

16th January 2015

PLANNING COMMITTEE - 28TH JANUARY 2015

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 28th January 2015 in the Council Chamber, Town Hall, Rugby.

Site Visits

Site visits will be held at the following times and locations:

Tuesday 27th January 2015 – Members of the Committee to meet at 1.15pm at the Town Hall, Rugby (main Planning office)

- (i) The Poppies, Mile Tree Lane, Shilton (R14/2278)
- (ii) The Paddocks, Top Road, Barnacle (R14/2319)
- (iii) The Evergreens, Wood Lane, Shilton (R14/2048)
- (iv) Treetops, Shilton Lane, Coventry (R14/1494)

Wednesday 28th January 2015 Members of the Committee to meet at 1.45pm at the Town Hall, Rugby (main Planning office)

- (i) Disused railway line embankment west of Nethercote Road, Nethercote Road, Flecknoe (R13/2000)
- (ii) Church Mews, Church Street, Rugby (R14/1530)

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.

AGENDA

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 7th January 2015.

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 – 12th December 2014 – 8th January 2015.

7. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972

To consider passing the following resolution: -

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act and that in all of the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

PART 2 – EXEMPT INFORMATION

1. Enforcement Activities.

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 – 11) 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 – 28th January 2015
Report of the Head of Planning and Recreation
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	R14/2278	The Poppies, Mile Tree Lane, Bulkington Retrospective permission for the change of use of the mobile homes from traveller site to open residential.	3

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	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, 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.	8
3	R14/1530	Land rear of Church Mews, 51-52 Church Street, Rugby Erection of a 3 storey development comprising of 12 apartments for sheltered accommodation for the elderly.	30

Reference number: R14/2278

Site address: The Poppies, Mile Tree Lane, Bulkington

Description: Retrospective permission for the change of use of the mobile homes from traveller site to open residential

Case Officer Name & Number: John Wilbraham – 01788 533549

Site Description

The site lies within the open countryside and the Green Belt approximately 0.5 miles from the village of Barnacle, 1.2 miles from Bulkington and 1.6 miles from Alderman's Green. The application site comprises land which straddles the administrative boundary with Nuneaton & Bedworth Borough Council (NBBC). The majority of the land and the access which serves the site lie within NBBC whilst the bottom part of the site containing three of the caravans is within the Borough of Rugby. The site is accessed via a private driveway that comes off Mile Tree Lane and runs down the side boundary of The Poppies bungalow.

The static caravans have fenced off amenity/garden areas to the side or rear of them which contain domestic paraphernalia including benches, sheds and a summerhouse. Two of the statics have single garages associated with them which have been erected without planning permission.

Proposal Description

This application is seeking retrospective permission to allow the three static caravans located on site, which are presently conditioned to be occupied by gypsies only, to be unrestricted occupation.

Relevant Planning History

Application Reference	Description	Decision
R06/2048/PLN	Continuation of use of land as a residential gypsy caravan site with provision of hardstanding to 6 no. caravans together with associated landscaping	Refused 11.07.2007 Appeal Reference (Enforcement Appeal) APP/E3715/C/06/2033376 Enforcement notice quashed Permission allowed 20.08.2007
R10/1307	Consultation from Nuneaton & Bedworth Borough Council "Vary Condition 3 of approval 11216 to allow use of site by travellers unrelated to Miss J. Smith"	Council cannot support application 09.08.2010

Technical Consultation Responses

RBC Environmental Health – no objection but request a condition making permission personal to applicants and when this ceases to be the case it reverts back to a gypsy site (6/1/15)

WCC Ecology – no comments received

WCC Highways – no objection (18/12/14)

Third Party Responses

Cllr Pacey-Day – request that application be determined by the planning committee due to impact on rural landscape and character of the area (5/1/15)

Parish – objects to this application as it represents a reduction in the number of pitches available for gypsies and travellers when there is a stated shortage in the area. If Authority minded to grant it should be for only one mobile home as the planning statement only supports one individual requiring a change of status. There is no justification provided for a change of status for the other two mobile homes (7/1/15)

Neighbours – no comments received

Relevant Planning Policies and Guidance

Core Strategy

CS1	Conflicts	Development Strategy
CS16	Conflicts	Sustainable Design
CS22	Conflicts	Gypsies, Travellers and Travelling Showpeople

Saved Local Plan Policies

E6	Complies	Biodiversity
T5	Complies	Parking Facilities

National Policy

National Planning Policy Framework (NPPF)

Guidance

Sustainable Design and Construction SPD

Assessment of Proposals

In the assessment of this application the determining factors are the principle of development, the impact of the proposed development on the openness and visual amenity of the Green Belt and the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and impact on highway safety.

Principle of Development

The site is located within the Green Belt where there is a presumption against inappropriate development which includes the construction of any new buildings or structures. The previous application at the site was refused for these reasons. On appeal the Inspector stated that the development was inappropriate but concluded that the personal circumstances of the family in terms of their education and health needs amounted to very special circumstances to justify overcoming this issue. The refusal was therefore overturned and planning permission granted subject to a number conditions including;

Condition 2 – The caravans shall not be occupied by persons other than gypsies as defined by Paragraph 15 of ODPM Circular 01/2006. If the caravans cease to be occupied for this purpose they shall be removed from the land.

Condition 3 – The use hereby permitted shall only be for the occupation of Ms Jolene Smith and her family and dependants. If the caravans cease to be occupied as such they shall be removed from the land.

The current application is seeking retrospective permission to change the use of these three caravans to general residential use. The conditions above were stipulated by the Inspector because the site is in the Green Belt and only the very special circumstances of the applicant overcame the inappropriate nature of the development. Should the mobile homes ever not be occupied by gypsies, specifically Ms Jolene Smith and her family, they were to be removed from the site so that it returned to its previous state as part of the garden of The Poppies. This was the agreed use of the land by all parties at the appeal. There are no exceptions contained within the NPPF for open residential dwellings as these would be if the application was granted.

The applicant has put forward an argument that one of the current residents is married to, but presently separated from, her husband who was a traveller. There is no evidence to back this claim up within the submitted documentation and the Authority has heard evidence to refute this claim. When the Enforcement Officers initially visited the site and spoke with the occupants, including the man the applicant claims was a traveller, this fact was not mentioned and the Officer's were informed that he had in fact worked in the RAF for over twenty years. It is also stated in the supporting information that the site is located close to a doctor's surgery and other local amenities however these arguments are not considered to justify very special circumstances that would overcome the issue of creating open residential dwellings within the Green Belt.

The change of use is therefore considered to be inappropriate development within the Green Belt contrary to the NPPF and Policy CS1.

Another key consideration is Policy CS22 which requires the Authority to provide a certain number of gypsy and traveller pitches within the Borough. The authority's most up to date evidence base for Gypsy and Traveller need is contained within the Rugby Gypsy and Traveller Accommodation Assessment November 2014 which highlights that in the period 2014/15 to 2018/19 that there is a need for 24 additional pitches. The Authority already has a shortfall in the number of pitches it needs to provide and this application would result in three existing pitches being lost. The application is therefore considered contrary to Policy CS22 by further exacerbating the existing shortfall in gypsy and traveller pitches.

Impact on the openness and visual amenity of the Green Belt and the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Paragraphs 56 and 57 of the NPPF require all development proposals to be of a high quality design.

The site is located at the rear of a long narrow plot that extends back from the rear boundary of The Poppies bungalow. The site is the penultimate one within a ribbon of development along Mile Tree Lane which consists of bungalows towards the front of the sites with long gardens behind. All of the bungalows located on the road have split the gardens and located caravans on the bottom half of the gardens. It is within this context that the application site is seen and it is accepted that the proposed change of use itself would not alter the visual amenity or openness of the Green Belt or the wider character of the area. However

numerous structures including garages, summerhouses and other associated domestic paraphernalia have been erected in connection with the residential use of the mobile homes without the benefit of planning permission.

Whilst they are also seen within the wider context of the surroundings, it is considered the cumulative impact of these additional structures in this area has a detrimental impact on the visual amenity and openness of the Green Belt and the wider surroundings having regard to Part 9 of the NPPF and Policy CS16 of the Core Strategy.

Impact upon the amenity of neighbouring properties

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

The proposed change of use is not considered to give rise to any issues in terms of loss of light, overlooking or overbearing having regard to Policy CS16.

Impact on protected species

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. Paragraph 118 of the NPPF requires local authorities to have regard to the conservation and preservation of protected species and their habitats.

No comments were received from the County Ecologist in respect to this application. Given that the mobile homes are already located on site the change of use is not considered to cause harm to protected species having regard to Saved Policy E6 and Paragraph 118 of the NPPF.

Impact on parking and highway safety

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development. Paragraph 39 of the NPPF requires development proposals to have regard to the safety of all highway users.

The proposal would not increase the number of mobile homes on site from a highway perspective. The County Highways Officer has therefore raised no objections to the proposal given that adequate parking and turning facilities exist on site. Based on this expert advice the proposal is not considered to cause any additional harm to highway safety having regard to Saved Policy T5, the contents of the Planning Obligations SPD and Paragraph 39 of the NPPF.

Recommendation:

Refuse the application

Report prepared by: JW 16/1/15

DRAFT DECISION

APPLICATION NUMBER

R14/2278

DATE VALID

08/12/2014

ADDRESS OF DEVELOPMENT

THE POPPIES

MILE TREE LANE

BULKINGTON

COVENTRY

CV2 1NT

APPLICANT/AGENT

Mr Riley Smith

6 Poppies Mobile Home Park

Aldermans Green

Coventry

CV2 1NT

APPLICATION DESCRIPTION

Retrospective permission for the change of use of the mobile homes from traveller site to open residential

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

The site is located outside existing settlements in the Green Belt where there is a presumption against inappropriate development. It is the Local Planning Authority's policy as set out in the settlement hierarchy contained within Core Strategy Policy CS1 that new dwellings should be directed towards the Urban Area of Rugby initially followed by the Main Rural Settlements and then Local Centre Villages. The Green Belt is located at the bottom of the settlement hierarchy where new dwellings will only be supported when allowed under national policy. Part 9 of the NPPF, which relates specifically to Green Belt land, does not contain any exceptions for new dwellings which this application is seeking to create through this change of use. In addition numerous structures have been erected in connection with the residential use of the mobile homes such as summer houses and garages without planning permission. It is considered that this domestic paraphernalia has an adverse impact on the openness and visual amenity of the Green Belt and the wider area. In the opinion of the Local Planning Authority there are no very special circumstances that would outweigh the harm caused by the proposals which are contrary to Core Strategy Policy CS1 and CS16 and the NPPF.

Core Strategy Policy CS22 requires the Local Planning Authority to have a 5 year supply of available pitches for gypsies and travellers. At present there is an under supply of 24 pitches which would be further compounded by the loss of three approved pitches at the application site. The development is therefore considered to be contrary to Policy CS22.

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. However in this instance the in-principle objections to the scheme due to its Green Belt location could not be overcome.

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, 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 Ramblers	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
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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.

The application was deferred from your last Committee meeting to enable a site visit to be undertaken by members.

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 though 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 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 being 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

If 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 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.

CONDITON 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 phase and to the satisfaction and written approval of the LPA. Protective measures should remain in place until the completion of all construction works. Construction exclusion zones should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA.

REASON;

To ensure the satisfactory protection of TPO'd trees.

CONDITION 19;

Before any work on site takes place, a scheme for ensuring that no mud or other materials are deposited on the highway shall be submitted for the written approval of the Local Planning Authority, in consultation with the Highway Authority. The proposed development works shall be carried out in accordance with the approved details.

REASON;

In the interests of highway and pedestrian 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;

The applicant / agent is advised that it is recommended that leachability testing of made ground is considered (if applicable) due to the proximity of onsite controlled water in respect of Condition 11 above.

INFORMATIVE 2;

Due to the size, scale and nature of the proposed development in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during ground profiling and construction, all work on site must not occur outside the following hours:
Monday to Friday 7.30 a.m. - 18.00 p.m.

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

NO WORK ON SUNDAYS & BANK HOLIDAYS

INFORMATIVE 3;

The Environment Permitting Regulations 2010 for registration of small scale sewage discharges will change as of 1st January 2015.

There is no longer a requirement to register with the Environment Agency for small scale discharges, if you do not live in a designated sensitive area.

Designated Sensitive Areas have been revised to include Ground Water Source Protection Zone 1's (GPZ1), Special Areas of Conservation, Special Protection Areas, Ramsar sites, 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 shall 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.

Reference number: R14/1530

Site address: Land rear of Church Mews, 51-52 Church Street, Rugby

Description: Erection of a 3 storey development comprising of 12 apartments for sheltered accommodation for the elderly.

Case Officer Name & Number: Nathan Lowde 01788 533725

Description of proposed development

This application originally proposed the '*Erection of a 3 and 4 storey development comprising of 13 apartments, staff accommodation, managers office, and meeting room for sheltered accommodation for the elderly*'. The scheme has been amended and now seeks the proposal for the erection of a 3 storey development comprising of 12 apartments for sheltered accommodation for the elderly. The staff accommodation, managers office, and meeting room has been omitted from this amended scheme. The scheme would also include a communal garden area, bin storage area and covered cycle store. The proposed development would be located to the rear of 51-52 Church Mews, which is accessed from Church Street, and to be built on the same level as the existing driveway area.

The applicant states within the Planning Statement that the proposed housing will allow older/mature persons to remain independent in self-contained residential apartments, and as such would fall within Use Class C3 (dwellinghouses) as oppose Class C2 (residential institute).

The existing apartments are rented from the management company Homers House Management Co. Ltd who are the owners of the site, and the proposed apartments are to be rented in the same manner and by the same company. The applicants have confirmed that the existing communal area to be retained and the proposed communal area to the rear of the proposed building will be utilised by all residents within the existing apartments and occupiers of the proposed apartments.

The application is to be determined by member of the planning committee at the request of Cllr Sue Roodhouse who has expressed concerns about poor access and egress to the site. Cllr Neil Sandison has also requested that a site visit by members of the planning committee is undertaken.

Description of Site

The application site currently comprises of a detached three-storey building used for residential accommodation comprising of 6 apartments. This building is owned and managed by Homers House Management Co. Ltd and provides housing for the elderly. Along the southern boundary of the site is a garage block of 3 garages which serve the existing building. The site lies within the Rugby Town Centre Conservation Area. Pedestrian and vehicular access to the site is off Church Street between No. 50 and No. 55 Church Street.

Immediately to the south of the site is the pedestrianised route known as 'Church Walk' which extends along the southern boundary of the site and further beyond is the graveyard/public open space of St Andrew's Gardens.

To the west of the site is St Andrew's Church House/Hall, and Marjorie Hume House. This site has been recently granted planning permission (ref: R13/0128) for extra care residential units.

Bordering the site along the east boundary are commercial properties fronting onto Church Street.

Third Party Comments

On original scheme

Neighbours no comments received

Ward Member Cllr Neil Sanderson

- No onsite car parking
- Poor visibility
- Concerned about the ability of ambulance and refuse vehicles to safely access and egress the site given that the proposal is for a retirement housing scheme.
- Feedback from District Health Service Nursing staff has also indicated that they would not attend urgent call outs at night if there was no onsite parking because they are lone workers and would not be prepared for their own personal safety to be put at risk by having to park on a public car park in Gas Street and then attend an elderly person in this retirement scheme in Church Street.

On Amended Scheme

Neighbours no comments received

Ward members no comments received

Technical Consultation Responses

WCC Ecology	no objection request that an informative relating to nesting birds is attached.
WCC Highways	no objection subject to conditions relating to no parking permitted within the site curtilage, adequate vehicular turning space, condition relating to construction vehicles.
RBC Work Service Unit	Road surface should be suitable for 26 tonne vehicle
RBC Tree Officer	no objection subject to submission of a specification of all proposed tree planting has been approved in writing by the LPA
RBC Environmental Service	no objection subject to conditions relating to the submission of a Phase I and II contaminated land assessment, asbestos report, odour assessment and/or abatement measures implemented into the build, dust mitigation report, full noise survey and assessment
WCC Archaeology	no objection subject to a condition requiring the implementation of a programme of archaeological works.
NHS Property Services	Based on the size of the proposed development (that being only 13 dwellings), we consider there will be minimal impact on the provision of primary care medical services.

Warwickshire Fire and Water Supply in the area is sufficient
Rescue Service

Relevant planning policies/guidance

Core Strategy

CS1	Development Strategy	complies
CS16	Sustainable Design	complies

Saved Local Plan Policies

E6	Biodiversity	complies
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National Policy

National Planning Policy Framework (NPPF)

Part 7 – Requiring good design

Assessment of proposal

Principle

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference. CS1 states “It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy.” Located within the town centre the site is situated in the 1st preference location as detailed in policy CS1 on Development Strategy which seeks to ensure development is directed in a structured manner to the most appropriate locations with the town centre being in the most preferable location. The proposal therefore accords with policy CS1.

Visual impact

Part 7 of the NPPF emphasises the importance of good quality design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Policy CS6 refers to proposals taking account of the Town Centre Action Plan Development Plan Document. This document does not exist, but the policy goes onto state that the redevelopment and refurbishment of existing natural and built environments need to demonstrate high quality design that complements and enhances the existing environment and townscape in a manner which contributes to local distinctiveness and a sense of place.

The site lies within the Rugby Town Centre Conservation Area. Policy CS16 states that new development should seek to complement, enhance and utilise where possible the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (i.e. a Conservation Area), great weight should be given to the asset’s conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The NPPF considers that where a proposed development will lead to substantial harm to the significance of a heritage asset it should be refused and where a proposal will lead to less than substantial harm this harm should be weighed against the public benefits or the proposal securing its optimum use.

The proposed building seeks to replicate the existing building on site in respect of its, character, design and appearance. The proposed development has been amended, to what was originally proposed, and positioned further back from the rear boundary to reduce any overbearing impact along Church Walk. The reduction in height to that originally proposed, together with the alterations to the design, help to break up the scale and massing of the building, whilst adding interest into the elevations. This section of the Conservation Area comprises of individual building of differing scale, but is mainly characterised by two and three storey terracing. As such the reduced height to three storey respects the characteristics of buildings within this part of the Conservation Area.

The rear boundary of the site as existing consists of a 2 metre high wall, and as such, by virtue of the positioning of the building, together with its amended height and design, when walking along Church Walk the proposed building would not appear overbearing. Whilst the proposed building would appear prominent from the graveyard area to the rear which is at a higher level to that of Church Walk, given that its height has been reduced and has been positioned further back from the rear boundary it would not appear overbearing. It is therefore considered that the proposed development accords with policy CS16 and the core principles of the NPPF which seeks to secure a good standard of design.

Along Church Street, the majority of the proposed building would be screened by the commercial properties in front of it no. 45-50 Church Street. As existing along Church Street, the roof of the existing building within the application site is visible within the street scene. Given that the height of the proposed building does not exceed the height of the existing building, it is also considered that only the upper part of the building would be visible within Church Street. As such it is not considered that the proposed development would have an adverse impact upon the streetscene and the wider Conservation Area.

The proposal seeks the planting of trees along the southern boundary, and whilst such trees would provide limited screening, they would contribute towards the green character of the area and help break up the scale and massing of the building.

The proposed development is therefore in accordance with policy CS16 and the core principles of the NPPF which seeks to secure a good standard of design.

Conditions shall be imposed to require the submission of details to improve energy and water efficiency to ensure that the development accords with policy CS16 and CS17.

Residential impact

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

The proposed building would be positioned 17 metres to the south of the existing building. As shown on the amended plan, windows serving the bedrooms at units 1, 5, 9 have been repositioned to the inside side wall, with false windows inserted into the front elevation. This ensures that windows within this elevation, serving these units, are not directly looking into windows within the rear elevation of the existing building. As such it is considered that the proposed development would not result in overlooking in respect to occupiers of the existing unit. The distance of the proposed building to the existing building would help to reduce any overbearing impact upon existing residents on site.

The proposed development would result in loss of light to existing units within the rear of the existing building, particularly to ground floor windows. The amount of light lost would vary throughout the year and at different times of the day. The amended scheme with its reduction in height, scale and mass allows for a certain amount of light to be retained into

these windows. Given that the existing and proposed building are part of the same complex and would be owned and managed by the same company, it is not considered, on balance, that the loss of light as identified to be so harmful to the extent to warrant refusal on this basis alone.

Consideration is given to the impact upon the recently approved residential development at Herbert Grey to the east of the site. No windows are proposed within the side elevation facing this development, and as such the proposed development would not result in any overlooking and loss of privacy for future occupiers of neighbouring development. Taking into consideration the proposed layout of the proposed dwellings on the Herbert Grey Site close to the boundary with the application site, it is not considered that the proposed development would result in any significant loss of light into primarily windows serving habitable rooms such as living rooms and bedroom areas.

The proposed building would be within close proximity to 45-46 Church Street and as such consideration is given to any impact that the proposed building may have upon this neighbouring property. As existing, first floor windows at 45-46 Church Street facing into the application site. These windows are obscure glazed and serve w/c's in connection with this commercial property. As such the proposed development would not result in any loss of light into habitable rooms within this neighbouring building.

First floor windows in connection with 48 Church Street would be affected by the proposed development. These windows, serve a store room and an office/storage area in connection with the existing restaurant at the ground floor level. Given that these windows do not serve habitable rooms, limit weight is given the loss of light that may arise from the proposed development.

It is therefore considered that the proposed development would not have an adverse impact upon the amenities of neighbouring occupiers in accordance with policy CS16 and the core principles of the NPPF which seek to secure a good standard of amenity for existing and future occupiers of land and buildings.

Biodiversity

Policy E6 seeks to ensure that any proposed development does not impact upon protected habitats/species. Following consultation with WCC Ecology it is considered that the proposed development would not have an adverse impact upon protected species and habitats in accordance with saved policy E6.

Whilst the proposal would result in the removal of a number of trees on the site, no objection has been raised by the Council's Tree Officer, in addition to this it would be conditioned that a landscaping scheme is submitted.

Highways and Parking

No objections have been received from WCC Highways Authority, and whilst the Highway Authority recognise that the access is unsuitable in respect of visibility and width, and the site would not be devoid of trips such as, refuse collection vehicles, medical practitioners, ambulances, they do not consider that the proposed development would have an adverse impact upon highway safety.

The proposed development includes the provision of a bin storage area located in the north-eastern corner of the site. The Council's Work Service Unit has been consulted as part of the application and has raised no objection to the proposed development. The proposed development would be served by the existing arrangements for refuse collection as currently carried out for the residents of Church Mews.

In respect to car parking standards the proposed housing development is not a care home for the elderly, but apartments for mature/older persons and as such fall within Use Class C3. The applicant's state that there will be no direct provision of care will be provided. The proposed occupiers would therefore not require visits by carers, and there would be no food or laundry deliveries. As condition, as requested by WCC Highways will be attached to prohibit car parking within the site and details of such preventative measures to the submitted to and approved by the LPA.

For the purposes of assessing car parking standards the site is identified within the Council Planning Obligation SPD Appendix 2, as an area of high access. The SPD requires for a development of this type (i.e. dwellings for elderly person without resident warden) to provide a minimum of 6 car parking spaces. The proposed development would not be served by any on-site car parking and given the parking restricting along Church Street would not be served by off-site parking. The applicants have stated that there is sufficient car parking within the immediate area, the nearest being Gas Street/Old Market Square and as such visitors to the apartments would use these facilities. Given the location of the site, in this instance, the omission of any on-site parking is acceptable. There are provisions on-site for a cover cycle store for residents.

Contributions

A requested has been received by Warwickshire County Council Regeneration and Special Projects Team for a financial contribution of £12,000 to be secured via section 106 agreement for the enhancement to an existing bus stop on Eastlands Road in respect to the supply and installation of a bus shelter and complementary works to enable the installation of a bus shelter at the bus stop. However, it is considered given that Eastlands road is not within the vicinity of the development (approximately 0.8m), the request for such a contribution is not considered justifiable.

Recommendation

Approval subject to conditions

APPLICATION NUMBER

R14/1530

DATE VALID

06/08/2014

ADDRESS OF DEVELOPMENT

LAND REAR OF CHURCH MEWS
51-52 CHURCH STREET
RUGBY
CV21 3PT

APPLICANT/AGENT

Rebecca Chapman
Chapman Design LLP
10 David Road
Rugby
CV22 7PX
On behalf of , HOMERS HOUSE
MANAGEMENT CO. LTD.

APPLICATION DESCRIPTION

Erection of a 3 storey development comprising of 12 apartments for sheltered accommodation for the elderly.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

The proposed development shall only be used for sheltered accommodation and shall only be occupied by a person of over 55 years of age or the spouse of the person or the widow or widower of that person who has occupied the dwelling with the person.

REASON:

To ensure that the occupancy of the residential units on site is suitably limited to primarily persons aged 55 years or over.

CONDITION: 3

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

REASON:

In the interest of residential amenity.

CONDITION: 4

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, including windows and doors, and 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: 5

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: 6

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

REASON:

In the interest of health and safety.

CONDITION: 7

Prior to any development commencing, a full noise survey and assessment by a competent noise consultant must be prepared and submitted, with any proposed works, to the local planning authority for approval. The assessment must take into account noise emitted from the approved commercial air extract ventilation system and general noise environment. Any proposed mitigation must insure that the internal noise climate for each flat achieve complainant with the table below taken from BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'.

REASON

In the interest of residential amenity

CONDITION: 8

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

REASON:

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

CONDITION: 9

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of 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. If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON

In the interest of visual amenity, and biodiversity

CONDITION: 10

Prior to the commencement of development, details of water efficiency measures to be incorporated into the design of the building shall be submitted to and approved by the Local Planning Authority. These approved measures shall then be incorporated into the design of the building prior to first occupation and then retained in working order in perpetuity.

REASON

To ensure water efficiency through sustainable design and construction.

CONDITION: 11

Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority to show how the building is to achieve a 10% carbon emissions reduction. These approved measures shall then be incorporated into the design of the building prior to first occupation and then retained in working order in perpetuity.

REASON

To ensure sustainable design

CONDITION: 12

Prior to the installation of any external lighting, full details of the design, appearance and location of any lighting columns, fixtures and fittings, together with their associated angle, fall, spread and intensity, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed and operated in accordance with the approved details.

REASON:

To prevent unnecessary light pollution and in the interests of the amenities of the area.

CONDITION: 13

Before any work on site takes place, a scheme for the loading, unloading and storage of construction plant and materials to be used on site, the parking of all vehicles including the cars of construction employees and other people who will be working at or visiting the site and for ensuring that no mud or other materials are deposited on the highway shall be submitted for the written approval of the Local Planning Authority, in consultation with the Highway Authority. The proposed development works shall be carried out in accordance with the approved details.

REASON:

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

CONDITION: 14

No development shall commence unless and until full details of finished floor levels of the new building and hardstanding areas have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out otherwise in accordance with the approved details.

REASON:

To ensure the proper development of the site and in the interests of the amenities of the locality.

CONDITION: 15

Prior to the first occupation of the development hereby approved, details including appearance and location of secure and covered cycle storage facilities shall be submitted to and approved in writing with the Local Planning Authority and in accordance with the Council's adopted cycle parking standards. The cycle provision shall be implemented in accordance with the approved details and made permanently available for use prior to the first occupation of the development.

REASON:

In the interests of promoting sustainable transport measures.

CONDITION: 16

Prior to the first occupation of the development hereby approved, elevational details of the fencing around the proposed bin storage area shall be submitted to and approved in writing with the Local Planning Authority. The bin storage area shall be implemented in accordance with the approved details and made permanently available for use prior to the first occupation of the development.

REASON:

In the interests of promoting sustainable transport measures.

CONDITION: 17

No parking shall be permitted within the site curtilage in respect to occupants, their visitors or staff employed within the development hereby permitted. Prior to occupation of the building, details shall be submitted to and approved in writing by the Local Planning Authority, detailing measure to prohibit on-site parking. Such measures hereby approved shall be implemented and retained in perpetuity.

REASON

In the interest of Highway Safety

CONDITION : 18

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: 19

Notwithstanding any of the details submitted as part of the application, details of any ducts, flues or vents to be installed on the external elevations of the buildings, including roofs, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. These shall then be installed in accordance with the approved details.

REASON:

To ensure a satisfactory 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

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (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: 2

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: 3

Existing garages to the south of the site will be demolished as part of the proposed development. The garage roofs appear to be constructed of corrugated asbestos concrete. All asbestos containing material (ACM) will require removal before any demolition commences on site. The Control of Asbestos Regulations 2012 applies.

INFORMATIVE: 4

An extraction exhaust associated with the neighbouring hair/nail salon is located in close proximity to the development site. In addition two near-by restaurants (Midas Lounge and the Bombay Tandoni & Balti). These present possible odour nuisance sources and should be considered for odour assessment and/or abatement measures implemented into the build.

INFORMATIVE: 5

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday – Friday	7.30 a.m. – 18.00 p.m.
Saturday	8.30 a.m. – 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority.

INFORMATIVE: 6

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.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	28 th January 2015
Report Title	Delegated Decisions – 12.12.2014 to 08.01.2015
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 – 28th January 2015

Delegated Decisions – From 12.12.2014 to 08.01.2015

Report of the Head of Planning and Recreation

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: 28.01.2015
Subject Matter: Delegated Decisions – 12.12.2014 to 08.01.2015
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 12.12.2014 TO 08.01.2015

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R14/2164 Refused 11.12.2014</i>	Land at former allotment Plott Lane Stretton on Dunsmore	Full: New Dwelling House
<i>R14/2122 Refused 11.12.2014</i>	Land adjacent to the Highlands Rugby Road Brandon	Erection of a new detached dwelling and associated access (Amended scheme that reduces the overall height of the dwelling by 200mm from a previously refused proposal under planning reference number R12/0894 refused 25th July 2012 for the erection of a new detached dwelling and associated access)
<i>R14/0855 Refused 30.12.2014</i>	Newton Manor Newton Manor Lane Brownsover	Installation of a mobile home for residential use (retrospective)
<i>R14/2283 Refused 30.12.2014</i>	276 Rugby Road Binley Woods	Erection of two storey front extension and alterations to front elevation of existing dwelling
Applications Approved		
<i>R14/2089 Approved 11.12.2014</i>	Hafele UK Ltd Brownsover Road Swift Valley Industrial Estate Rugby	Infill extension to provide a staff cafeteria
<i>R14/2141 Approved 12.12.2014</i>	93 Bath Street Rugby	Change of use of existing building from a mixed use of Residential (C3) and Shop (A1) to form a single dwelling house together with external alterations.
<i>R14/1962 Approved 12.12.2014</i>	Napier Associates Limited 47A Rowland Street New Bilton	Conversion of the existing building to 2 No. one bed flats (Amendment to an approved scheme for the conversion of the existing building to 2 No. one bed flats granted 3rd October 2014)

<i>R13/1408 Approved 12.12.2014</i>	Rear of Elm Cottage Willow Lane Rugby	Erection of dwelling.
<i>R14/2200 Approved 15.12.2014</i>	47 Chaucer Road Rugby	Erection of first floor side extension re roof existing single storey rear extension
<i>R14/2197 Approved 15.12.2014</i>	30 Bow Fell Brownsover	Erection of a two storey side extension
<i>R14/2042 Approved 15.12.2014</i>	Byre House Flecknoe Village Road Flecknoe	Installation of roof light
<i>R14/1473 Approved 15.12.2014</i>	Daisykins Day Nursery 3-5 Whitehall Road Rugby	Variation of condition 4 of planning permission R01/0599/03285/P (Use of existing offices as private childrens day nursery (Class D1)) to extend opening hours
<i>R14/1760 Approved 15.12.2014</i>	11 Alicia Close Cawston	Proposed single storey rear extension
<i>R14/2111 Approved 16.12.2014</i>	Land adjacent to 21 Bloxam Gardens New Bilton	Erection of an detached dwelling - reserved matters following outline planning permission for the erection of a dwelling granted under R13/1388
<i>R14/2176 Approved 16.12.2014</i>	The White Byre Heath Lane Brinklow	Erection of conservatory and detached double garage (resubmission of application R14/1033)
<i>R14/1936 Approved 16.12.2014</i>	14A Main Street Bilton	Change of use of the building from A3 (restaurant) to a beauty salon (Sui generis)
<i>R14/2168 Approved 16.12.2014</i>	The Lodge Withybrook Lane Shilton	Retention of stables and tackroom.
<i>R14/2179 Approved 16.12.2014</i>	Warwickshire Wildlife Trust Brandon Marsh Nature Centre Brandon Lane Coventry	Erection of a single storey building for storage of machinery

<i>R14/1706 Approved 18.12.2014</i>	17 Long Furlong Rugby	Two storey side and rear extensions, provision of gable to front and alterations to dormer window in front roof slope
<i>R14/1697 Approved 18.12.2014</i>	Wolf Systems Limited Unit A-B Shilton Industrial Estate Bulkington Road Shilton	Erection of two storey extension to industrial unit to form offices and erection of new loading bay with provision of solar panels
<i>R14/2064 Approved 19.12.2014</i>	47 Lutterworth Road Pailton	Proposed Detached Garage
<i>R14/1979 Approved 19.12.2014</i>	Old Walls Birdingbury Road Leamington Hastings	First floor extension to side/rear
<i>R14/2062 Approved 19.12.2014</i>	24 Leicester Road Wolvey	Retrospective application for replacement windows, external door and porch.
<i>R14/0939 Approved 19.12.2014</i>	Site B Former Peugeot Works Unit 3 Imperial Road Ryton on Dunsmore	External alterations to building including installation of flues and vents, together with changes to site layout, boundaries and associated works, including additional sprinkler tank and pump.
<i>R14/1579 Approved 19.12.2014</i>	Spiritual Centre 5 Newbold Road Rugby	Change of use of part of the ground floor from D1 (Spiritual Centre) to 3 No. 1 bed flats including demolition of part of the existing ground floor.
<i>R13/2047 Approved 19.12.2014</i>	Rugby Spiritual Church 5 Newbold Road Rugby	Demolition of the existing single storey extensions and erection of two storey extensions to side and rear to create 6 No. apartments
<i>R14/2233 Approved 22.12.2014</i>	20 Catesby Road Rugby	Erection of a single storey side and rear extensions and provision of a mono pitched roof over the existing flat roofed rear extension.
<i>R14/1378 Approved 22.12.2014</i>	75 Eastlands Road Rugby	Erection of a two storey side and a single storey rear extension

<i>R14/2096 Approved 22.12.2014</i>	Yew Tree Cottage Blacksmith Lane Frankton	Single storey front and rear extensions
<i>R14/2140 Approved 23.12.2014</i>	Land adj to DIRFT II Zone 3 Between A428 and A5 Crick Road Hillmorton	Continuation of the use of land to accommodate three stockpiles for the storage of excavated materials for a temporary period from 31st March 2015 until 30th September 2015
<i>R14/1957 Approved 23.12.2014</i>	Site Formerly known as 32 The Green Bilton	Erection of 4 no. terraced town houses (as per previous unimplemented planning approval under R11/1821)
<i>R14/2163 Approved 23.12.2014</i>	The Old Livery Glebe Farm Road Draycote	Conversion of existing integral garage into bedroom including installation of two new windows on eastern elevation, two new rooflights on western elevation and timber doors to remaining garage (part retrospective)
<i>R14/1583 Approved 29.12.2014</i>	28 Cedar Avenue Ryton on Dunsmore	Conversion of garage to living room and proposed hardsurfacing.
<i>R14/1956 Approved 29.12.2014</i>	Riverside Academy Newbold Road Rugby	Erection of boundary fencing
<i>R14/2261 Approved 29.12.2014</i>	Fosse Motors Engineers Unit 1G The Wharf Industrial Estate The Wharf Stretton Under Fosse	Extension to existing industrial building
<i>R14/2296 Approved 30.12.2014</i>	Ansty Working Mens Club Grove Road Ansty	Provision of 34 no. Photovoltaic Panels on to the roof of the existing building
<i>R14/1503 Approved 30.12.2014</i>	18 Main Street Newton	Proposed dormer bungalow located to the side of no. 18 Main Street. Dropped kerb on opposite side to provide driveway
<i>R14/2191 Approved 31.12.2014</i>	Bags 4U Direct Ltd RPC Motors 11 Boughton Road Rugby	Retention of Potable Cabin for second hand clothes recycling

<i>R14/1968 Approved 31.12.2014</i>	Station Farm London Road Dunchuch	Conversion and extension of existing dwelling and ancillary buildings to form three dwellings
<i>R14/2061 Approved 30.12.2014</i>	Staddlestones Rugby Road Brandon	Extension to agricultural building for agricultural storage and housing livestock.
<i>R14/2237 Approved 05.01.2015</i>	4 The Green Pailton Road Harborough Magna	Erection of an attached car port adjoining the existing side garage.
<i>R14/1481 Approved 05.01.2015</i>	Farndale Watling Street Shawell	Installation of a septic tank.
<i>R14/1556 Approved 06.01.2015</i>	6 Friars Close Binley Woods	Erection of a single storey front extension
<i>R14/2214 Approved 06.01.2015</i>	Lemon Groundwork Supplies Units 1 and 2 Hunters Lane Rugby	Demolition of the existing boundary wall and erection of 2.4 m high palisade fence
<i>R14/1194 Approved 06.01.2015</i>	23 Church Street Rugby	Change of use of part of ground floor, first and second floors into two residential units with minor external alterations
<i>R14/2241 Approved 07.01.2015</i>	68 Lutterworth Road Pailton	Alterations to existing garage to include rendering and relocation of doors (retrospective)
<i>R14/1255 Approved 07.01.2015</i>	Fairfield 26 Leicester Road Shilton	Two storey extensions to dwelling
<i>R14/2259 Approved 07.01.2015</i>	13 Warren Road Rugby	Erection of two storey side extension and part two storey and part single storey rear extension
<i>R14/2189 Approved 08.01.2015</i>	Wolvey Wolds Farm Mere Lane Monks Kirby	Retrospective application for the replacing of the farm entrance gate with double gates and single gate and enlarging entrance bell mouth and existing access track to provide waiting bay for farm vehicles

Prior Approval Applications		
R14/1318 Prior Approval 12.12.2014	5 Newbold Road Rugby	Prior Approval change of use of first and second floor of the existing building from offices (Use Class B1(a)) to 3 residential flats (Use Class C3).
R14/2173 Prior Approval 15.12.2014	First Floor The Robbins Building 25 Albert Street Rugby	Prior notification of intention to convert existing first floor office suite to a residential flat.
R14/2210 Prior Approval 17.12.2014	14 Fosse Way Stretton on Dunsmore	Prior notification of intention to erect a single storey rear extension (projecting 6.3m out from the original rear wall, maximum overall height 3.99m, eaves height 2.525m).
R14/2136 Prior Approval 18.12.2014	Land at Burton Lane Burton Hastings	Prior notification of intention to convert existing redundant former hen house to form a one bed residential unit.
R14/2177 Prior Approval 18.12.2014	Land at Burton Lane Burton Hastings	Prior notification of intention to convert existing redundant former hen house to form a one bed residential unit.
Listed Building Consents		
R14/2063 Listed Building Consent 19.12.2014	24 Leicester Road Wolvey	Retrospective Listed Building Consent application for replacement windows, external door and porch.
Advertisement Consents		
R14/1259 Advertisement Consent 29.12.2014	Land North of Technology Drive Technology Drive Rugby	Erection of 3no. Totem Signs
Approval of Details/ Materials		
R14/2049 Approval of Details 17.12.2014	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>R14/0823 Approval of Details 17.12.2014</i>	Rugby Gateway Leicester Road Rugby	Construction of an electrical substation including road access, noise mitigation and boundary treatments.
<i>R14/0814 Approval of Details 17.12.2014</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>R10/1272 Approval of Details 19.12.2014</i>	Rugby Gateway Phase R2 Leicester Road Rugby	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 highway and existing roundabouts). Demolition of existing buildings.
<i>R12/0600 (R13/1088) Approval of Details 22.12.2014 & 23.12.2014</i>	Unit DC6 Former Peugeot Factory Site A Oxford Road Ryton on Dunsmore	Outline application for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.
<i>R10/2153 Approval of Details 22.12.2014</i>	Land to the rear of 263- 273B Hillmorton Road Paddock	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)
<i>R14/0263 Approval of Details 22.12.2014</i>	HTRC Zones 3 and 4 Pilot Way Ansty	Amendment to approved plans and documents in relation to R13/1645 (Erection of 2 storey Science Research Building containing: research halls, laboratory, office and staff accommodation, external service yard, car parking and landscaping. - Approval of Reserved Matters against Outline Planning Permission No. R09/0035/MEIA dated 15th May 2009) to make amendments to design of

		building, landscaping scheme and drainage arrangements.
<i>R12/0600 (R13/1088) Approval of Details 29.12.2014</i>	Unit DC6 Former Peugeot Factory Site A Oxford Road Ryton on Dunsmore	Outline application for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.
<i>R12/1353 Approval of Details 29.12.2014</i>	Plots 1-18 The Stables Units 1-8 & buildings H, J & K (only) Coton House Lutterworth Road Churchover	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).
<i>R06/1419/MAJP Approval of Details 29.12.2014</i>	Churchover Compressor Station Churchover Lane Harborough Magna	Erection of new vent stack structure including 3 no new vents, new vent to existing vent stack, new electricity substation and operators facilities building.
<i>R14/0481 Approval of Details 06.01.2015</i>	ALDI Foodstore Ltd 12 Paddox Close Rugby	Alterations to front elevation including shopfront, glazed canopy and render, erection of single storey extensions to side and rear.
<i>R12/0600 Approval of Details 07.01.2015</i>	Unit DC6 Former Peugeot Factory Site A Oxford Road Ryton on Dunsmore	Outline application for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing

		roundabout.
<i>R10/1272 Approval of Details 07.01.2015</i>	Land at Unit 4 Rugby Gateway Leicester Road Rugby	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 highway and existing roundabouts). Demolition of existing buildings.
Approval of Reserved Matters		
<i>R10/1272 Approval of Reserved Matters 19.12.2014 & 30.12.2014</i>	Rugby Gateway Phase R2 Leicester Road Rugby	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 highway and existing roundabouts). Demolition of existing buildings.
Approval of non-Material Changes		
<i>R13/1081 Approval of non-material changes 11.12.2014</i>	Tithe Farm Montilo Lane Harborough Magna	Conversion of five redundant barns to five residential units - Variation of Conditions 3 and 14 to planning permission ref no. R11/1079 dated 12th September 2011 to alter the timeframe to which the existing accesses have to be deleted.
<i>R12/0101 Approval of non-material changes 17.12.2014</i>	DIRFT II Zone 3 Expansion Site Daventry International Rail Freight Terminal Crick	Construction of a rail linked Use Class B8 (Storage and Distribution) Unit with associated rail embankment, construction of a bridge over the A428, rail lines, intermodal transfer area, ancillary offices, car and HGV parking, drainage ponds and channels, landscaping to include a landscape bund and vehicular access (straddling the administrative boundaries of Rugby Borough Council and Daventry District Council).
<i>R13/0083</i>	113 Townsend Lane	Erection of 7 dwellings with associated access,

<p><i>Approval of non-material changes</i> 17.12.2014</p>	<p>Long Lawford</p>	<p>parking and landscaping, alterations to 113 Townsend Lane.</p>
<p><i>R14/0814</i> <i>Approval of non-material changes</i> 19.12.2014</p>	<p>Church Lawford Nursery and Garden Centre Kings Newnham Road Church Lawford</p>	<p>Erection of 9 dwellings with associated works including access, parking and landscaping. Demolition of existing buildings.</p>
<p><i>R14/1253</i> <i>Approval of non-material changes</i> 06.01.2015</p>	<p>Land North of Technology Drive Technology Drive Rugby</p>	<p>Approval of reserved matters for non-food bulky goods retail, relating to appearance, design, layout, scale and landscaping against outline application (R13/1612) for up to 9,964sq.m (gross internal area) including mezzanines of non-food, bulky goods retail with associated car parking, service areas and landscaping.</p>