitions, exhibitions, hiring of horses or other business activities.

REASON:

In the interest of the amenities of the locality.

CONDITION 10:

The landscaping scheme, as detailed on the approved plans in Condition 2, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 11;

No part of the development approved shall commence until a Phase 2 Contaminated Land Investigation Survey has been undertaken on the site with resultant report, to include mitigation where necessary, has been submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details unless otherwise agreed.

REASON;

In the interests of health and safety.

CONDITION 12;

Prior to the development hereby approved commencing, an Environmental Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

REASON;

In the interests of amenity and environmental protection.

CONDITION 13;

The development hereby approved shall incorporate the use of a Biodisc Sewage Treatment Plant in accordance with the documents and specifications submitted and approved as part of the application.

REASON;

In the interest of environmental protection and for the avoidance of doubt.

CONDITION 14;

Prior to the commencement of the approved development, full specific details in relation to all the external lighting shown on the Landscape Masterplan showing external lighting locations plan by Colvin & Moggridge dated July 2014 submitted to and received by the Local Planning Authority on 5th December 2014, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be used in the implementation of the development.

REASON;

In the interests of visual amenity.

CONDITION 15:

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the buildings, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to such plant being installed. Equipment shall then be installed in accordance with the approved details.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITON 16;

Prior to the commencement of the development, full details of all renewable energy equipment to be used in the development (including plans showing locations and routes of plant) as well as confirmation of how the estate will be powered, by way of connecting to mains electricity, use of renewables or oil powered heating, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

REASON;

In the interests of amenity and for the avoidance of doubt.

CONDITION 17;

If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted an addendum to the Method Statement to the Local Planning Authority detailing how the unsuspected contamination shall be safely dealt with.

REASON;

To protect controlled waters.

CONDITION 18;

No works or development shall take place until a FINAL arboricultural method statement for the protection of the retained trees has been agreed in writing with the LPA. All tree protection measures and tree felling/pruning works identified within the final arboricultural method statement relating to the approved design details (including the erection of protective fencing to create construction exclusion zones and the installation of special surfacing and new services within root protection areas) should be implemented prior to the construction

Biological SSSIs, designated bathing waters and shellfish protected waters will continue to be designated sensitive areas for protection from pollution from small sewage discharges.

Septic tanks discharging to ground via an infiltration system (where much of the treatment takes place in the soil) often provide a satisfactory level of treatment for protecting groundwater. However the current regime and new proposals do not allow discharges to be made direct to water courses from septic tanks because the effluent they produce is not clean enough to release directly to a river. Instead, either a package treatment plant should be used (which will treat the effluent to a higher standard) or the discharge can be made to ground via an infiltration system if the local conditions are suitable to ensure the underlying groundwater is also protected.

INFORMATIVE 4;

The applicant / agent is advised in respect of Condition 16 that if oil heating is the preferred option the applicant and their chosen build contractor should be mindful of the Environment Agency Guidance Note PP2 - Above Ground Storage of Oil.

INFORMATIVE 5;

The manure and waste from the use of the stables should be stored in such a way or covered so that nuisance from smell or from flies does not occur. The manure and waste should preferably be removed from the site.

Burning of manure or waste from the use of the stables should not be permitted.

INFORMATIVE 6;

Any disturbance or alteration to the surface of Unclassified County Road E2989 requires the prior authorisation of Warwickshire County Council, as does the installation of any new structure on the Unclassified County Road E2989. The specifications for any improvements or alterations to the surface of Unclassified County Road E2989 must be submitted to Warwickshire County Council for approval in advance of any resurfacing works.

INFORMATIVE 7;

The Highway Authority will not take responsibility for future maintenance of any improved surface constructed along Unclassified County Road E2989 for private access.

INFORMATIVE 8;

Unclassified County Road E2989 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction.

INFORMATIVE 9;

If it is necessary to temporarily close Unclassified County Road E2989 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council should be contacted well in advance to arrange this.

INFORMATIVE 10;

The applicant is advised that any new vegetation must be planted at least 2 metres away from the edge of Un-Classified Road E2989 to help ensure that mature growth will not encroach onto the highway.

INFORMATIVE 11;

The applicant has no rights of access to Bridge WMJ/33 and this application grants no rights of access to Bridge WMJ/33.

INFORMATIVE 12;

The Highways Agency, as successor in title to the British Railways Board, has the right under the conveyance dated 2nd April 1969 between the British Railways Board and R T Chambers Esquire to enter onto the former railway embankment at any time with workmen and any necessary equipment for the purposes of inspecting and maintaining Bridge WMJ/33. The Highways Agency also has the right to renew or demolish Bridge WMJ/33, and to slope back the adjoining embankment.

INFORMATIVE 13;

Additionally, fencing which marks the limits of the Highways Agency's property (Bridge WMJ/33) shall not be removed without prior written consent from the Highways Agency's Historic Railways Estate.

INFORMATIVE 14;

Environment Agency maps show a watercourse/drainage ditch crossing this site. Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require consent under the Land Drainage Act 1991 and the Flood and Water Management Act 2010. In the case of an Ordinary Watercourse the responsibility for consenting lies with the Lead Local Flood Authority (LLFA). In an internal drainage district, the consent of the Internal Drainage Board, instead of the LLFA, is required for the above works under Section 23 of the Land Drainage Act 1991.

An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA. For further information on Ordinary Watercourses contact the LLFA.

INFORMATIVE 15;

The applicant / agent is advised that a pre- commencement site meeting is required to be arranged with the applicant, LPA tree officer and designated arboricultural consultant responsible for the site to inspect tree protection measures.

INFORMATIVE 16;

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team – Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

INFORMATIVE 17;

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the [applicant{s}/ developer{s}] must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For

works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE 18;

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

INFORMATIVE 19;

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.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	7 th January 2015
Report Title	Delegated Decisions – 07.11.2014 to 11.12.2014
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Paul Varnish 3774
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Head of Planning and Culture under delegated powers
Risk Management Implications	N/A
Financial Implications	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 – 7th January 2015

Delegated Decisions – From 7th November to 12th December 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: 07.01.2015
Subject Matter: Delegated Decisions – 07.11.2014 to 11.12.2014
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.

* 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 07/11/2014 TO 11/12/2014

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R14/0350 Refused 07.11.2014</i>	Rear of 136 Hillmorton Road Rugby	Erection of detached dwelling.
<i>R14/1774 Refused 07.11.2014</i>	Land at the rear of Orchard House Lawford Lane Bilton	Proposed erection of new detached house with detached double garage on land at the rear of Orchard House, Lawford Lane, Bilton, Rugby.
<i>R14/1983 Refused 07.11.2014</i>	2 Colledge Close Brinklow	Erection of 1 bedroom bungalow.
<i>R14/1974 Refused 17.11.2014</i>	147 Rugby Road Binley Woods	Erection of two storey side extension and first floor side and rear extensions and single storey rear extensions
<i>R14/1478 Refused 20.11.2014</i>	12 Mill Furlong Rugby	Retention of a boundary fence and access gates.
<i>R14/1718 Refused 20.11.2014</i>	Land adjacent to Stoney Grey Oxford Road Ryton on Dunsmore	Construction of a new four bedroom two storey dwelling and double garage
<i>R14/1815 Refused 26.11.2014</i>	63 Westfield Road Rugby	Part retrospective application for the retention of a 15m section of a 2m high close boarded fence and the relocation of the remaining 22m of fence along the southern boundary of the site
<i>R14/1798 Refused 27.11.2014</i>	Land adjacent to BJ House Bath Street Rugby	Retrospective application for 2-storey building containing 4 no. one-bedroom flats and demolition of existing boundary wall (amendments to approval R10/1713)
<i>R14/1631</i>	21 Mill Road	Demolition of existing dwelling and erection of

<i>Refused</i> 28.11.2014	Rugby	11 residential apartments (5 x one-bed and 6 x two-bed) with associated landscaping.
<i>R14/1784</i> <i>Refused</i> 28.11.2014	Sidenhill Cottage Bretford Road Coventry	Erection of a 1.8 metre high front boundary wall (resubmission of previously refused planning application R14/0507 dated 22/04/2014)
<i>R14/2127</i> <i>Refused</i> 04.12.2014	5 Easenhall Road Harborough Magna	Erection of two-storey rear extension and side facing windows to dwelling
<i>R14/2128</i> <i>Refused</i> 04.12.2014	6 Easenhall Road Harborough Magna	Erection of two-storey rear extension and side facing windows to dwelling
<i>R14/0593</i> <i>Refused</i> 04.12.2014	Penworth Pub Co The Engine 1 Bridget Street New Bilton	Change of use (part retrospective) from public house (Use Class A4) to provide 5 flats (3 x one-bed and 2 x two-bed) (Use Class C3) and a 9-bed house of multiple occupation (Use Class C4)
<i>R14/0524</i> <i>Refused</i> 10.12.2014	62 Naseby Road Rugby	Single storey rear extension
Applications Approved		
<i>R14/1516</i> <i>Approved</i> 06.11.2014	38 Bridget Street New Bilton	Provision of a 2-bed residential unit in the basement.
<i>R14/1624</i> <i>Approved</i> 06.11.2014	Burton Group Properties 2 High Street Rugby	Change of use of existing A1 (Retail) to A3 / A5 use.
<i>R14/1884</i> <i>Approved</i> 06.11.2014	Throstles Nest Brinklow Road Ansty	Construction of a 30m x 60m menage and construction of 10.92m diameter horse walker.
<i>R14/1483</i> <i>Approved</i> 07.11.2014	3 Woodlands Road Binley Woods	Erection of two storey and single storey extensions to side and rear, erection of porch canopy and erection of detached garage.
<i>R14/1666</i> <i>Approved</i> 07.11.2014	The Quay Main Street Broadwell	Erection of first floor rear extension.

<i>R14/1201 Approved 11.11.2014</i>	18 Everest Road Overslade	Erection of single storey rear and side extension.
<i>R14/1733 Approved 11.11.2014</i>	90 Rugby Road Binley Woods	Alteration and enlargement of existing roof together with rear extensions.
<i>R14/1747 Approved 11.11.2014</i>	71 York Street New Bilton	Retention of a timber built summerhouse/shed.
<i>R14/1925 Approved 11.11.2014</i>	5 The Croft High Street Hillmorton	Provision of a dropped kerb.
<i>R14/1970 Approved 11.11.2014</i>	23 Rothley Drive Brownsover	Erection of single storey side and rear extensions and conversion of the garage to ancillary living accommodation.
<i>R14/1973 Approved 11.11.2014</i>	11 Orchard Way Stretton on Dunsmore	Alterations and extensions to existing property.
<i>R14/1978 Approved 11.11.2014</i>	High Mead Marton Road Birdingbury	Conversion of the loft space to ancillary residential accommodation, including raising the ridge height and associated works. Erection of a single storey side and rear extension.
<i>R14/1984 Approved 11.11.2014</i>	34 Pinewood Drive Binley Woods	Erection of a conservatory extension.
<i>R14/1988 Approved 11.11.2014</i>	Unit 2 Midland Trading Estate Consul Road Brownsover	Refurbishment of existing building including external render and cladding, new windows and feature glazing.
<i>R14/1260 Approved 13.11.2014</i>	68 Lutterworth Road Pailton	Laying down of hardstanding to vehicular access and area adjacent to existing garage.
<i>R14/1969 Approved 14.11.2014</i>	40 Brockhurst Lane Monks Kirby	Erection of a storage shed.

<i>R14/1985 Approved 14.11.2014</i>	Hill Farm Draycote Road Bourton on Dunsmore	Conversion of barn to 1no. dwelling house, demolition of existing farmhouse and erection of a replacement dwelling (renewal of previous permission R10/1130).
<i>R14/2006 Approved 14.11.2014</i>	22 Church Road Shilton	Variation of Condition 2 of planning permission reference R11/1404 (Erection of single storey front and rear extensions (including demolition of an existing garage) and conversion of the other existing detached garage to ancillary residential accommodation) dated 23 August 2011, to permit changes to the approved glazing scheme.
<i>R14/1907 Approved 14.11.2014</i>	Polmedics Limited Unit 1 96 Lower Hillmorton Road Rugby	Variation of Condition 3 (hours of business operation) of planning permission R13/0713 (Change of use of existing premises from Class A1 (beauticians) to Class D1 (private dental and doctor's surgery) of the Town and Country Planning (Use Classes) Order 1987 as amended (retrospective).) dated 02 January 2014, to allow extended business hours.
<i>R14/1125 Approved 18.11.2014</i>	Unit 31 and 32 Webb Ellis Industrial Estate Woodside Park Rugby	Change of use of Unit 31 from B1 (light industrial) to D2 (gymnasium use in conjunction with existing use at Unit 32).
<i>R14/1871 Approved 18.11.2014</i>	Copston Lodge Farm Smockington Lane Wolvey	Erection of extension to existing agricultural building for the storage of farm machinery and crops
<i>R12/0108 Approved 14.11.2014</i>	9 Main Street Clifton Upon Dunsmore	Erection of a detached dwelling and associated works
<i>R14/2049 Approved 19.11.2014</i>	Unit 2 Prospect Way Rugby	Change of use from Class B2 (general industry) to Class B8 (storage and distribution) together with minor external alterations and the addition 1 no disabled car parking space and 5 no standard parking spaces.
<i>R14/0814 Approved 19.11.2014</i>	Church Lawford Nursery & Garden Centre Church Lawford Garden Centre Kings Newnham Road Church Lawford	Erection of 9 dwellings with associated works including access, parking and landscaping. Demolition of existing buildings.

<i>R13/0308 Approved 19.11.2014</i>	Highwood Farm Coventry Road Brinklow	Proposed erection of on-farm anaerobic digestion plant with associated infrastructure and perimeter bund
<i>R14/2081 Approved 21.11.2014</i>	23 Hillary Road Overslade	Single storey rear extension
<i>R14/0843 Approved 21.11.2014</i>	Ashton Lodge Ashton Lodge Hotel Withybrook Road Rugby	Erection of a function marquee for use as a wedding venue for a temporary period of 6 years in connection with Ashton Lodge
<i>R14/2087 Approved 24.11.2014</i>	14 Bulkington Road Shilton	Single storey side extension and retention of new canopy roof over existing bay window and door (resubmission of planning application reference R14/1723)
<i>R14/1856 Approved 24.11.2014</i>	Malt Kiln Farm Shop Main Street Stretton under Fosse	Extension to farm shop building to allow expansion of bakery and covered seating area for coffee shop
<i>R14/1840 Approved 24.11.2014</i>	6 Stanley Road Rugby	Erection of single storey rear extensions and installation of lantern in roof of existing extension
<i>R14/1668 Approved 24.11.2014</i>	Briar Cottage Main Street Rugby	2 storey rear extension.
<i>R14/1793 Approved 24.11.2014</i>	43 Leicester Road Shilton	Proposed ground floor extension with double garage
<i>R14/2086 Approved 25.11.2014</i>	31 Cymbeline Way Bilton	Erection of single storey front extension
<i>R14/2050 Approved 25.11.2014</i>	119 Hillmorton Road Rugby	Erection of first floor side extension
<i>R14/1169 Approved 25.11.2014</i>	103 Hillmorton Road Rugby	Part two storey, part single storey rear extension and two storey and first floor side extension
<i>R14/1347</i>	20 Waverley Road	Erection of single storey rear extension

<i>Approved 26.11.2014</i>	Hillmorton	
<i>R14/1455 Approved 26.11.2014</i>	64 Lime Tree Avenue Bilton	Erection of a new garage
<i>R14/2075 Approved 26.11.2014</i>	23 Friars Close Binley Woods	Erection of single-storey side and rear extension
<i>R14/2112 Approved 27.11.2014</i>	50 John Simpson Close Wolston	Erection of single storey side and rear extensions, and new vehicular access parking space and car port to side
<i>R13/1972 Approved 27.11.2014</i>	Former Haywaggon The Green Churchover	Demolition of existing building and erection of a detached two-storey residential dwelling
<i>R14/1801 Approved 28.11.2014</i>	Area U, Whitefriars Drive Cawston	Erection of 4 dwellings and associated garages and works [part re-plan of residential development approved under approval of details R04/1118/2137/ D dated 9/11/2005]
<i>R14/1882 Approved 28.11.2014</i>	Swallows Rise 4 Dunsmore Heath Rugby	Erection single-storey rear extension, conversion of garage, external alterations including side door.
<i>R14/2037 Approved 28.11.2014</i>	Frog Hall London Road Stretton on Dunsmore	Installation of 16 No. Solar Panels on the roof of an existing extensions to barn.
<i>R14/1517 Approved 28.11.2014</i>	The Bothy at the Menagerie Brinklow Road Brinklow	Retrospective application for a new entrance porch and door with creation of bedroom and toilet in an existing storeroom.
<i>R14/1861 Approved 28.11.2014</i>	The Paddocks Top Road Coventry	Proposed erection of a four bay stable block to replace previous stables and creation of hardstanding area
<i>R14/2126 Approved 01.12.2014</i>	Cullerie Main Street Frankton	Erection of two-storey and single-storey rear extensions, double garage to side, replacement porch and external alterations (revision to previous approval R14/0521)
<i>R14/2058</i>	6 Spinney Close	Erection of Conservatory

<i>Approved 28.11.2014</i>	Binley Woods	
<i>R14/0555 Approved 02.12.2014</i>	Welcome Lodge Main Street Thurlaston	Change of use from mixed use shop (Use Class A1) and dwelling (Use Class C3), to dwelling (C3). Erection of first floor side/rear extension, alterations to front dormer window, erection of rear conservatory, external alterations.
<i>R14/1476 Approved 02.12.2014</i>	177 Oxford Street Rugby	Demolition of existing workshop and erection of two new dwellings
<i>R14/2001 Approved 03.12.2014</i>	42 Plexfield Road Bilton	Erection of two-storey side extension, single-storey rear extension and external alterations.
<i>R14/1034 Approved 03.12.2014</i>	Land South Side Top Road Barnacle	Retrospective permission for proposed stable block (amendment to previously approved scheme)
<i>R14/1237 Approved 04.12.2014</i>	12 Clement Way Cawston	Part conversion of existing garage together with external alterations
<i>R14/2133 Approved 04.12.2014</i>	26 Birdingbury Road Marton	Erection of first floor extension
<i>R14/2013 Approved 04.12.2014</i>	Unit R Old Station Yard Oxford Road Marton	Replacement of existing shot-blasting unit with a general purpose steel portal framed building, to be used for purposes within Class B2 of the Town and Country Planning (Use Classes) Order 1987 as amended.
<i>R14/0955 Approved 05.12.2014</i>	68 Hawlands Brownsover	Conversion of garage to ancillary accommodation (retrospective)
<i>R14/1746 Approved 05.12.2014</i>	87 Crick Road Rugby	Two storey side extension and single storey rear extension
<i>R14/1964 Approved 05.12.2014</i>	Former Rugby Amalgamated Engineers Club 8 Newbold Road	Change of use of Amalgamated Engineering Club (A4) to day centre (D1) including ancillary offices only at first floor level. (Amendment to a previously approved scheme for change of use

	Rugby	of Amalgamated Engineering Club (A4) to day centre (D1) including manager's accommodation / office at first floor level under, planning reference number R14/0103 granted 8th May 2014).
<i>R14/1999 Approved 08.12.2014</i>	Scout Hut The Kent Hillmorton	Variation of Condition 2 of planning permission reference R13/0978 (Erection of a replacement Scout Hut (resubmission of planning permission reference R12/0266, dated 15/06/12), dated 15/12/13) to allow the re-siting of the footpath and pedestrian gate, including fencing details.
<i>R14/2145 Approved 08.12.2014</i>	2 Kingsley Avenue Hillmorton	Erection of two storey side and single storey front and rear extensions
<i>R14/2022 Approved 08.12.2014</i>	R M Elgin and Sons Ltd Bramcote Mains Wolvey Road Bulkington	Change of use of land to a caravan site with 20 pitches together with associated works and re-surfacing of existing internal access.
<i>R14/1329 Approved 08.12.2014</i>	Post Office Dunchurch Post Office and Stores Coventry Road Dunchurch	Proposed conversion of first floor store area to one bed residential apartment and replacement of covered way at rear
<i>R14/2161 Approved 10.12.2014</i>	Elliotts Field Retail Park Leicester Road Rugby	New restaurant/café unit (Class A3) to replace proposed A3/A5 units contained within approval R11/1297 dated 1st July 2013 with associated landscape and associated works.
<i>R14/0597 Approved 10.12.2014</i>	Land South Side Top Road Barnacle	Erection of a hay barn (retrospective)
<i>R14/1262 Approved 10.12.2014</i>	1 Manor Cottages Birdingbury Road Leamington Hastings	Detached garage with glazed link to dwelling
<i>Prior Approval Applications</i>		
<i>R14/2024 Prior Approval 17.11.2014</i>	106 Rugby Road Binley Woods	Prior Approval: Change of Use from Retail (A1) to residential (C3)

R14/1691 Prior Approval 18.11.2014	Oakfield Park 32 Bilton Road Rugby	Prior approval application for the change of use from offices (use class B1a) to 24 residential flats (use class C3)
R14/1847 Prior Approval 20.11.2014	13 Pennington Mews Rugby	Prior Approval application for the erection of a rear conservatory measuring 4 metres in projection, 2.1 metres to the eaves and the maximum height being 3 metres and 4 metres in width.
R14/2144 Prior Approval 08.12.2014	143 Lower Hillmorton Road Rugby	Prior Approval for the erection of a 3.97 metre projection from the original dwelling and 2.25 metres to eaves and 3.5 metres to highest point
Prior Notification		
R14/2150 Prior Notification 24.11.2014	Toft Barn Southam Road Toft	Prior Notification: Agricultural Barn
Listed Building Consents		
R14/1980 Listed Building Consent 14.11.2014	26 Southam Road Dunchurch	Listed Building Consent to retain internal works to form an en-suite bathroom.
R14/1990 Listed Building Consent 21/11/2014	Shoulder of Mutton Public House Sawbridge Road Grandborough	Listed Building Consent for creation of a new doorway, and associated works.
R14/1699 Listed Building Consent 28.11.2014	7 Coventry Road Pailton	Listed Building Consent for resurfacing of the existing driveway with tegula block paving (penant grey) and associated works.
R14/2083 Listed Building Consent 28.11.2014	Frog Hall London Road Stretton on Dunsmore	Listed Building Consent for Installation of 16 No. Solar Panels on the roof of an existing barn/outbuilding
R14/1518 Listed Building Consent 28.11.2014	The Bothy at the Menagerie Brinklow Road Brinklow	Retrospective application for a new entrance porch and door with creation of bedroom and toilet in an existing storeroom.

Advertisement Consents		
<i>R14/1986 Advertisement Consent 14.11.2014</i>	Former Caretakers Bungalow Lawford Lane Bilton	Advertisement consent for the display of 1 non-illuminated fascia sign to the main building, 1 non-illuminated fascia sign to existing hut building and 1 non-illuminated fascia sign affixed to an existing fence.
<i>R14/2073 Advertisement Consent 21.11.2014</i>	New Life Church 26 Railway Terrace Rugby	Erection of 4 signs to the building
Certificate of Lawful Use or Development		
<i>R14/2015 Certificate of Lawful Use or Development 20.11.2014</i>	12 Station Road Clifton Upon Dunsmore	Certificate of Lawfulness for Proposed Development - conversion of the loft to living accommodation including installation of a rear dormer.
<i>R14/2082 Certificate of Lawful Use or Development 05.12.2014</i>	K & A Hope & Son 117 Railway Terrace Rugby	Lawful Development Certificate: For a Newsagents, Grocery Shop & Hot food takeaway
Approval of Details/ Materials		
<i>R14/1096 Approval of Details 12.11.2014</i>	62-63 Church Street Rugby	Subdivision of the existing single A5 unit at ground floor level, to form two separate A5 units, together with external alterations.
<i>R09/0035/MEIA (R13/1591) Approval of Details 13.11.2014</i>	Ansty Park Land East of the A46 (Coventry Eastern Bypass) And South of the M6 Ansty	Use of land for the construction of 124,484 sq.m. of floor space for use as a High Technology Park for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and associated infrastructure, car parking and landscaping.
<i>R11/0726 Approval of Details 18.11.2014</i>	Land at Homefield Rugby Road Dunchurch	Outline application for the development of 50 dwellings including access and landscaping
<i>R10/1272 & R13/2307 Approval of Details 20.11.2014</i>	Rugby Gateway Leicester Road	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions)

		<p>including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.</p> <p>Formation of junction to Leicester Road roundabout and provision of access road and roundabout into site (Approval of Reserved Matters in relation to planning permission R10/1272.)</p>
<p><i>R06/0064/MAJP</i> <i>Approval of Details</i> 20.11.2014</p>	<p>Land at Leicester Road Leicester Road Rugby</p>	<p>Outline Planning Application for the redevelopment of land to provide a mixed scheme incorporating residential development comprising the erection of 540no. dwellings, 2 hectares of employment (Class B1) development, a new college campus for Warwickshire College including associated facilities with car parking (Class D1), a DIY retail store [5156 sq.m gross internal floor space with ancillary areas for the display and sale of building materials (975 sq.m) and garden centre products (1245 sq.m gross)], and a new spine road together with associated landscaping, public open space, car parking, vehicular and pedestrian access ways and ancillary works.</p>
<p><i>R10/2153</i> <i>Approval of Details</i> 24.11.2014</p>	<p>Land to the Rear of 263-273B Hillmorton Road Paddox</p>	<p>Planning permission for the construction of 6 detached dwellings and external alterations to No. 273a and 273b Hillmorton Road (Re-submission of outline planning approval R07/2052/OPS)</p>
<p><i>R14/1900</i> <i>Approval of Details</i> 24.11.2014</p>	<p>Rolls Royce Public Limited Company Ansty Aerodrome Combe Fields Road Coventry</p>	<p>Prior Notification for Demolition Works {Town & Country Planning (General Permitted Development) Order 1995 Schedule 2 Part 31}</p>
<p><i>R10/1272</i> <i>Approval of Details</i> 24.11.2014</p>	<p>Land at Unit 1 Rugby Gateway Leicester Road Rugby</p>	<p>Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to</p>

		highway and existing roundabouts). Demolition of existing buildings.
<i>R13/1805 Approval of Details 26.11.2014</i>	Brandon Grange Farm Bretford Road Brandon	Proposed on-farm anaerobic digestion plant and associated hard surfaced clamp area for the storage of maize
<i>R14/0127 Approval of Details 27.11.2014</i>	Land rear of 312 Bilton Road Rugby	Erection of two detached bungalows and garages together with access drives, sewers and associated external works.
<i>R05/0216/19844/LB Approval of Details 27.11.2014</i>	The White House 81 High Street Hillmorton	Erection of a single storey rear extension, demolition of part of outbuildings, internal and external alterations
<i>R14/1438 Approval of Details 01.12.2014</i>	Marton Fields Farm High Street Marton	Demolition of low level wall and lean-to roof on garden building, infilling of apertures with glazing and oak boarding & addition of external flue
<i>R12/1852 Approval of Details 02.12.2014</i>	Thistle Farm 280 London Road Stretton on Dunsmore	Erection of a replacement dwelling including demolition of the existing dwelling.
<i>R05/0167/19844/P Approval of Details 04.12.2014</i>	The White House 81 High Street Hillmorton	Erection of a single storey rear extension, alterations and conversion of stable block to form ancillary residential accommodation
<i>R05/0216/19844/LB Approval of Details 04.12.2014</i>	The White House 81 High Street Hillmorton	Erection of a single storey rear extension, demolition of part of outbuildings, internal and external alterations
<i>R14/0814 Approval of Details 05.12.2014</i>	Church Lawford Nursery and Garden Centre Church Lawford Garden Centre Kings Newnham Road Church Lawford	Erection of 9 dwellings with associated works including access, parking and landscaping. Demolition of existing buildings.
<i>R11/0114 Approval of Details 09.12.2014</i>	Cawston Extension Site Coventry Road Cawston	Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).

Approval of Non-material Changes		
<i>R14/0442 Approval of Non-material Changes 11.11.2014</i>	4B Pendred Road New Bilton	Erection of single storey side extension to create garage and store room.
<i>R12/0534 Approval of Non-material Changes 12.11.2014</i>	11 Bowen Road Hillmorton	Erection of two storey and single storey extensions to side and rear.
Approval of Reserved Matters		
<i>R14/1395 Approval of Reserved Matters 07.11.2014</i>	Technology Drive Zone C, Phase 2 & 3 Technology Drive Rugby	Approval of reserved matters for enabling works for access and spine road including associated drainage and landscaping (Phase II and III) pursuant to outline planning permission R06/0064/MAJP, dated 17 September 2007.
<i>R06/0064/MAJP Approval of Reserved Matters 21.11.2014</i>	Technology Drive Zone C Phase 3 Technology Drive Rugby	Outline Planning Application for the redevelopment of land to provide a mixed scheme incorporating residential development comprising the erection of 540no. dwellings, 2 hectares of employment (Class B1) development, a new college campus for Warwickshire College including associated facilities with car parking (Class D1), a DIY retail store [5156 sq.m gross internal floor space with ancillary areas for the display and sale of building materials (975 sq.m) and garden centre products (1245 sq.m gross)], and a new spine road together with associated landscaping, public open space, car parking, vehicular and pedestrian access ways and ancillary works.
Withdrawn/ De-registered		
<i>R14/1892 Withdrawn 06.11.2014</i>	218 Dunchurch Road Rugby	Certificated of Lawfulness for a proposed garage extension.
<i>R13/1661 Withdrawn 07.11.2014</i>	Elliotts Field Retail Park Leicester Road	Demolition of existing units B1 to C2 and car wash, and erection of 12 new (class A1) retail units (with ancillary class A3); Replacement structural frame to Unit A2 subdivision of Unit A2 and the installation of mezzanine floor space; external alterations to Unit A1; erection of 2 no. new café class A3 units; erection of service and access gantry to rear of Unit 1 to Unit 6; reconfiguration of the car park layout;

		erection of retaining wall to rear of anchor unit and retaining wall adjacent to Leicester Road; creation of 2 no. new service and delivery access/egress points off Old Leicester Road; improvement works to the Old Leicester Road junction; improvements and road widening to Old Leicester Road and Leicester Road, and improvements to the site entrance at Leicester Road; alterations and enhancements to landscaping; creation of new footpath from Leicester Road; and associated works.
<i>R14/0368 Withdrawn 18.11.2014</i>	The Forge Main Street Bourton on Dunsmore	Conversion of outbuilding (former forge) with the provision of 3 no. rooflights and creation of link to main building, conversion of projection off south elevation with new tiled roof and insertion of windows in south gable end, insertion of dormer window and additional area of thatch to rear
<i>R14/1919 Withdrawn 18.11.2014</i>	The Forge Main Street Bourton on Dunsmore	Listed building consent for conversion of outbuilding (former forge) with the provision of 3 no. rooflights, replacement windows and creation of link to main building, conversion of projection off south elevation with new tiled roof and insertion of windows in south gable end, insertion of dormer window, rooflight and additional area of thatch to rear and internal alterations to include creating additional openings in internal walls, formation of new staircase over existing stairs and part removal and alterations to forge chimney
<i>R14/1098 Withdrawn 25.11.2014</i>	Calcutt Farm Calcutt Lane Rugby	Change of use of land and buildings to form a petting farm, together with the creation of a formal car parking area, overflow parking area, creation of a natural pond and other associated infrastructure, together with the erection of a new building to form an indoor soft play area and café/coffee shop, and continued operation of the existing cattery business.