

6th February 2015

PLANNING COMMITTEE - 18TH FEBRUARY 2015

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 18th February 2015 in the Council Chamber, Town Hall, Rugby.

Site Visit

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

3.30pm Land adjacent to 15 Parkfield Road, Rugby.

Adam Norburn
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 28th 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. Planning Appeals Update.

7. Delegated Decisions – 9th January 2015 – 29th January 2015.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2014/15 – 12) 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 – 18th February 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	R14/2338	Land adjacent 15 Parkfield Road Outline application for residential development of up to 14 houses.	9
3	R14/2343	Zone 6, Central Boulevard, Ansty Park, Ansty, Coventry. Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated works.	25
4	R14/1377	Rugby High School, Longrood Road, Bilton, Rugby Erection of a sports hall and associated works.	48

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 Poppies 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 Poppies site comprises land which straddles the administrative boundary of both Nuneaton & Bedworth Borough Council (NBBC) and Rugby Borough Council (RBC). The majority of the land and the access which serves the site lie within NBBC whilst the bottom part of the site, which forms the application site the subject of this application, is within RBC.

The application site is accessed via a private driveway that comes off Mile Tree Lane and runs down the side boundary of The Poppies bungalow. The application site contains three caravans which have fenced off amenity/garden areas to the side or rear of them that 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

The three mobile homes which are the subject of this application, are presently conditioned to be occupied by gypsies only and specifically Ms Jolene Smith and her family and dependants. This application is seeking retrospective permission to allow these three mobile homes to be occupied by anyone.

Relevant Planning History Relating to the site contained within Rugby Borough only

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
Enforcement Notice	The change of use, without planning permission, of the land and buildings from a dwelling to a mixed use comprising a dwelling and the siting of caravans used for residential purposes	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)

Additional representations received – supported the comments from the Parish Council in respect of changing the status for only one caravan but not for the other two. Changing one pitch would not be excessive and should be conditioned particular to Ms Smith and her family, as this would not alter the visual amenity or openness of the Green Belt. Support a recommendation for approval (26/1/15)

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)

On amended site location – corrected site location plan does not alter our previous comments (4/2/15)

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. A previous application at the site, reference R06/2048/PLN, sought permission for the 'continuation of use of land as a residential gypsy caravan site with provision of hardstanding to 6 no. caravans together with associated landscaping'. The application was refused by the Authority due to its impact on the Green Belt.

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 of 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 mobile homes 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 which is what these mobile homes would become 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 Officers 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.

The applicant provided a letter from a Mr Kefford who owns Hightor, a property which was granted permission for three pitches in the rear garden in January 2014, which is located approximately 1 mile from the application site. The three pitches granted are presently occupied by the family of Mr Kefford and the creation of any additional pitches on this land would require planning permission. Even if those three pitches were available, off-setting the loss of the three pitches the subject of this application, the authority would still have a shortfall in gypsy and traveller pitches contrary to CS22.

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. The plans which were allowed on appeal showed small storage areas for the mobile homes and also the retention of a double garage located next to pitch 5. This garage has since been taken down and no further information was provided in terms of the storage areas and whether they were buildings. Notwithstanding this information, the structures which are now present on site do not accord with those plans which were allowed on appeal.

Whilst these structures are 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 5/2/15

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

REASON FOR REFUSAL 1:

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.

REASON FOR REFUSAL 2:

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: R14/2338

Site address: Land adjacent 15 Parkfield Road

Description: Outline application for residential development of up to 14 houses

Case Officer Name & Number: John Wilbraham – 01788 533549

Site Description

The site is an open parcel of land which forms an irregular rectangle in shape within the Rugby Urban Area. The site is bounded on the western boundary with houses and more open/scrub land to the east and south whose boundaries consist of mixed trees and hedgerow. Abutting the eastern boundary is the flood plain with a number of tall mature trees within it. This area of land is sited at a lower level than the application site by approximately 2m. To the north of the site is Parkfield Road, which there is currently no access off to the site, and a playing field beyond this. There are views into the site from Parkfield Road as you approach the site from both directions and there are also good views from the footpath which crosses over the Bradley Bridge.

Proposal Description

This application is seeking outline permission for the erection of 14 houses with just the access being agreed at this stage. All other matters relating to design, layout and size are proposed to be dealt with through a reserved matters application if this outline application is successful.

The submitted indicative layout shows two houses at the front of the site with the remaining dwellings running down the eastern boundary and then angling to follow the southern boundary with the final two dwellings sited behind the applicant's property no. 15 Parkfield Road.

Relevant Planning History

Application Reference	Description	Decision
R13/0857	Outline application for residential development of up to 14 houses	Refused 25-Jun-2014
R07/2012/PLN	Erection of 7no detached dwellings & garages with associated highways & parking	Refused 20-Apr-2009

Technical Consultation Responses

Environment Agency – no objection subject to conditions that the works are carried out in accordance with the flood risk assessment and a buffer zone management plan is approved together with a number of informative notes (20/1/15)

RBC Arboricultural Officer (comments carried over from previous application as confirmed still applicable) – some concerns with the proximity of the dwellings to the number of the trees but no objections given outline nature of proposal (3/6/13)

RBC Environmental Health – no objection subject to conditions requiring contaminated land surveys and a dust management methodology report are undertaken plus a note being attached regarding working hours (13/1/15)

Severn Trent Water – No objection subject to drainage details condition and public sewer informative (5/1/15)

WCC Archaeology – No objection subject to a condition requiring a programme of archaeological work is agreed (14/1/15)

WCC Asset Strategy – request education contribution of £144,352 (6/1/15)

WCC Ecology – no objection subject to a condition requiring a joint ecological and landscape scheme be agreed between developer and local authority and conditions and informatives carried over from previous application (8/1/15)

Previous comments – no objection subject to reptile and badger surveys being carried out prior to submission of the reserved matters application (21/6/13)

WCC Highways – no objection subject to conditions relating to the access and footway crossing as well as a number of informatives (8/1/15)

Warwickshire Police – no objection but would request suggested design advice noted by applicant (29/12/14)

Warwickshire Fire and Rescue – no objection subject to a condition relating to the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site (1/7/13)

Third Party Responses

Cllr Edwards – concerns over road access and flooding (27/1/15)

Neighbours – one letter of objection received on the following planning grounds:

- Concerns over the noise and dust generated by development
- Overbearing and loss of privacy
- Impact on ecology
- Other non-planning related matters were also raised (16/1/15)

Relevant Planning Policies and Guidance

Core Strategy

CS1	Complies	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design
CS17	Complies	Sustainable Buildings

Saved Local Plan Policies

GP2	Complies	Landscaping
GP6	Complies	Safeguarding development potential
E6	Complies	Biodiversity
T5	Complies	Parking Facilities

LR1 Complies Open Space Standards

H11 Complies Open space provision in residential developments in the rural area

National Policy

National Planning Policy Framework (NPPF)

Rugby Borough Local Plan, 2006 Saved Policies

Sustainable Design and Construction SPD, 2012

Planning Obligations SPD, 2012, including Parking Standards

Housing Needs SPD, 2012

Assessment of Proposals

The key issues to assess in relation to this application are whether the principle of the development is acceptable and whether there will be an adverse impact on residential amenity or the character of the area. An assessment of the impacts on highway safety and protected species must also be made. The application is outline, with all matters reserved except access, therefore the final layout and detail of the dwellings would be secured at a later date.

Principle of development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. The proposal is located within the urban area of Rugby and is a green field site. The urban area is identified within Policy CS1 as the primary focus for meeting strategic growth targets, which the addition of up to 14 dwellings would contribute towards. The development is therefore considered to comply with Policy CS1.

However the site is located within flood zone 2 and National Planning Policy Framework paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only considers development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test.

In accordance with National Planning Policy Guidance paragraph 3, as the site is located within flood zone 2 and not allocated through the Core Strategy, the applicant has undertaken a Sequential Test to demonstrate that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding (i.e. flood zone 1).

The applicant addresses the Sequential Test by utilising the authorities Housing Land Supply Position September 2014 document. The document in accordance with NPPF paragraph 47 identifies a supply of specific deliverable sites to identify whether the authority has a five years supply of housing against its housing requirements.

The sites which contribute towards supply have been derived from planning permissions with the exception of one site which was identified through the SHLAA (since September 2014 the site was granted a committee resolution for approval). All of the sites are considered to be reasonably available, suitable, achievable and viable. Also considered within the supply, in accordance with NPPF paragraph 48, are windfall sites. This allowance is based on historic delivery of sites under 10 dwellings which were not allocated through the development plan. The document highlights that within the five year period of 2014-15-

18/19, 2,642 dwellings (inclusive of a 10% discount for non-delivery) could be reasonably developed resulting in a shortfall of 558 dwellings against the housing target of 3,200 dwellings. The authority is therefore unable to demonstrate a five year supply of housing. In accordance with NPPF paragraph 49 as the authority cannot presently demonstrate it has an available and deliverable forward supply of housing, the application should be treated in the presumption in favour of sustainable development.

The applicant as required by NPPF paragraph 103 has also produced a site specific flood risk assessment setting out the mitigations that will be put in place for the development to ensure flood risk is not increased elsewhere. The Environment Agency have no objections to the proposal, subject to conditions that the drainage details are agreed prior to construction commencing, the works are carried out in accordance with the flood risk assessment and a buffer zone management plan is created alongside the watercourse.

In conclusion it is considered that the proposal complies with policy as the site is sustainably located within the urban area where Core Strategy Policy CS1 directs growth towards, the sequential test has been passed as there are currently no reasonably available sites within flood zone 1 which will help address the authority's current shortfall in housing supply and the flood risk mitigations proposed by the applicants are supported by consultee bodies subject to conditions.

Visual Amenity and Sustainable Design and Construction

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Similarly, the Sustainable Design and Construction Supplementary Planning Document states that the siting, size and design of an extension must not dominate the existing building and should be sympathetic with and appear subservient to the original dwelling. Paragraphs 56 and 57 of the NPPF require all development proposals to be of a high quality design.

As this is an outline application with all matters reserved except for access, the detailed design of the proposals cannot be assessed at this stage. The applicant has submitted an indicative streetscape, indicative elevations of a small section of the development and a possible landscaping scheme together with a design and access statement which makes reference to the existing site and characteristics of the surrounding area to provide a framework for the development.

Whilst the application is in outline and layout is reserved the applicants intend that the indicative layout plan and design principles outlined in the design and access statement will form the basis of any reserved matters application. The design and access statement confirms that the dwellings will be limited to two storey buildings to respect the nearby properties. The indicative layout plan demonstrates that the site is capable of accommodating up to 14 dwellings having regard to residential amenity considerations and including satisfactory means of access to dwellings, parking arrangements and open space. There are some concerns over the relationship between a couple of the properties shown on the indicative layout plan and no. 15 and 17 Parkfield Road but these could be addressed through a reserved matters application.

Overall it is considered that buildings could be designed that would not have an adverse impact on the character of the area and this would be considered in detail in the Reserved Matters submissions. The proposals therefore comply with the relevant part of policy CS16.

CS16 states that sustainable drainage systems (SUDS) should be used and that developments should meet specified water conservation levels. The application includes a Flood Risk Assessment. This explains that soakaways are unlikely to be an option given the fact the site is within a Flood Zone 2 and its proximity to a Flood Zone 3. It suggests that a restricted rate of outfall into the river via the existing headwall. The Environment Agency

advised they had no objections to the scheme subject to the works being carried out in accordance with the submitted flood risk assessment and a buffer zone being created alongside the watercourse. It is considered these conditions are reasonable and that the relevant levels that are specified in CS16 could also be achieved via appropriate conditions.

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that as a minimum, developments of 10 or more dwellings shall include equipment to reduce carbon dioxide emissions by at least 10%. No energy statement was submitted with the application although the design and access statement makes reference to the dwellings being constructed to a minimum of Code Level 3. It is considered that a condition could be used to ensure compliance with the Building Regulations at the time of construction.

As the application is in outline form only, details of the design and construction of the dwellings is not known at this stage and an assessment cannot therefore be made as to what types of technology and equipment would be most appropriate in order to achieve the required reduction in carbon emissions. This could be controlled by condition to allow this to be assessed through a reserved matters application to ensure compliance Core Strategy policies CS16 and CS17, the Sustainable Design and Construction SPD and sections 7 and 10 of the NPPF.

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.

A number of neighbouring properties are likely to be affected by the development as dwellings are proposed to be sited at the end of their gardens. The indicative site plan shows two properties located at the rear of no. 15 Parkfield Road with a detached garage acting as a buffer on the rear boundary. At the rear of no. 17 and 19 two more garages are shown with dwellings behind these. There is a potential issue with overlooking from some of the proposed dwellings of those along Parkfield Road. However this site plan is for illustrative purposes only and the final layout could be altered to ensure there was no adverse impact in terms of enclosure, loss of light or privacy to the neighbouring properties in accordance with the relevant part of policy CS16. It is therefore considered that a scheme could be designed to protect these issues and would be considered in detail at the reserved matters stage.

Concerns were raised by one of the residents in relation to the impact the noise disturbance from the development. The previously submitted application, which is identical to this submission, included an Air Quality Assessment and Noise Assessment which were considered by the Authority's Environmental Health team. No objections were raised on that application subject to conditions and a similar response has been received on this application. Subject to those suggested conditions being attached it is considered the proposal will not have an adverse impact on the neighbouring properties in terms of noise or air pollution.

Impact on landscape and 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.

The application was submitted with an arboricultural survey which was assessed by the Council's Arboricultural Officer. The survey was considered acceptable although objections were raised in relation to the siting of two of the properties in close proximity to the protected trees on the boundary. Following discussions with the Arboricultural Officer it was felt these objections could be overcome by amending the layout which could be addressed through a

reserved matters submission. The final landscaping of the site would also be decided through a reserved matters application.

Overall the development is considered to comply with Saved Policy E6 and Paragraph 118 of the NPPF.

Open space provision and Green Infrastructure

Saved policies LR1, H11 and H12 state that developments should provide open space in accordance with the Council's Open Space Standards and that this could include off-site provision.

The Council's 2008 Open Space Audit details the requirements for specific types of open space and these are incorporated into the Council's Planning Obligations SPD. There are proposed to be small areas of landscaping throughout the development but none of these could be classed as useable amenity open space, therefore contributions will be required for off-site open space in accordance with the Planning Obligations SPD and secured through a S106 agreement.

It is therefore considered that high quality, accessible open space could be provided in accordance with the requirements of saved policy LR3.

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.

Access to the site is not proposed as a reserved matter and is therefore under full consideration as part of this application. The County Highway's Officer has assessed the application and has confirmed that it is unlikely in the form shown, that the site would be adopted by the County Council and has therefore assessed the proposals as if it was a private drive. The visibility into and out of the site were considered to be acceptable subject to a number of conditions being attached.

Based on this expert advice the access arrangements as shown on the submitted plans are considered to be acceptable, subject to the suggested conditions being attached. The development is therefore deemed to comply with the contents of Saved Local Plan Policy T5, the contents of the Planning Obligations SPD and Paragraph 39 of the NPPF.

Archaeology

Paragraph 139 of the NPPF requires consideration to be given to the archaeology of a site. The County Archaeologist raised no objection to the application, subject to a condition regarding an archaeological programme of works being secured. It is therefore considered that the impact on heritage assets is acceptable in accordance with Paragraph 139 of the NPPF.

Affordable housing

Policy CS19 states that on developments over 0.5ha in size or of 15 or more dwellings then affordable housing provision of 40% will be sought. In the current application the site is below the relevant thresholds so affordable housing will not be required.

Planning obligations

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

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

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

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

Contributions have been requested towards education and health care whilst a contribution will also be required towards off-site open space in accordance with the Planning Obligations SPD. It is considered that these requests comply with the requirements above and that they are reasonable.

Other Issues

Environmental Health raised no objection in relation to noise issues, contamination or air quality, subject to conditions and informatives.

Recommendation:

Approve subject to appropriate conditions

Report prepared by: JW 5/2/15

DRAFT DECISION

APPLICATION NUMBER

R14/2338

DATE VALID

08/12/2014

ADDRESS OF DEVELOPMENT

Land adjacent 15 Parkfield Road
Newbold
Rugby
CV21 1EN

APPLICANT/AGENT

Jeff Hayward
Hayward Architects Ltd
19 Station Road
Hinckley
Leicestershire
LE10 1AW On behalf of Mr C Reilly

APPLICATION DESCRIPTION

Outline application for residential development of up to 14 houses

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON

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

CONDITION 2:

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

REASON:

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

CONDITION 3:

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

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

REASON:

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

CONDITION 4:

The development shall not be carried out other than in accordance with the plans and documents detailed below which were received by the Local Planning Authority on 2014;

Location Plan

Design and Access Statement Rev A – Nov 2014

Flood Risk Assessment

Arboricultural Survey

Extended Phase 1 Habitat Survey

REASON:

For the avoidance of doubt.

CONDITION 5:

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 6:

No development shall commence unless and until details of all proposed walls, fences and gates have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of visual amenity.

CONDITION 7:

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

REASON:

To ensure the proper development of the site.

CONDITION 8:

No works shall commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of; landscaping including details of tree and scrub planting of native species and a bird box scheme. The agreed scheme to be fully implemented before/during development of the site as appropriate.

REASON:

To ensure the development does not have an adverse impact on the biodiversity of the site.

CONDITION 9:

No development shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA in consultation with the Warwickshire County Council Archaeological Information and Advice team.

b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the planning authority.

Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation detailed in condition 9 above.

The programme of archaeological fieldwork and associated post-excavation analysis, report production and archive deposition detailed within the approved Archaeological Mitigation Strategy is to be undertaken.

REASON:

To ensure the development does not harm items with potential archaeological importance.

CONDITION 10:

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

a) A minimum width of 5.0 with a gradient not steeper than 1 in 15, and hard surfaced in a bound material for a minimum distance of 7.5 metres from the near edge of the highway footway.

b) The access not allowing surface water to run off the site onto the highway.

REASON:

To ensure the development does not have a detrimental impact on highway safety.

CONDITION 11:

The development hereby permitted shall not be occupied until all parts of existing direct vehicular access from number 15 on to Parkfield Road (C80) have been permanently closed and the highway features, (including the verge and kerblines) have been reinstated in accordance with details approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON:

To ensure the development does not have a detrimental impact on highway safety.

CONDITION 12:

The development hereby permitted shall not be occupied before the highway (verge/footway) crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

REASON:

To ensure the development does not have a detrimental impact on highway safety.

CONDITION 13:

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

REASON:

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

CONDITION 14:

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

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

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

Should the findings determine it, a further appraisal of remedial options may be required. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON:

To ensure the proposal is not adversely affected by contamination which may be present on site.

CONDITION 15:

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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON:

To ensure the proposal is not adversely affected by contamination which may be present on site.

CONDITION 16:

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must

ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON:

To ensure the proposal is not adversely affected by contamination which may be present on site.

CONDITION 17:

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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 20, 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 21.

REASON:

To ensure the proposal is not adversely affected by contamination which may be present on site.

CONDITION 18:

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 and E of Schedule 2 Part 1 of the Order and Part 2 of the Order without the prior written permission of the Local Planning Authority.

REASON:

To ensure the residential amenity of the neighbouring properties and nearby listed building are not adversely affected.

CONDITION 19:

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 3 September 2012 reference IP12_703_06 undertaken by JMS Civil and Structural Consulting Engineers and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 82.475 m above Ordnance Datum (AOD).
2. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON:

To reduce the risk of flooding to the proposed development and future occupants.

CONDITION 20:

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 21:

Prior to submission of the reserved matters application, a reptile survey to be carried out at the appropriate time of year and during appropriate weather conditions, by a suitably qualified ecologist. Appropriate mitigation measures as recommended following results of the survey to be agreed between the applicant and the Borough Council (with advice from WCC Ecological Services), and incorporated into the development design.

REASON:

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

CONDITION 22:

Prior to submission of the reserved matters application a detailed badger survey shall be carried out by a suitably qualified ecologist. Appropriate mitigation measures as recommended following the results of the survey to be agreed between the applicant and the Borough Council, (with advice from WCC Ecological Services) and incorporated into the development design.'

REASON:

To ensure that protected species are not harmed by the development

CONDITION 23:

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of; landscaping including details of tree and scrub planting of native species and a bird box scheme. The agreed scheme to be fully implemented before/during development of the site as appropriate.

REASON:

To ensure the development does not adversely impact on the biodiversity of the area.

CONDITION 24:

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

REASON:

In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.

CONDITION 25:

Prior to the commencement of development a Tree Protection Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved plan/statement.

REASON:

In the interest of visual amenity.

CONDITION 26:

In accordance with the details approved under Condition 3 of this decision, prior to the first occupation of the building, details of the equipment and technology to be incorporated into the design of the building to achieve carbon emission reductions shall be submitted to the Local Planning Authority in writing and include the submission of an Energy Performance Certificate. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be implemented in accordance with this approval and shall be retained in working order in perpetuity.

REASON:

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

CONDITION 27:

In accordance with the details approved under Condition 2 of this decision, prior to the first occupation of the building, details of water efficiency measures to be incorporated into the design of that building to meet the standards below in accordance with Policy CS16 shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall then be incorporated in to the design of the building prior to its first occupation and then retained in perpetuity. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall be equivalent to BREEAM very good standard.

REASON:

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

CONDITION 28:

The reserved matters in relation to Condition 3 shall have regard to the indicative plans no. 'Site Plan' and 'Street Elevation and Section' received by the Local Planning Authority on the 19 December 2014.

REASON:

To ensure the development is designed to respect the character of the area and the adjacent neighbouring properties.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE 1:

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

INFORMATIVE 2:

Condition numbers 10, 11 & 12 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days, notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE 3:

The applicant / developer will be required to contribute a sum of money per dwelling for sustainable welcome packs; promoting sustainable living and to deliver road safety education in the area.

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

INFORMATIVE 4:

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

INFORMATIVE 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.

Guidance contained in the Burning on construction sites - BRE Pollution Control Guide - Controlling particles, vapours and noise pollution from construction sites should be adhered to.

INFORMATIVE 6:

Under the terms of the Water Resources Act 1991 and the Midlands Land Drainage Byelaws, the prior written consent of the Agency (Flood Defence Consent) is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of a watercourse, designated a Main River.

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 7:

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

Reference number: R14/2343

Site address: Zone 6, Central Boulevard, Ansty Park, Ansty, Coventry.

Description : Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated works.

Case Officer Name & Number: Steve Parkes 01788 533633

Authorised Use

B1 High Technology Business Park

Relevant Decisions

Use of 40 hectares of land for the construction of a High Technology Park and use for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (ref. R/91/1069/14999/OP) approved 21.05.92

Use of 40 hectares of land for the construction of a High Technology Park (variation of conditions to extend the permission) (ref. R/95/0144/14999/OP) approved 28.04.95

Details of layout and design of access road (ref. R/95/0714/14999/D) approved 06.03.96

Use of 40 hectares of land for the construction of a High Technology Park (variation of conditions to extend the permission) (ref. R/98/0337/14999/P) approved 17.06.98

Use of 40 hectares of land for the construction of a High Technology Park (variation of conditions to extend the permission) (ref. R03/0887/14999/P) approved 04.12.03

Erection of two buildings and use as a telecoms research and development/engineering centre and erection of building and use as an ancillary energy centre together with associated infrastructure, car parking and landscaping – phase 2a(i) – submission of reserved matters (ref. R07/1295/MAJP) approved 26.09.07

Construction of dual carriageway link road together with associated flood compensation area and re-profiling works to the Withy Brook (ref. R08/1759/MAJP) approved 18.02.09

Use of land for the construction of 124,484sq.m of floor space for use as a High Technology Park for purposes within Class B1 of the Town & Country Planning (Use Classes) Order 1987, as amended and associated infrastructure, car parking and landscaping (ref. R09/0035/MEIA) approved 15.05.09

Erection of a building on Zone 5 and use as a Manufacturing Research and Development Facility with associated support spaces together with infrastructure and car parking – submission of reserved matters against ref. R09/0035/MEIA (ref. R09/0809/MRES) approved 04.11.09

Certificate of Lawful Proposed Use or Development for business Activities (ref. R11/2218) issued 16.11.11

Erection of Product Development Centre, multi-storey car park and related ancillary development (ref. R12/0452) approved 06.09.12

Infrastructure works within zones 3, 4 and 5 comprising access roads and associated drainage including a secondary access road link to Coombe Fields Road, pedestrian/cycleway link, car parking, lighting, security provision including CCTV/ANPR, fencing and gates and landscaping including buffer planting to the frontage of Coombe Fields Road – submission of reserved matters against R09/0035/MEIA (ref. R13/0416) approved 27.09.13

Erection of building for use for research and development purposes with associated car parking, servicing, external lighting, landscaping and drainage to provide an Aerospace Research Centre – submission of reserved matters against R09/0035/MEIA 9Ref. R13/1591) approved 23.10.13

Erection of 2 storey Science Research Building containing research halls, laboratory, office and staff accommodation, external service yard, car parking and landscaping – submission of reserved matters against R09/0035/MEIA (ref. R13/1645) approved 15.11.13

Erection of building for uses within Class B1 including catering and conference facilities with associated infrastructure, car parking and landscaping including extension to lake and erection of a bridge linking to the MTC building – submission of reserved matters against ref. R09/0035/MEIA (ref. R12/0190) approved 21.03.14

Erection of two buildings and use for purposes falling within Class B1 employment together with associated energy centre, multi-storey car park, surface parking, new access, landscaping and drainage works, alterations to existing buildings and associated works (ref. R13/1850) approved 05.11.14

Technical Consultations

Highways Agency	no objection	confirms that the proposal does not exceed any floorspace or traffic generation thresholds associated with the outline planning permission and it will not have a material impact on the continued operation of the A46 trunk road or the M69 and M6 motorways
WCC – Highways	observations awaited	
Environment Agency	no objection	confirm that proposals are in accordance with the approved drainage strategy for the wider site: ground investigation has indicated that risk to controlled waters is low and that no further work would be required
STW	no observations received	
Natural England	no objection	confirms that Coombe Pool SSSI does not represent a constraint in determining the application; advises that standing advice should be taken into account in connection with European Protected Species; draws attention to requirements under the NERC Act 2006 to have regard to conserving and enhancing biodiversity and advises that the impact on local sites, local landscape character, local or national biodiversity priority habitats and species should be taken into account in determining the application

WCC – Ecology	no objection	subject to conditions and informatives covering great-crested newt and other protected species mitigation measures and consideration of the impact of the proposed lighting on bats
Warks Wildlife Trust	no objection	comment that are satisfied with proposed mitigation for protected species; would prefer to see more native species planting adjacent to Hill Park Wood and lighting should be designed to minimise effects on wildlife, particularly bats
WCC – Archaeology	no observations received	
Western Power Distribution	no observations received	
Warks Fire & Rescue	no objection	subject to condition covering water supply and fire hydrants
Environmental Services (RBC)	no objection	subject to conditions and informatives covering dust, contamination, petrol filling point, chemical and oil stores, noise limits, hours of work, lighting, appropriate licences and environmental permits
Landscape Officer	no objection	comments is satisfied with the overall landscape (RBC) strategy including the treatment between the site and Hill Park Wood and considers proposals will enhance biodiversity
Building Control (RBC)	comments	confirms proposed photovoltaics will reduce carbon emissions in accordance with Council standards

Third Party Consultations/Representations

Coombe Fields PC	no objection	comment that light pollution should be kept to a minimum and that new signage should be installed at the M6 Junction 2 and other entry points to Ansty and Combe Fields to show that the only entrance to Ansty Park is via the motorway junction
Ansty PC	no representations received	
Cllr. Ann Lucas OBE	support	on behalf of Coventry City Council
Leader of Coventry City Council	comments	that the application is key to the continuing development of the advanced manufacturing sector, a top priority in the strategic economic plan for the sub-region, and to the City of Coventry itself; the City Council is keen to see investment is secured in this area and is committed to ensuring that its longstanding links and ties with the company are both maintained and strengthened

Jonathan Browning

CWLEP Chairman support comments that CWLEP have identified growth and expansion in the advanced manufacturing sector as its top priority in its Strategic Economic Plan (SEP) and that £74.6m Growth Deal monies awarded from the SEP support growth in this sector; the CWLEP supports the proposed investment and the huge employment benefits associated with the development and is committed to ensuring that its longstanding links and ties with the company are both maintained and strengthened

Cov and Warks LEP support comment that the Partnership's Strategic Economic Plan (March 2014) identifies Ansty Park as a strategic employment site and that the proposals to facilitate automotive manufacture offers the opportunity to complement existing activities at the site and create employment in the advanced manufacturing and engineering sector. Also comment that Ansty Park is a major employment site which supports the wider priorities of the CWLEP

Neighbours no representations received

Other Relevant Information

Background/Planning History

The application site comprises part of Ansty Business Park which extends to some 40ha located directly to the south-east of the M6/M69 interchange approximately 1 mile to the south of Ansty village and 4 1/2 miles from the centre of Coventry. The business park lies within the West Midlands Green Belt and its wider environment is defined by the Rolls Royce site immediately adjoining to the south, the M6 motorway to the north beyond which is open countryside, the urban area of Coventry to the west and open countryside to the east.

Outline planning permission for the high technology business park was originally granted in 1992 and the permission successively renewed through to 2003. Development commenced in late 2007 with the remediation of contamination and earthworks and the provision of primary on-site infrastructure comprising the internal spine road, sustainable drainage systems, structural landscaping and planting. Following a review of the development potential of the business park a new outline planning permission was granted in May 2009 which increased the amount of floor space to be accommodated from 100,000sq.m to 140,000sq.m. The site was divided into 6 development zones defined on a parameter plan with maximum floorspace and car parking prescribed in each zone and the height of buildings restricted to four storeys or no more than 19.0 metres.

The initial buildings on the business park were constructed under the provisions of the original outline planning permission and now form part of the Sainsbury's complex. A Product Development Centre extension was added in 2013 and planning permission granted for further expansion on zone 1 and part of zone 2 in November 2014. A Manufacturing Technology Centre (MTC) on zone 5 was completed and occupied in the summer of 2011 and is currently being expanded with the addition of an Aerospace Research Centre approved in October 2013. Other buildings currently under construction on zones 3 and 4 comprise a Heat Treatment Research Centre (joint collaboration between Birmingham

University and Rolls Royce) and an Advanced Manufacturing Training Centre (related to the MTC) approved in November 2013 and March 2014 respectively.

The business park is accessed directly from a spur off the A46 trunk road. Off-site highway improvements to Junction 2, M6 and the A46 required to facilitate the development of the business park were completed in 2012. A secondary access road link from the spine road to Coombe Fields Road is awaiting final completion.

The Application

The Site

The full application relates to the development of zone 6 of Ansty Park amounting to approximately 8.7ha (21.5 acres) The site is bounded by the Central Boulevard spine road to the north, a balancing pond and other associated drainage to the south beyond which is the Rolls Royce complex, a balancing pond to the north-west and Hill Park Wood to the west, and Pilot Way and the existing Manufacturing Technology Centre site to the east. Hill Park Wood is a designated area of ancient woodland and a Biodiversity Action Plan (BAP) priority habitat. The site is currently vacant land described as comprising marshy grassland and species poor semi-improved grassland.

The Proposal

The proposal comprises the erection of a general industrial production facility for the London Taxi Corporation to be used for the primary purpose of assembling vehicles together with ancillary accommodation, parking and servicing. The rectangular building will provide a total of 25,050sq.m of floorspace with 20,435sq.m in the main production/assembly hall and 4,615sq.m in ancillary offices, reception/showroom and staff welfare facilities.

The main bulk of the building comprising the vehicle assembly hall would be located centrally within the plot with the ancillary support accommodation in two wings over three floors wrapped around and projecting from the north-west corner. The staff canteen and welfare facilities would be accommodated on the ground floor of the southern wing with general office, research and conference space in the remaining areas. The two wings would be separated by a feature “fully glazed lantern” element on the corner of the building accommodating the reception and vehicle showroom areas. The building would be predominantly 14.0m in height to the top of the parapet with a ridge height of 15.0m over the assembly hall to accommodate specialist high-tech assembly equipment and modern storage racking systems. The highest point of the building would be the tip of the feature corner roof at 17.6m.

The main assembly hall elevations facing Central Boulevard (north elevation) and Hill Park Wood (west elevation) would be finished in smooth surfaced composite cladding in pearl (white) and moonstone (silver grey) finish to upper and lower levels separated by a recess feature band, together with contrasting feature laminate flat panel “rainscreen” cladding in azur blue and deeper profile steel cladding in aventura (grey). The side elevation (west) and rear service yard elevation (south) would be finished in the deeper profile steel cladding with similar contrasting feature panels. The projecting north-west corner elevations would be finished in ceramic terracotta panels and glazed curtain wall screens providing vertical emphasis with contrasting flat panel “rainscreen” cladding and architectural fascia and soffit. The main low pitch roof to the assembly hall would be constructed in deep profile steel sheet cladding in a goosewing grey finish and incorporate 10% coverage of roof lights to provide natural daylight and 530sq.m of photovoltaics on the south side.

Separate vehicular access to the site would be provided for staff/visitors and service/delivery vehicles. The main staff/visitor access would be located centrally off the second traffic island on Central Boulevard whilst the service/delivery entrance would be to the rear of the building

from the third traffic island via Pilot Way and a gatehouse providing secure, controlled access to the service yard.

A total of 590 car parking spaces including 41 for those with impaired mobility would be provided to the north and west side of the building together with secure under cover parking for 135 cycles. 30 of the parking spaces would be allocated for car sharers and 3 provided with electric vehicle charging points. The service yard would be located entirely on the south side of the building and includes a dedicated area for the parking and storage of new vehicles together with ancillary structures including battery store, waste management area, bunded petrol storage area and filling point and car charging point. The layout also allows for the potential future expansion of the assembly hall on the east side with a “squeak and rattle” test track located on the eastern edge of the site to accommodate an extended facility.

The proposed lighting scheme comprises principally of column mounted luminaires to the parking and service areas, access roads and test track ranging from 5.0m to 9.0m in height together with 1.0m high bollard lighting around the main entrance and wall mounted lighting to the rear elevation.

The Occupier

The proposed development is described as being a state of the art facility for research, development and assembly of high technology electric vehicles, including the next generation of London taxi. The site will be the London Taxi Corporation’s new headquarters and will include a substantial research and development department, supply chain team, global sales and marketing and administrative functions necessary to support the assembly operations of the new vehicles.

In supporting information it is stated that the company intends to invest £200m to help develop advanced green taxi technology over the next five years with the aim of launching a zero-emission electric powered London taxi by 2018 and other vehicle variants of the same. The assembly operations will be based on low volume production using skilled labour as opposed to automated high volume production with all components imported to the site from suppliers in the UK and abroad. It is anticipated that approximately 12,000 vehicles per year will be produced based on a single shift system. The development would initially employ 550 people with an anticipated increase to over 1000 employees in the next few years. The majority of the jobs would be new though it is intended that some employees will transfer from the company’s existing site in Coventry.

The proposed development is anticipated to generate some 1,348 car movements and 64 heavy duty vehicle (HDV) movements per day based on a single shift system. It is expected that all HDVs will travel to and from the site via the M6 or M69 motorways. Though it is anticipated that the facility will initially operate within typical day time working hours the applicant proposes that operating hours be unlimited to allow for operational flexibility including the potential for a two shift working system.

Supporting Documents

The application is supported by a number of documents comprising design and access statement, transport assessment, draft travel plan, noise and air quality assessments, sustainability and energy statements, ecological appraisal, landscape design statement and drainage summary.

Design and Access

The design and access statement includes consideration of the design approach behind the proposals in the context of the client brief, including potential future expansion, and also considers visual impact having regard to parameters controlling development established at the time of the most recent outline approval for Ansty Park.

Transport Assessment

The transport assessment considers the extent to which the transport and highway implications of the proposal are consistent with assumptions made in the most recent outline application for Ansty Park in terms of traffic generation/trip rates and also considers details in relation to site layout, access and parking provision. It demonstrates that during peak hour periods traffic generation will be significantly less than was previously assumed for the B1 use originally envisaged on zone 6 under the outline planning permission. The number of HDV movements will be higher given the B2 nature of the proposed use but in absolute terms the number of HDVs during peak hours will be less. There will also be significantly less car parking than was assumed for the purposes of the outline planning permission. The assessment concludes that overall, traffic generated by the proposed development of zone 6 will be less than that originally forecast and that there will be no additional material traffic impact on the highway network over and above that previously assessed and mitigated.

Draft Travel Plan

The draft travel plan has been compiled for the applicant in accordance with the existing Framework Travel Plan covering Ansty Park with the aim of agreeing the final document within one month of occupation consistent with conditions attached to the outline planning permission. The main aim of the draft travel plan is to encourage the use of more sustainable modes of transport other than the car and to reduce unnecessary travel. It sets out a target car/employee ratio of 75% in line with the Framework Travel Plan.

Noise Assessment

The noise assessment considers the potential impact of site activities on the nearest sensitive receptors and sets maximum sound levels that can be produced without exceeding existing background levels. Monitoring was carried out to establish both daytime and night time background noise levels at the location of sensitive receptors and then considered against proposed and potential operational hours based on both daytime and night time working. Separate assessment was also made of potential road traffic noise at nearby residential properties generated by traffic to and from the site, including HDV movement and use of the "squeak and rattle" test track facility. It concludes that there will be no significant increase in noise at sensitive receptor locations.

Air Quality Assessment

The air quality assessment considers the operational impacts associated with the proposed development. It concludes that the additional traffic generated together with the proposed heating plant within the development and testing of new vehicles will have an "imperceptible" impact on air quality and that overall, air quality impacts will be insignificant.

Ecological Appraisal

The ecological appraisal determines habitats and species present within the site, their ecological value and potential constraints to development together with opportunities for mitigation. The appraisal is based on an updated habitat survey of the site carried out in November 2014. The appraisal confirms one SSSI (Coombe Pool) approximately 1.6km to the south of the site and four non-statutory sites within 1.0km including Hill Park Wood listed as an ancient woodland on Natural England's inventory and a deciduous woodland habitat of principal importance under the NERC Act. A medium breeding population of great crested newts was identified following a survey of ponds within 500m of the site whilst the habitat on site and nearby is considered to have potential to support reptiles (grass snake). The grassland on the site and existing balancing ponds to the north-west and south are also considered suitable foraging habitat for bats and the site suitable for ground nesting birds.

The ecological appraisal concludes that the proposals will have no significant effect on the SSSI due to distance and lack of connectivity. With regard to non-statutory sites it recommends that trees at the woodland edge be protected from damage during construction and that the Environment Agency's pollution prevention guidelines be followed to minimise any potential effects on watercourses. It further concludes that loss of habitat on site will have negligible effect on biodiversity and points out that wildlife corridors around the site, including foraging corridors by bats are being retained. It goes on to recommend that lighting be designed to minimise effects on wildlife and that any clearance of vegetation is carried on outside the bird breeding season. It advises that a licence will be required from Natural England to trap and relocate great crested newt prior to construction and recommends that a trapping exercise is also carried out for reptiles. Recommendations are also made to secure biodiversity enhancements in the landscape design including the use of native species. Overall, it concludes that development of the site will have negligible effect on local wildlife.

Landscape Design Statement

The landscape design statement sets out the objectives, amongst other things, of enhancing the amenity value of the site and maximising biodiversity to ensure that the development integrates with its surroundings. The landscape proposals include supplementing existing planting along the northern boundary with the spine road, native species planting to the southern boundary, a strong belt of native thicket and hedge planting along the western boundary with Hill Park Wood and a belt of native species planting to the eastern boundary. In addition, it is proposed to define the main staff/visitor entrance to the site by extending hedgerows along the spine road to wrap around the access road.

Drainage Summary

The drainage summary confirms that the site is at low risk from flooding (flood zone 1) and that surface water drainage proposals including porous paving, filter trenches and swales together with secondary treatment in the existing balancing ponds will improve the quality of the discharge in accordance with the originally approved drainage strategy for Ansty Park. Foul water will discharge into the existing public foul sewer.

Energy Statement

The energy statement explains how the proposed development meets the Council's sustainable design and construction requirements for the reduction of predicted carbon dioxide emissions by at least 10% and will comply with Building Regulations using decentralised and renewable or low carbon means. This is to be achieved through the application of energy efficiency standards in the design and construction of the building envelope together with LED lighting, electric heat recovery heat pumps, heat recovery ventilation, comprehensive building controls and the use of approximately 530sq.m of photovoltaic panels.

Sustainability Statement

The sustainability statement explains the aim of preventing unnecessary impact on the natural environment whilst providing a new sustainable built environment through sustainable construction and sustainable operation of the facility taking account of all environmental, social and economic aspects of the development. It includes consideration of the energy efficiency of the building with a view to minimising energy demand, best practice pollution prevention measures, the incorporation of sustainable drainage and the adoption of sustainable transport solutions.

Relevant Planning Policy

Local Development Framework Core Strategy, June 2011

CS11	conforms	transport and new development
CS16	conforms	sustainable design
CS17	conforms	reducing carbon emissions

Rugby Borough Local Plan, July 2006 saved policies

GP2	conforms	landscaping
E6	conforms	biodiversity
T5	conforms	parking facilities

Sustainable Design and Construction SPD, February 2012

Planning Obligations SPD, March 2012

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Determining Considerations

The main considerations in this case relate to the principle of development and detailed matters in respect of layout, design and appearance together with transport and environmental issues and any other material considerations. These aspects need to be considered against relevant policies contained in the Council's Local Development Framework Core Strategy, June 2011, government policy and guidance contained in the National Planning Policy Framework, March 2012 (NPPF) and related Planning Practice Guidance, and the Council's Supplementary Planning Documents (SPDs).

Principle of Development

Ansty Park is a strategically significant employment site located on the western fringe of the Borough within the West Midlands Green Belt. It serves a sub-regional purpose in its provision of jobs making an important contribution to the employment needs of both Rugby Borough Council and neighbouring Coventry City Council.

There is no specific policy in the Council's Core Strategy regulating and controlling the development of the site but it is identified on the rural proposals map with reference to former policy PA8 of the now revoked Regional Spatial Strategy for the West Midlands, 2008 (RSS). This designated Ansty Park as a Major Investment Site (MIS) for employment purposes recognising its strategic significance to the regional economy. Whilst the policy now holds no weight as the RSS no longer forms part of the development plan, it nonetheless remains relevant. The function of Ansty Park as an employment site of regional importance is well established in policy terms and through subsequent planning approvals, principally the most recent extant outline planning permission ref. R09/0035/MEIA. In explanation of policy CS18 in the Core Strategy which seeks to maintain a portfolio of employment land in the Borough, it is advised that in order to respect its Green Belt surroundings development on Ansty Park should be delivered in accordance with the approved outline planning consent.

Ansty Park's designation as a MIS through the RSS was originally envisaged to deliver a regional employment site with a single, high-technology occupier. The RSS Phase 2 Revision (also revoked), however, advocated that Ansty Park be more suitably designated a Regional Investment Site with multiple occupiers. The extant outline planning permission has facilitated multiple occupation of Ansty Park and the current proposal will make a significant contribution to the on-going development of the strategic employment site.

The applicant has provided information on the search for suitable and available employment sites in the Coventry and Rugby area with a view to remaining in or around Coventry, the company's historic base, together with a requirement for good access to the strategic highway network and a need to minimise the effects of a significant change in location and the potential disruption that would cause to the existing operation and workforce. No sites within Coventry were deemed suitable due to limited size or issues of ownership and availability. Of two sites identified in Rugby Borough, that at Ansty Park best meets the company's requirements.

Due to the extant outline approval only granting permission for employment development in use class B1(Business), the proposal is brought forward as a separate application for a use falling within class B2 (General Industrial) with ancillary B1 uses, including research and development. Many of the planning issues relating to the development of Ansty Park for B1 uses and the proposed development of zone 6 for B2 use are similar, however, particularly the exact nature of the proposal comprising an advanced automotive industrial use concerned with, amongst other operations, the development of new green technology.

It is considered that the presence of existing B1 occupiers on other zones on Ansty Park and the neighbouring B2 use of the Rolls Royce site would not be compromised or adversely affected by the proposed B2 development on zone 6. Furthermore, the proposal will contribute to the on-going vitality of Ansty Park in employment land terms and help realise the vision that the overall site becomes a key part of the Coventry and Warwickshire sub-region's advanced manufacturing sector as supported by the Coventry and Warwickshire Local Enterprise Partnership (CWLEP) and its most recent Strategic Economic Plan (SEP). The take-up of zone 6 as proposed will build on the success of attracting existing occupiers on Ansty Park such as the Manufacturing Technology Centre (MTC), the Heat Treatment Research Centre (HTRC) and the Sainsbury's Store Support Centre by bringing further jobs to a key site near the boundary of both Rugby and Coventry local authority areas.

One of the key objectives of the NPPF is to enable a strong, responsive and competitive economy with the planning system helping to support growth and innovation. Local authorities are expected to support existing business sectors taking account of their expansion needs and applying policies in a way which is flexible to business needs and is responsive to changes in economic circumstances. As part of a 5 year investment plan of £200m, the proposal will provide an initial 550 jobs with scope for expansion which could potentially lead up to the creation of 1000 jobs. The proposal therefore represents a significant level of investment in the manufacturing sector of the local and regional economy with major economic benefits, not least of which is significant job creation and a range of employment opportunity.

The parameters controlling the development of Ansty Park under the extant outline planning permission cover the maximum levels of floor space, parking and the height of buildings in each development zone and across the business park as a whole. The floorspace and parking parameters relate to trip rates to and from the site to ensure that the surrounding highway network has the capacity to accommodate the traffic generated. The height restrictions were imposed having regard to the location of the site in the Green Belt. The floorspace proposed (25,050sq.m) falls well within that assumed for zone 6 (42,399sq.m) as does the level of 590 parking spaces proposed (1439 assumed). The proposed building is within the height restriction of 4 storeys or 19.0m. In view of the allocation of the site for employment purposes and that the proposed development meets existing parameters for controlling development on Ansty Park, there is no requirement to consider the appropriateness or otherwise of the development against Green Belt policy.

In view of the above, it is considered that there is no material conflict with the extant outline planning permission controlling the development of zone 6 or Ansty Park as a whole. The economic benefits of the proposal are substantial and should be given significant weight in

considering the overall merits of the proposal. The B2 use for the purposes proposed is therefore considered acceptable in principle.

Layout, Design and Landscaping

Core Strategy policy CS16 states that all development should demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. This reflects section 7 of the NPPF which attaches great importance to the design of the built environment and section 10 which seeks to meet the challenge of climate change.

The layout of development on the site and the design of the building operationally meets the specific functional requirements of the occupier, including the potential for future expansion. The building is essentially a rectangular block providing a full height flexible assembly hall with support accommodation as a focal point wrapping around the north-west corner. This element appropriately addresses the main access spine road and traffic island serving Ansty Park and as a focal point takes advantage of a key view on entry to the larger site. It will be a visually prominent and attractive feature providing variation in scale, massing, articulation and visual interest on the primary frontage together with a strong image and identity to the main bulk of the building.

The materials and careful use of contrasting colour finishes comprising smooth and textured composite cladding panels, ceramic terracotta feature panels, rainscreen feature panels and glazed curtain walling will provide a bold statement, help break up longer elevations and add to the interest of the building. The materials and finishes proposed are typical of those incorporated in modern commercial and industrial schemes, research and development facilities and production halls. It is considered that the building will present a high quality, robust, contemporary design and appearance which will harmonise with and complement existing development on Ansty Park yet have its own particular identity.

Full regard has been given to issues of sustainability including energy efficiency and conservation, sustainable drainage systems (SUDs), inclusive design and secure by design principles in arriving at the design, layout and construction of the development. The building is designed and to be constructed and operated to meet the BREEAM very good standard and the requirements of Building Regulations both of which impose target requirements for controlling carbon emissions. The proposals incorporate renewable energy equipment to reduce predicted carbon dioxide emissions by at least 10% in accordance with Core Strategy policy CS17. The Council's Building Control Officer has confirmed that the scheme is capable of achieving a greater than 10% energy saving over and above current Building Regulations.

The scheme has taken full account of the need for inclusive design to provide safe and convenient access for people with disabilities or impaired mobility. The layout provides clearly defined pedestrian routes and incorporates the provision of parking conveniently located near the main access into the building. A greater level of control over access to, and within buildings, for the disabled and those with impaired mobility is afforded through the building regulations.

Landscaping has been considered as an integral part of the proposals in accordance with Local Plan saved policy GP2. The detailed scheme will soften the visual impact of the new development, provide an attractive setting and assist in assimilating the development into its surroundings. It will also enhance ecological connectivity with surrounding habitats and provide an appropriate landscaped buffer to Hill Park Wood. In raising no objections to the proposal, the Council's Landscape Officer has had particular regard to the merits of the proposed detailed landscape scheme in respect of the enhancement of biodiversity including

the comments of the Warwickshire Wildlife Trust in connection with the area adjacent to Hill Park Wood.

The visual impact assessment demonstrates that the site of zone 6 has a comparatively restricted visual envelope with few close vantage points. The new building will be largely screened by existing vegetation, including Hill Park Wood to the west, or seen in the context of other development on Ansty Park and the Rolls Royce site to the south. The proposal accords with outline parameters imposed to ensure that development on Ansty Park is not overly intrusive and will not cause significant material harm to visual amenity.

In view of the above, it is considered that the proposal accords with Core Strategy policies CS16 and CS17, guidance contained in sections 7 and 10 of the NPPF and the Council's Sustainable Design and Construction SPD. The development is of high quality, inclusive, sustainable design which will not cause any material harm to the quality, character and amenities of the area in which it is located.

Transport and Highways

Core Strategy policy CS11 states that development will be permitted where sustainable modes of transport are prioritised and measures to mitigate any transport impacts arising from proposed development or cumulatively with other proposals are provided. This reflects section 4 of the NPPF which promotes sustainable transport and advises that development which generates significant amounts of traffic should be supported by a transport statement or assessment. In addition, it states that decisions should take account of whether opportunities for sustainable transport modes have been taken up, depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access can be achieved, and, that cost effective improvements can be undertaken on the transport network to limit any significant impacts arising from the development. The NPPF also makes it clear that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

The transport assessment submitted in support of the application demonstrates that traffic generation in connection with the proposed development is not significant in the context of the potential development of the business park as a whole and is less than that assumed would arise from the development of zone 6 when considered at the outline stage. Mitigation in the form of improvements to the strategic highway network at Junction 2, M6 and the A46 have been completed in accordance with the requirements of the original and new outline planning permissions for Ansty Park. The main on-site highway infrastructure providing access to zone 6 is complete. The Highways Agency has raised no objection to the proposals on the grounds of highway safety or the impact on the strategic highway network nor is any additional mitigation required. At the time of writing, no observations have been received from the local highway authority. In the event that comments are received they will be reported verbally at the meeting.

The draft Travel Plan submitted is wholly consistent with national and local policies promoting sustainable transport and the approved Framework Travel Plan for Ansty Park having regard to the level of accessibility to the site by alternative modes and demonstrates the commitment of the applicant in this respect. There is a regular bus service serving Ansty Park which provides links into Coventry and improved cycling and pedestrian routes into the business park though it is acknowledged that the location of the site is such that it is not particularly conducive to walking.

The provision of satisfactory car parking facilities is covered by Local Plan saved policy T5 and the standards set out in the Council's Planning Obligations SPD. The site is in a "low access" location where maximum standards of 1 space per 30sq.m (B1(a) use) and 45sq.m (B2 use) apply. The proposals for a total of 590 parking spaces are within the maximum standard (608 plus 10 impaired mobility spaces against the floor space proposed) though

nonetheless will seek to achieve a lower actual requirement in line with the target car/employee ratio of 75% contained in the Ansty Park Framework Travel Plan. As advised earlier, it should be noted that the level of parking provision is significantly less than that anticipated and allowed for in parameters controlling development under the outline planning permission for Ansty Park. The allocation of 41 parking spaces at a ratio of 1:20 for persons with impaired mobility exceeds the Council's minimum standard. The level of proposed cycle parking accords with the Council's standards set out in the Planning Obligations SPD. The dual access proposals with the separation of staff and service/delivery vehicles will provide clarity to vehicle circulation and ensure that there is no conflict.

In view of the above, it is considered that transport and parking matters have been satisfactorily addressed. The scheme will have no material impact on the highway network and sustainable travel and parking requirements have been given appropriate consideration having regard to the accessibility of the site. The proposed development therefore accords with Core Strategy policy CS11, saved policy T5 and section 4 of the NPPF.

Biodiversity

Saved Local Plan policy E6 seeks to safeguard biodiversity interests including protected species and supporting habitat such as ponds, hedgerows and trees. The NPPF similarly seeks to minimise impacts on biodiversity (para.109) and puts a responsibility on local planning authorities to conserve and enhance biodiversity and to encourage biodiversity in and around developments.

In response to consultation, Natural England has drawn attention to the provisions of the Natural Environment and Rural Communities Act 2006 (NERC Act), which require local authorities in exercising their functions to have regard to the purposes of conserving and enhancing biodiversity. Local planning authorities also have a responsibility to further the conservation of habitats and species of principal importance where they may be adversely affected by a planning proposal. The Conservation of Habitats and Species Regulations 2010 (Habitat Regulations), as amended, implement the European Directive 92/43/EEC on the conservation of habitats and fauna and flora, and include measures which seek to protect certain species. Under the regulations certain activities which would normally constitute an offence against European Protected Species can only be carried out legally under a licence issued by Natural England.

The County Ecologist principally advises the Local Planning Authority on biodiversity interests and confirms that although there are no records of protected species on the site itself there are in the surrounding area whilst the recent ecological survey found a medium sized population of great crested newts in three ponds nearby and breeding lapwing were also recorded. A precautionary approach is therefore recommended in the form of pre-commencement conditions and an informative covering the submission of mitigation and method statements to ensure that great crested newts and reptiles are not harmed during site clearance and construction works and that dispersal and foraging routes along the boundaries are retained. It is also recommended that further consideration be given to the impact of the proposed lighting scheme on bats.

The proposed lighting scheme has been revised in view of comments received. Lighting will be directed and shielded to minimise spillage into neighbouring areas and light pollution generally to particularly ensure that there is no adverse impact on neighbouring Hill Park Wood, balancing ponds and commuting/foraging corridors.

In view of the presence of great crested newts, the County Ecologist confirms that there will be a need for a European Protected Species derogation licence from Natural England to carry out works on the site. This will include trapping and translocation to suitable habitat around one of the identified ponds. Under the Habitat Regulations, in circumstances where a

licence is required the applicant must satisfy three derogation tests. Local planning authorities also have to take the tests into account in considering proposed development and in coming to a decision, be satisfied that the applicant is likely to be able to meet the requirements of the tests.

The first test covers imperative reasons of overriding public interest. In this case the development will make a significant contribution to meeting a specific need for employment development within the area in accordance with local and national planning policy.

The second test relates to there being no satisfactory alternative. In this particular case it is a material consideration that the site forms part of a larger employment area allocated for development with the benefit of outline planning permission which was the subject of environmental impact assessment. The site has previously been the subject of earthworks and remediation of contamination in preparation for development with the existing habitat a result of natural regeneration whilst the ponds in which great crested newt have been found were formed as part of the sustainable drainage strategy for the business park as a whole. Whilst there may always be alternatives for every application, including not developing and use of alternative sites, in this case mitigation can be reasonably covered by condition and it is therefore considered unlikely that a licence would be refused on this basis.

The third test is that the favourable conservation status of the population of the species concerned will be maintained in their natural range. It is considered that the favourable conservation status of great crested newt will not be negatively impacted by the proposed development. Ponds and green corridor dispersal routes adjacent to the western and southern boundaries of the site are retained and unaffected by the proposed development. Mitigation in the form of the detailed landscaping and planting proposals will themselves enhance habitat and biodiversity value on the site itself. It is also relevant that the extensive 10ha buffer area immediately adjoining the north and west of the developable area of Ansty Park was designed to mitigate the loss of habitat across the business park as a whole. This has been landscaped and planted with native species and includes marshy grassland areas of benefit to great crested newt and hibernacula for reptiles, particularly grass snake.

It is therefore considered that the applicant is very likely to meet the three tests required should it be considered that a European Protected Species licence is deemed necessary in this case. Officers have had full regard to the NERC Act and Habitat Regulations in coming to this view as will the Committee in coming to a decision on the proposal.

The site can be developed as proposed without detriment to the ecological interests of statutorily protected (Coombe Pool SSSI) and non-statutory designated sites, including the neighbouring Hill Park Wood.

In view of the above, it is considered that the applicants have demonstrated that there are no overriding ecological constraints to the development of the site. The presence or otherwise of protected species and the extent to which they may be affected by the proposed development has been given proper consideration. Biodiversity enhancement has been considered in the details of the proposed landscaping/planting scheme. The proposal therefore accords with Local Plan saved policy E6 and section 11 of the NPPF which seek to safeguard biodiversity and conserve and enhance the natural environment.

Amenity/Noise/Air Quality/Contamination

Core Strategy policy CS16, amongst other things, seeks to ensure that the amenities of existing neighbouring development are safeguarded. Section 11 of the NPPF advises that the planning system should prevent both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air or noise pollution and should seek the remediation of contaminated land where appropriate (para.109). It further advises that planning decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new

development and should mitigate and reduce to a minimum any adverse impacts, including through the use of conditions (para.123). In addition, it states that planning decisions should ensure that any new development in Air Quality Management Areas (AQMA) is consistent with the local air quality action plan (para.124).

Though the site lies outside the Borough Council's AQMA and some 700m to the east of Coventry's AQMA, a methodology for assessment of the potential impact on air quality was agreed nonetheless with the Council's Head of Environmental Services. The nearest sensitive receptor is located approximately 700m away from the site whilst the majority of the traffic generated by the development will enter Ansty Park via the A46 and Central Boulevard.

The conclusions of the air quality assessment that the operational impacts will be insignificant based on predicted traffic generation and other operational considerations are accepted and no objections have therefore been raised by the Head of Environmental Services. The proposals will generate less traffic overall than was assumed and allowed for in the development of zone 6 under the outline planning permission covering the development of Ansty Park. The proposals will not give rise to significant changes in air quality requiring the implementation of mitigation measures. Encouragement of the use of alternative means of travel to the private car, car sharing initiatives and minimising the need for travel as advocated in the draft travel plan submitted can potentially assist in reducing the impact on air quality.

There will be no significant emissions to air from the operation of the assembly plant. The applicant has confirmed that the only paint spraying activities planned to be carried out on site will take the form of a small paint repair facility to rectify damage to surfaces caused during the assembly process. Vehicle bodies will be painted before delivery to the assembly site and paint will be water-based as opposed to solvent-based in accordance with modern practice. The potential for dust generation arising from ground preparation and construction works can be appropriately covered by condition requiring the submission of a Construction Environmental Management Plan (CEMP).

With regard to noise, the environmental noise and road traffic noise assessments demonstrate that the proposed development does not raise any issues with regard to potential noise impacts on the amenities of the nearest noise sensitive receptors. The Council's Head of Environmental Services considers the assessment comprehensive and conditions can be applied to ensure that background noise levels are not exceeded.

The larger Ansty Park site was remediated of contamination in 2007 and the Environment Agency advises that it was involved with some ground investigation work relating specifically to zone 6 in 2010 which indicated that the risk from contamination to controlled waters was low and that no further work would be required. Nevertheless the Agency and the Council's Head of Environmental Services have requested the submission of a report covering more recent site investigation carried out in November 2014 verifying the position. It is proposed nonetheless that a condition be attached to deal with any unsuspected contamination should this arise during groundworks and the construction of the development.

In view of the above it is considered that there will be no significant adverse impacts on amenity or unacceptable levels of noise or air pollution or risk from contamination arising from the proposed development and that it therefore accords with the requirements of policy CS16 and section 11 of the NPPF.

Other

With regard to the comments of the Coombe Fields Parish Council that there should be signage to show that the only entrance to Ansty Park is via the motorway junction, it should be noted that the development of Ansty Park includes a secondary access road from Coombe Fields Road. Though the principal access remains from the motorway junction and

A46 trunk road, the secondary access is designed to accommodate some of the traffic generated by the employment site, particularly that arriving/departing locally from the Rugby direction.

The secondary access will be signalled with an automatic traffic counter and telemetry to allow remote management of the interval of the signals should it be considered necessary to control the volume of traffic using the access. A number of off-site junctions locally are also required to be improved before the secondary access road is brought into use.

Conclusion

The proposed development will ensure that an important local employer will be retained in the local area. The significant investment proposed will generate a large number of jobs in the advanced manufacturing sector and be of major economic benefit to the local, regional and national economy and should be afforded significant weight. The proposals accord with the economic objectives of the Coventry and Warwickshire Local Enterprise Partnership as set out in its Strategic Economic Plan and will generate considerable employment opportunity for both Rugby Borough and the City of Coventry.

The details of the proposed development, including the nature of the use, are acceptable and will complement existing development on Ansty Park. There are no technical or other objections to the development and it will not cause unacceptable harm to the local environment and amenities of the area. There is no material conflict with the provisions of the development plan and the proposals accord with the policies and guidance contained in the National Planning Policy Framework and associated National Planning Practice Guidance.

Recommendation:

Approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R14/2343

DATE VALID

23/12/2014

ADDRESS OF DEVELOPMENT

Zone 6 Ansty Park
Central Boulevard
Ansty

APPLICANT/AGENT

Mr Kieran Rushe
Peter Brett Associates Llp
16 Brewhouse Yard
Clerkenwell
London
EC1V 4LJ
On behalf of , London Taxi Corporation Ltd

APPLICATION DESCRIPTION

Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated 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:

Drawings

14-012-P-01	Site Location Plan
14-012-P-02 Rev A	Site Layout Plan at Phase 1
14-012-P-03	Building Floor Plan
14-012-P-04	Office Floor Plans (Ground Floor Plans)
14-012-P-05	Office Floor Plans (First Floor)
14-012-P-06	Office Floor Plans (Second Floor)
14-012-P-07 Rev B	Building Elevations (At Phase 1)
14-012-P-08	General Arrangement Sections
14-012-P-09 Rev A	Setting Out Roof Plan
14-012-P-10 Rev A	CGI 01
14-012-P-11 Rev A	CGI 02
14-012-P-12 Rev A	CGI 03
14-012-P-13 Rev A	CGI 04
14-012-P-14 Rev A	CGI 05
14-012-P-15 Rev A	CGI 06
14-012-P-16 Rev A	Overall Site Plan - Ansty Park Site Status Plan
14-012-P-17	Proposed Gatehouse Details
01 Rev B	Soft Landscape Concept
02 Rev B	Soft Landscape Concept Sections
ESC1074/E/002 Rev P4	Proposed External Lighting Layout
CWA-14-272-501 Rev P2	Drainage Layout

Documents

Planning Statement, Rev AA, December 2014 (Peter Brett Associates)

Design and Access Statement, Report No. REP001, 19 Dec 14 (bhp design)

Air Quality Assessment, Report No. J2159/1/F1, 15 December 2014 (Air Quality Consultants)

Air Quality Addendum, Report No. J2159/1/N1, 2 February 2015 (Air Quality Consultants)

Contamination Note - 14.12.14 (CWA)

Drainage Summary, ref. CWA-14-272, dated 07-01-2015 (CWA)

Drainage Strategy Design Report, Issue 5, 8-12-08 (Halcrow Group Limited)

Flood Risk Assessment, Issue 6, 8/12/08 (Halcrow Group Limited)

Ecological Appraisal, Final, 08.12.14 (fpcr)

Energy Statement and Compliance Report, Rev T1, 18 December 2014 (esc)

Environmental Noise Assessment, Report no. 15510-1b, 18 December 2014 (noise.co.uk)

Road Traffic Noise Survey and Junction Assessment, Report no. 15510-1a, 18 December 2014 (noise.co.uk)

Landscape Design Statement, doc ref. 1511/14/RP01, 17-Dec-14 (Barry Chinn Associates)

Sustainability Statement Rev P3, 18/12/2014 (Engineering Services Consultancy Ltd)

Transport Assessment, 19th December 2014 (David Tucker Associates)

Draft Travel Plan (David Tucker Associates)

REASON:

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

CONDITION: 3

The facing materials to be used in the construction of the development hereby permitted shall be as specified on the approved building elevation drawings ref.nos 14-012-P-07 Rev B and 14-012-P-17, and samples submitted on 30 January 2015, and shall not be varied without the prior written permission of the Local Planning Authority.

REASON:

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

CONDITION: 4

Notwithstanding any indication given on the approved drawings and in the Design and Access Statement, full details of the hard surface treatment of all external areas including access roads, parking spaces and their circulation areas, pedestrian routes, service yard,

test track and hardstandings, together with samples of paviers, shall be submitted to and approved in writing by the Local Planning Authority within three months of the commencement of development and the details so approved shall thereafter be fully implemented before the development is first brought into use.

REASON:

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

CONDITION: 5

The accommodation for car parking, motor-cycle and cycle parking and for the loading and unloading of vehicles shown on the approved plans shall be provided before the development is first brought into use and shall be retained permanently for the accommodation of vehicles, motor-cycles and cycles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

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

CONDITION: 6

The soft landscaping and habitat enhancement scheme, as detailed on the approved drawings nos. 01 Rev B and 02 Rev B (Barry Chinn Associates), shall be fully implemented no later than the first planting season following completion or first occupation of the development, whichever is the sooner. 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 permission to any variations.

REASON:

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

CONDITION: 7

Prior to the commencement of development protection measures for trees along the boundary with Hill Park Wood, existing balancing ponds and swales, and existing landscaping/planting along the boundary with Central Boulevard shall be submitted to and approved in writing by the Local Planning Authority. The protective measures shall remain in place until completion of all construction works. No building activity, ground disturbance or storage of building materials shall take place within the protected areas

REASON:

To protect existing trees, ponds/swales, landscaping and planting from damage during construction in the interests of biodiversity and the visual amenities of the locality.

CONDITION: 8

Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- a) the control of noise, vibration and dust emissions from groundwork and construction activities including arrangements for monitoring
- b) the treatment and removal of suspended solids and other polluting matter from surface water run-off from groundwork and construction activities
- c) measures to reduce the deposition of mud on highways off-site by vehicles leaving the site

REASON:

To safeguard and minimise the impact of construction on the environment.

CONDITION: 9

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 to, and obtained the written approval of the Local Planning Authority, a strategy detailing how this unsuspected contamination shall be dealt with.

REASON:

The proposed development is located within close proximity to the Withy Brook and the condition will ensure that the water quality of this watercourse is protected.

CONDITION: 10

With the exception of the storage of new vehicles produced at the site in the service yard, no part of the site other than within the proposed building shall be used for storage purposes unless as may otherwise be agreed in writing with the Local Planning Authority.

REASON:

In the interests of the amenities of the locality and to ensure that parking and servicing areas remain unobstructed.

CONDITION: 11

Within one month of the occupation of the development the occupier shall submit and obtain the written approval of the Local Planning Authority, in consultation with the Highway Authority, a Green Travel Plan which shall include targets, strategies and monitoring programme and shall be in general conformity with the Ansty Park Framework Travel Plan. The approved Travel Plan shall thereafter be fully implemented in accordance with the details contained therein.

REASON:

In the interests of sustainable transport.

CONDITION: 12

Prior to the occupation of the development, a report shall be submitted to and approved in writing by the Local Planning Authority describing and confirming measures incorporated in the construction of the building and its proposed operation to reduce predicted carbon emissions by at least 10% as indicated in the Design and Access, Sustainability and Energy Statements submitted in support of the application.

REASON.

In the interests of sustainable development and energy conservation.

CONDITION: 13

The development hereby permitted shall not commence until a detailed schedule of great crested newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full.

REASON:

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

CONDITION: 14

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

REASON:

In the interests of public safety from fire and the protection of emergency fire fighters.

CONDITION: 15

No loading or unloading of vehicles either calling at the premises or being in the control of the occupiers of the site shall be carried out other than within the curtilage of the site.

REASON:

In the interests of highway safety.

CONDITION: 16

Prior to the occupation of the development, a scheme for the containment, mitigation and management of noise emanating from the site, including details of all external plant, flues and other equipment to be located externally to the building, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be fully implemented.

REASON:

In the interests of the amenities of the locality.

CONDITION: 17

Within three months of the commencement of development full details of the proposed cycle shelters, the fuel filling point together with associated storage tanks, interceptors and vapour recovery systems, and details of any proposed fencing, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented before the development is first occupied.

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority and in the interests of the amenities of the locality.

INFORMATIVE: 1

Construction traffic should be routed such as to use the primary access into the site off the A46 Coventry Eastern Bypass and not use local county roads or the proposed secondary access serving Ansty Park off Coombe Fields Road.

INFORMATIVE: 2

Warwickshire Ecology advise that consideration should be given to the provision of suitable bat and bird boxes within the development or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to the loss of roost, nest and foraging sites as a result of development. A variety of bat and bird species use boxes, however, and they can be particularly useful in the built environment where natural nesting places can be scarce. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). Warwickshire County Council Ecological Services can advise further, in particular regarding which type of boxes to use - tel. 01926 418060.

INFORMATIVE: 3

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

INFORMATIVE: 4

In view of the presence of a medium sized population of great crested newts, a European Protected Species derogation licence from Natural England will be required for works to proceed. As part of any licenced trapping exercise, in accordance with the letter to the Local Planning Authority from fpcr, dated 28th January 2015, reptile refugia should be laid down within the enclosed compartments to ensure that any reptiles present within the development area can be removed and translocated by a suitably qualified ecologist before any construction works commence.

INFORMATIVE: 5

The Council's Head of Environmental Services advises that the applicant/developer should give due regard to the advice contained in BS5228:2008 "Noise and Vibration Control on Construction and Open Sites". Your attention is also drawn to the Considerate Constructors Scheme, a voluntary code of practice driven by the construction industry which seeks to:

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

For further information contact: Considerate Constructors Scheme, PO Box 75, Ware, SG12 9LN, tel 0800 783 1423

INFORMATIVE: 6

Prior to occupation, the food business operator should register their business with the Council's Public Health and Licencing Team to comply with relevant food safety legislation. Registration forms can be downloaded directly from the Council's website at: http://www.rugby.gov.uk/site/scripts/download_info.php?fileID=2446 or by contacting the team directly on 01788 533882. In addition, grease, fat and food debris should be prevented from entering the foul drainage system.

INFORMATIVE: 7

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

INFORMATIVE: 8

Under The Environmental Permitting (England and Wales) Regulations 2010, as amended, certain industries require environmental permits to legally operate as such facilities could be harmful to the environment or human health unless they are controlled. The environmental permitting regime requires operators to obtain permits for some facilities, to register others as exempt and provides for ongoing supervision by regulators. The aim of the regime is to:

- protect the environment so that statutory and Government policy environmental targets and outcomes are achieved
- deliver permitting and compliance with permits and certain environmental targets effectively and efficiently in a way that provides increased clarity and minimises the administrative burden on both the regulator and the operators
- encourage regulators to promote best practice in the operation of facilities
- continue to fully implement European legislation

The most current up to date core guidance published by DEFRA can be downloaded online for free at the link below. If a permit(s) is required, those activities cannot be carried out until a permit has been obtained. If additional works are required to comply with the permit (e.g stacks) further planning approval may be required.

https://www.gov.uk/government/uploads/attachment_data/file/211852/pb13897-ep-core-guidance-130220.pdf

INFORMATIVE: 9

The Phase I and II site investigation reports carried out by Applied Geology in November 2014 and expected to be available in January 2015 should be submitted to the Environment Agency (contact Richard Brandsma 01543 404930), the Council's Environmental Services Division and the Local Planning Authority for consideration.

STATEMENT OF POSITIVE ENGAGEMENT:

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

Reference number: R14/1377

Site address: Rugby High School, Longrood Road, Bilton, Rugby

Case Officer: Chris Davies 01788 533627

Description: Erection of a sports hall and associated works.

History:

R81/0772/7281/P	Retention of temporary classroom No.354.	Approved 22/09/81
R81/0881/7281/P	Retention of 4 temporary classrooms (310, 311, 312, 313).	Approved 02/10/81
R82/0341/7281/DP	Siting of temporary classroom (No.39).	Approved 21/06/82
R84/0511/7281/DP	Renewal of temporary classroom No.360.	Approved 09/11/84
R84/0888/7281/DP Approved 29/10/84	Retention of temporary classroom No.354 for a further limited period.	
R84/0889/7281/DP	Retention of temporary classrooms No.'s 310, 311, 312 and 313 for a further limited period.	Approved 29/10/84
R85/0671/7281/DP	renewal of temporary classroom No.39.	Approved 16/09/85
R87/0414/7281/DP	Retention of temporary classroom No. 360.	Approved 23/06/87
R87/1670/7281/DP	Retention of temporary classroom No.'s 310, 311, 312, 313 and 354 for a further limited period.	Approved 29/10/84 Approved 04/01/88
R88/0456/7281/DP	Retention of temporary classroom No.39.	Approved 24/06/88
R91/0203/7281/DP 12/06/91	Erection of single storey building and use as a music centre.	Approved
R94/0439/7281/P	Erection of single storey extension and use for office purposes and single storey building for use as arts and crafts block.	Approved 20/07/94
R95/0165/7281/P	Provision of new entrance to changing rooms and Erection of 2 sports stores.	Approved 24/04/95
R95/0395/7281/P	Provision of new visitors car park for 30 vehicles, reposition entrance and erection of single storey classroom block.	Approved 25/07/95
R97/0411/7281/P	Erection of single storey extension to provide changing room and new equipment store.	Approved 22/07/97
R98/0650/7281/P	Erection of single storey classroom block and removal of 7no. existing temporary classrooms.	Approved 05/10/98
R98/0812/7281/P	Erection of single storey classroom block and removal of 7no. existing temporary classrooms.	Approved 07/12/98
R03/0566/7281/P	Construction of new 6 th form and drama building.	Approved 31/07/03
R05/0021/7281/P	Siting of a concrete sectional storage building.	Approved 17/02/05

R07/0495/PLN	Erection of a single storey extension to form an art	Approved 26/04/07
E2E 205	Erection of classroom extension.	Approved 08/07/09
R10/0982 29/07/10	Erection of 2m high wire mesh gate to replace existing gate.	Approved
E2E 566	Erection of bus / waiting shelter.	Approved 18/03/10
R11/1975	Extension and alteration to provide a new foyer and administration facilities.	Approved 16/12/11
R12/0445	Erection of a three storey extension to provide permanent teaching and sixth form facilities, extension of the existing indoor sports accommodation, and associated landscaping and works.	Approved 05/07/12

Proposal:

The applicants were granted planning permission in July 2012 for a major project comprising a three storey teaching block and a separate sports hall complex. Unfortunately, whilst the teaching block has been finished and is now in use, the grant application to fund the sports facility fell through and work on this element did not commence. 18 months on, the applicants now have funding in place to finance a sports facility, but are looking at a different design and slightly different location, resulting in a sports facility that would sit independently from the main school building, on the site of one of the existing sets of tennis courts. It is still intended that the local community will be able to access the facilities outside school hours.

Other Relevant Information:

The application is brought before the Committee for consideration as it is considered to be a major development.

The existing school has occupied the site in various forms since the 1950's, and comprises three storey, two storey and single storey teaching blocks, a sports hall, a large playing field including outside sports pitches, tennis courts, visitor and staff/student parking areas, a wildlife habitat area and on site accommodation for the school caretaker.

The school has a history of extensions and expansions, including various periods where temporary buildings were relied upon to accommodate increasing student numbers. These have recently been replaced by a modern three storey education block (see above).

Located within a residential area, the school site is flanked on three sides by residential streets (Longrood Road, Longrood Place, Cymbeline Way, Martin Lane, as well as parts of Whittle Close and Highgrove). The Eastern boundary is flanked by another school, Bilton Junior School.

The proposed sports hall is to be located in the Northern corner of the school site, on tennis courts rear of the properties on Longrood Place, and adjacent to an existing visitor car parking area rear of the Caretaker's Bungalow.

The site is overlooked by flats on Martin Lane, but is not visible from any other highway.

Adjacent to the site are a set of tennis courts that are to be retained, and beyond them is a large expanse of school playing field that incorporates sports pitches as well as general purpose open space.

Technical Consultation Responses:

- Sport England - Initially objected to the loss of facilities and the proposed facilities of the sports hall, but following submission of amended plans which took into consideration recommendations made by Sport England their objection was withdrawn. They did request a condition requiring the applicants to submit a community use agreement prior to bringing the sports hall into use. The LPA do not consider that such a condition would meet the “three tests” (reasonable, necessary and enforceable), given that the tennis courts on which the sports hall is to be built were for the private use of the school. This condition has not therefore been applied.
- WCC Ecology - Further information on Great Crested Newts was requested prior to determination. On receipt of an updated report WCC responded to confirm that they no longer had pre-determinative requirements and were happy for the details of mitigation to be conditioned.
- WCC Highways - Condition required preventing construction traffic from parking on the highway and referring to deleterious materials. Informatives also required re works in the highway extents and deleterious materials.
- RBC Tree Officer - No objections.

Ward Consultation Responses:

Councillor Julie A’Barrow requested clarification on the details of the amendments, and to confirm I had received a neighbour letter. She did not submit comments for or against the proposal.

Neighbour Consultation Responses:

Objections (8) - nuisance from increased vehicle and pedestrian movements, noise from mechanical ventilation, overbearing impact on Longrood Place and Martin Lane, lack of screening, distance from main school building, traffic problems caused by on street parking, loss of tennis courts, impact on visual character of the locality, loss of light, inaccuracies in Transport Plan,.

NB – a further three letters were received after the consultation period had ended, and one letter as received without an address. These comments were not therefore considered, but in any case followed a similar vein to those noted above.

Planning Policy:

National Planning Policy Framework March 2012	Complies
Including:-	
Part 7 paragraph 56 (good design)	Complies
Part 8 paragraph 70 (community facilities and sports venue)	Complies
Part 8 paragraph 72 (ensuring sufficient school places)	Complies

Rugby Borough Core Strategy:

CS13: Local Community Facilities Complies

CS16: Sustainable Development Complies

Rugby Borough Saved Policies

GP2: Landscaping Complies

E6: Biodiversity Complies

T5: Parking Facilities Complies

Rugby Borough Council Planning Obligations SPD March 2012 Complies

Considerations:

Principle of Development

The principle of erecting a new sports facility within the school site was previously established by the major application approved in 2012 (see above). Had it not been for issues with funding for the project, the building of a sports facility could already have been underway if not completed at this point in time.

As this application is for a similar facility for a similar purpose, the concept of erecting a sports facility is therefore still deemed to be acceptable in planning terms.

The proposal therefore complies with the principles of Part 8 paragraph 72 of the National Planning Policy Framework March 2012.

Community Facilities

The school hopes that the new sports facilities will enable more community access opportunities for sport outside school hours, and to that end will be encouraging community groups to use the facilities outside school hours. Part of the amendments to the scheme have been to ensure that security for the main school site can be retained even when the sports hall is being used outside of school hours.

The proposals therefore comply with Policy CS13 of the Rugby Borough Core Strategy 2011 and the principles of Part 8 paragraph 70 of the NPPF.

Character and Appearance

The existing school and new modern classroom block feature various build designs and external materials that reflect the techniques and architectural preferences of the periods in which the various elements were built. This includes the combined use of timber cladding and facing brickwork, which is a prominent feature of the newly erected three storey block.

The clean lines and complimentary materials proposed serve to integrate the new building with the newly erected classroom block whilst also creating a visual feature that significantly improves the appearance of this part of the school site. This element of the scheme is functional yet attractive, a harmonious balance between good design and practicality.

The proposed sports facility therefore complies with the principles of the NPPF and the relevant elements of Policy CS16 of the Rugby Borough Core Strategy 2011 that relate to character and appearance.

Parking

The Rugby Borough Council Planning Obligations SPD March 2012 recommends parking provision for schools at a ratio of 2 spaces for staff and visitors per classroom. The existing (recently increased) parking facilities already exceed this, but the applicant has still agreed to provide additional spaces as part of the proposed scheme.

Neighbours have raised objections to the proposals on the grounds of lack of parking and highway disruption from a combination of on-street parking and increased vehicular movements.

The SPD does not require any provision to be made for parents delivering/collecting pupils. The LPA does not therefore have powers to force the applicants to make such provision, especially as the adjacent highways do not form part of the school site.

The County Highway Engineer, who would comment on any impact on public and highway safety arising from the proposal, has raised no objections to the scheme. He has recommended the inclusion of conditions restricting construction traffic parking on the highway, and also preventing deleterious materials (such as mud or rubble) being brought onto the highway from the site during construction. He has also recommended that informative notes regarding works in the highway extents and deleterious materials. The LPA proposes to include all of these in the decision should the Committee be minded to approve the scheme.

The proposal is therefore considered to comply with the relevant element of the Rugby Borough Council Planning Obligations SPD March 2012 and Saved Policy T5.

Residential Amenity

Letters of objection from neighbouring residents have been received by the LPA. The key issues raised in these letters can be seen above under "Neighbour consultation responses".

The sports facility would be set apart from properties on Martin Lane by the width of Martin Lane itself. It would also be 29m away from the nearest property on Longrood Place. The LPA does not consider that, given the significant distance from these properties, the building would lead to a detrimental loss of light to these properties. The significant distance would also limit the potential impact on any noise emanating from the sports hall, which as an enclosed building would already be better insulated than the present open air tennis courts.

The property with the most potential to be affected would therefore be the Caretaker's Bungalow. This lies within the school site itself, and as the name indicates is occupied by the school caretaker. As such it would not be considered unacceptable for a school building to be closer to the on-site caretaker's accommodation, which in any case is still several metres away from the proposed sports facility, on the opposite side of the adjacent car park.

The proposals therefore comply with the relevant elements of Policy CS16 of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

Biodiversity

WCC Ecology Unit initially requested a pre-determinative submission of an updated Great Crested Newt survey to reinforce the one done in 2012. This was duly supplied by the agent. After considering the contents, WCC Ecology Unit confirmed that a condition

requiring compliance with the mitigation recommendations would be sufficient. A condition to that effect has been included in the draft decision accompanying this agenda report.

They have also recommended advisory notes to guide the applicants regarding bats and nesting birds, which have also been included in the draft decision.

The development therefore complies with Saved Policy E6 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats, and guidance set out in Part 11 of the National Planning Policy Framework March 2012.

Recommendation:

Approval subject to appropriate conditions.

DRAFT DECISION

APPLICATION NUMBER

R14/1377

DATE VALID

03/11/2014

ADDRESS OF DEVELOPMENT

Rugby High School

Longrood Road

Bilton

Rugby

CV22 7RE

APPLICANT/AGENT

Rachel Walmsley

Built Offsite

London House

Shawbury Business Park

Shrewbury

Shropshire

SY4 4EA

On behalf of Mr Allen Kerr

APPLICATION DESCRIPTION

Erection of a sports hall and associated 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 form (received by the Council on 22 October 2014)

Design and Access Statement (received by the Council on 22 October 2014)

Justification For New Sports Facilities at Rugby High School (received by the Council on 22 October 2014)

Arboricultural Implications Assessment/Arboricultural Method Statement (received by the Council on 22 October 2014)

Great Crested Newt Non-Licensable Mitigation Strategy (received by the Council on 22 October 2014)

IES Modelling Report (received by the Council on 22 October 2014)

School Travel Plan (received by the Council on 22 October 2014)

Transport Assessment (received by the Council on 22 October 2014)

Drawing number FQ061-PL-120 (received by the Council on 22 October 2014)

Drawing number FQ061-PL-140 (received by the Council on 22 October 2014)

Drawing number FQ061-PL-240 (received by the Council on 22 October 2014)

Drawing number FQ061-PL-260 (received by the Council on 22 October 2014)

Drawing number FQ061-01-1000 (received by the Council on 22 October 2014)

Drawing number FQ061-01-1200 (received by the Council on 22 October 2014)

Drawing number FQ061-01-1400 (received by the Council on 22 October 2014)

Drawing number FQ061-01-1500 (received by the Council on 22 October 2014)

Drawing number FQ061-01-1600 Revision A (received by the Council on 22 October 2014)

Drawing number FQ061-01-2000 (received by the Council on 22 October 2014)

Drawing number FQ061-01-2100 (received by the Council on 22 October 2014)

Drawing number FQ061-01-6000 Revision A (received by the Council on 20 November 2014)

Drawing number FQ061-01-6001 (received by the Council on 22 October 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:

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks, exterior cladding and roofing material have been submitted to and approved in writing

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

REASON:

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

NB - Materials samples were submitted on the day of submission of this application and have therefor not been sufficiently assessed at this time. This condition may not be required if the materials are deemed to be suitable by the date of the Planning Committee meeting.

CONDITION 4:

During the construction period, no vehicles calling at the site or being in the control of the developer/occupier or Contractors employed by the developer/occupier shall be loaded, unloaded or parked on the highway (Longrood Road - D3504). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

REASON:

In the interests of highway safety.

CONDITION 5:

Unless otherwise agreed in writing by the Local Planning Authority, prior to the first occupation of the building, details of water efficiency measures to be incorporated into the design of that building to meet the equivalent of the BREEAM Very Good water conservation standard shall be submitted to and approved in writing by the Local Planning Authority.

These approved measures shall then be incorporated into the design of the building prior to the first occupation and then retained in working order in perpetuity.

REASON:

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

CONDITION 6:

The development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of Great Crested Newts within the site as set out in paragraphs 3.2.1, 3.2.2 and 3.2.3 of the document "Great Crested Newt Non-licensable Mitigation Strategy for Development at Rugby High School, Rugby, Warwickshire", prepared by Skilled Ecology Consultancy Ltd., dated October 2014, and received by the Local Planning Authority on 12 December 2014.

REASON:

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

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work extensively with the applicants and agent 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 (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team (Tel 01926 412515), before any work is carried out. This shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

INFORMATIVE 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/developers 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:

Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developers 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/developers' responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

INFORMATIVE 4:

If it is essential to fell or lop any trees or part of the hedgerows, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	18 th February 2015
Report Title	Planning Appeals Update
Portfolio	
Ward Relevance	All
Prior Consultation	None
Reporting Director	Head of Planning and Recreation
Contact Officer	Greg Vigars Tel: Ext.3621
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	<p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p>
Statutory/Policy Background	The Planning Appeals procedure which came into effect on 6 th April 2009.
Summary	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/10/2014 to 31/12/2014.

<i>Risk Management Implications</i>	There are no risk management implications arising from this report.
<i>Financial Implications</i>	Increases the scope for related costs claims within the Planning Appeals process.
<i>Environmental Implications</i>	There are no environmental implications arising from this report.
<i>Legal Implications</i>	Advice/support with regard to Cost Claims and any subsequent Costs awards.
<i>Equality and Diversity</i>	No new or existing policy or procedure has been recommended.
<i>Options</i>	N/A
<i>Recommendation</i>	The report be noted.
<i>Reasons for Recommendation</i>	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

Planning Committee – 18th February 2015

Planning Appeals update

Report of the Head of Planning and Recreation

Recommendation

The report be noted.

This report provides information to update the Planning Committee on the position with regard to planning appeals. It is intended that this will continue to be produced on a quarterly basis.

1.1 Appeals determined

During the last quarter (1st October to 31st December 2014) a total of 9 planning appeals were determined, of which 2 were allowed and 7 were dismissed. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 31st December 2014 there were 10 planning appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date Of Meeting: 18th February 2015
Subject Matter: Planning Appeals
Originating Department: Head of Planning and Recreation

LIST OF BACKGROUND PAPERS

* There are no background papers relating to this item.

(*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st Oct 2014 - 31st December 2014

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
153 Townsend Lane Rugby CV23 9DE	Part Ground Floor and First Floor Rear Extension	Duncan Jordan R14/1221 APP/E3715/D/14/2224167	Delegated Refusal 25/07/2014 HAS Householder Appeal Service	Dismissed 08/10/2014
Site at Land at Gypsy Lane Wolvey CV13 0JA	Change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking provisions (resubmission of previously withdrawn application ref: R12/0025 dated 28th March 2012)	Nathan Lowde R12/0972 APP/E3715/A/13/2192798	Delegated Refusal 26/09/2012 Hearing	Dismissed 20/10/2014 (Decision taken by Secretary of State)
Site at 5 Helmdon Close Rugby CV21 1RS	Change of use of dwelling to a house in multiple occupation and extension of hard surfacing to front (part-retrospective)	Alice Cosnett R14/0391 APP/E3715/A/14/2222650	Committee Refusal 02/07/2014 Written Reps	Dismissed 23/10/2014
Thistle Farm 280 London Road Stretton on Dunsmore CV23 9HX	Waiver of Condition 4 of planning permission reference R12/1852 (Erection of a replacement dwelling including demolition of the existing dwelling, dated 16/04/13) to retain full Permitted Development Rights.	Chris Davies R14/0590 APP/E3715/A/14/2222772	Delegated Refusal 15/05/2014 Written Reps	Dismissed 23/10/2014
Thistle Farm 280 London Road Stretton on Dunsmore CV23 9HX	Erection of a replacement dwelling including demolition of the existing dwelling.	Karen McCulloch R14/0729 APP/E3715/A/14/2222766	Delegated Refusal 15/05/2014 Written Reps	Dismissed 23/10/2014

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Site at Four Winds Moat Lane Wolvey LE10 3HP	Retention of summerhouse	John Wilbraham R14/0973 APP/E3715/D/14/2225957	Delegated Refusal 01/07/2014 HAS Householder Appeal Service	Allowed 04/11/2014
3 Vale Close Rugby CV21 4HB	Erection of detached dwelling together with the formation of a new vehicular access	Nathan Lowde R14/0297 APP/E3715/A/14/2224696	Delegated Refusal 15/04/2014 Written Reps	Dismissed 11/12/2014
Cherry Tree Acres Fosse Way Stretton on Dunsmore CV23 9JF	Proposed infill building to create a games room, a new bedroom and associated en suite facilities.	John Wilbraham R14/0300 APP/E3715/D/14/2219664	Delegated Refusal 09/05/2014 HAS Householder Appeal Service	Allowed 18/12/2014
31 The Crescent Brinklow CV23 0LG	New dwelling in rear garden, alteration to site access and replacement of vehicular access gates	Alice Cosnett R12/1983 APP/E3715/A/14/2225372	Committee Refusal 14/05/2014 Written Reps	Dismissed 18/12/2014

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.12.2014

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Lynton House Withybrook Lane Shilton CV7 9HY	Erection of two-storey side and rear extensions, front porch and external alterations	Martin Needham R14/0550 APP/E3715/D/14/2220313	Delegated Refusal 22/04/2014	HAS Householder Appeal Service
3 Turchil Road Cawston	Retention of hard-surfacing to front of property	Nathan Lowde R13/2262 APP/E3715/D/14/2221422	Delegated Refusal 19/05/2014	HAS Householder Appeal Service
44-46 Regent Street Rugby CV21 2PS	Demolition of outbuilding to rear and formation of parking area	Alice Cosnett R14/0681 APP/E3715/A/14/2223156	Delegated Refusal 22/07/2014	Written Reps
No Limits Gym Hillmorton Community Centre CV22 5EY	Erection of a first floor extension, and retention of a storage container.	Chris Davies R13/2285 APP/E3715/A/14/2227125	Committee Refusal 13/08/2014	Written Reps
Land at Cestersover Farm Lutterworth Road Churchover CV23 0QP	A wind farm comprising 4 no. wind turbines of up to 126.5m tip height. The proposed development also includes a single, permanent free-standing meteorological mast (80m), a temporary communications mast (10m), a sub-station compound containing a control building, electricity transformers, underground cabling, drainage improvements, channel crossings associated with a series of on-site tracks and turning heads, two	Nathan Lowde R12/2009 APP/E3715/A/14/2227479	Committee Refusal 23/04/2014	Public Inquiry (Starts at 02/09/2015) (Decision to be taken by the Secretary of State)

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
	site entrances with site access upgrades, 2 no. temporary construction compound, assist crane hard standings, and two temporary guyed meteorological/power performance masts (80m), with each wind turbine having a micro-siting tolerance of up to 50m.			
41 Park Road CV21 2QU	Excavation of the land to form footings for the erection of an unauthorized extension	John Wilbraham N/A APP/E3715/C/14/3000253	Appeal against enforcement notice issued 08/10/2014	Written Reps
Hill Farm Rugby Road Princethorpe CV23 9PE	Retention of mobile home as living accommodation by a family member.	Nathan Lowde R14/1452 APP/E3715/W/14/3000496	Delegated Refusal 22/09/2014	Written Reps
Hill Farm Rugby Road Princethorpe CV23 9PE	Conversion of workshop and offices into a dwelling house including the provision of a pitched roof.	Nathan Lowde R14/1642 APP/E3715/W/14/3000503	Delegated Refusal 24/09/2014	Written Reps
2 Colledge Close Brinklow CV23 0NT	Erection of 1 bedroom bungalow	Richard Redford R14/1983 APP/E3715/W/14/3000927	Delegated Refusal 07/11/2014	Written Reps
2 Brudenell Close Cawston CV22 7GN	Retention of blue slate chippings at side of property in-lieu of grassed area	John Wilbraham R14/1396 APP/E3715/D/14/2228619	Delegated Refusal 22/10/2014	HAS Householder Appeal Service

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	18 February 2015
Report Title	Delegated Decisions – 9 th January 2015 to 29 th January 2015
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Dan McGahey x3774
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 – 18 February 2015

Delegated Decisions – From 9th January 2015 to 29th January 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: 18.02.2015
Subject Matter: Delegated Decisions – 09.01.2015 to 29.01.2015
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 09.01.2015 TO 29.01.2015

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R14/2218 Refused 09.01.2015</i>	Land at rear of the White House Main Road Ansty	FULL: Demolition of existing range of dilapidated agricultural buildings and erection of new dwelling including ancillary garden and paved areas. Mown field in green belt to remain as existing.
<i>R14/0879 Refused 15.01.2015</i>	Land rear of 17 Westgate Road Rugby	Erection of a detached three-bed dwelling with associated integral garage, parking, access and landscaping.
<i>R14/2376 Refused 27.01.2015</i>	49 Holly Drive Ryton on Dunsmore Coventry	Erection of a single storey side extension adjoining the existing attached single garage.
Applications Approved		
<i>R14/2149 Approval 08.01.2015</i>	Land rear of 16-32 Deane Road Hillmorton	Erection of 2no. dwellings (semi-detached) with detached garages and associated works.
<i>R14/2330 Approval 08.01.2015</i>	Sidenhill Cottage Bretford Road Coventry	Erection of a 1.5 metre high front boundary wall, together with a 1.8m high pillar and 2m high pillar (resubmission of previously refused planning application R14/1784 dated 28/11/2014)
<i>R14/0860 Approval 09.01.2015</i>	Lessingham House Birdingbury Road Leamington Hastings	Two storey side extension, porch to rear and internal alterations
<i>R14/2315 Approval 09.01.2015</i>	62 Overslade Lane Rugby	Erection of a first floor rear extension.
<i>R14/2162 Approval 09.01.2015</i>	20 St Margarets Avenue Wolston	Conservatory to rear

<i>R14/2302 Approved 09.01.2015</i>	Home Farm Main Street Broadwell	Conversion of existing barn together with alterations to form a single dwelling house including the demolition of existing agricultural farm buildings (Identical to scheme previously approved under R12/1524 dated 26th October 2012)
<i>R14/2327 Approved 12.01.2015</i>	2 Newcombe Close Dunchurch	Erection of part first floor side extension, part two storey side extension and single storey front extension
<i>R14/1049 Approved 13.01.2015</i>	Hayloft House Flecknoe Village Road Flecknoe	Erection of a single storey extension to provide a garden room and entrance hall
<i>R14/2251 Approved 12.01.2015</i>	White Lodge Vicarage Lane Dunchurch	Minor amendments to planning consent R13/1174 to include works as follows: minor adjustments to internal partitions and walls, slightly raised roof lights, external flue to log burner and removal of old air handling equipment and replace with new heat exchanger.
<i>R14/0212 Approved 13.01.2015</i>	Goodie Two Shoes 26 Lawford Road New Bilton	Proposed demolition of existing building. Erection of new 2 and a half storey building comprising an 11 bedroom residential care home (Use Class C2), staff accommodation, communal space and a mixed use unit either shop (A1) or café (A3)
<i>R14/2323 Approved 14.01.2015</i>	Pike Hall Farm Gibraltar Lane Leamington Hastings	Extensions and alterations to property. Variation of condition 4 of planning permission ref. R14/0170 dated 27/1/0/14 to allow the replacement of ground and first floor windows, internal works with exception of any works affecting the roof voids eg [removal of ceilings ,re-roofing etc] and the demolition of the garage and proposed two storey extension at the western end of the house [section 4.2 paragraph 2 in Ridgeway Ecology phase1 bat survey report dated 17/9/14]
<i>R14/2274 Approved 16.01.2015</i>	12 Hawthorn Close Rugby	Removal of soft landscaping and provision of a hard surfaced area.
<i>R14/1997 Approved 16.01.2015</i>	Ivy Grange Bilton	Erection of 9 dwellings, together with car parking, roads, sewers and associated external works - substitution of house type on plot 1

		approved under approved planning permission ref. R14/0510 dated 11th August 2014, together with amendments to the approved site layout.
<i>R14/2045 Approved 16.01.2015</i>	Wolvey Hall 8 Hall Road Wolvey	Full Retrospective: Conversion of stables into single dwelling
<i>R14/1578 Approved 20.01.2015</i>	25 Chicory Drive Brownsover	Erection of a two storey side extension.
<i>R14/2374 Approved 22.01.2015</i>	50 Long Furlong Rugby	Erection of part two storey, part single storey, part first floor front and rear extensions.
<i>R14/2285 Approved 22.01.2015</i>	Elysian Fields Southam Road Rugby	Renewal of previous permission R03/1158/00947/P - permanent retention of an open fronted barn and associated storage unit
<i>R14/2336 Approved 22.01.2015</i>	Bath Barn Little Lawford Lane Little Lawford	Conversion of barn to form a single dwelling house (resubmission of planning application reference R12/1135, dated 07/08/12).
<i>R14/0725 Approved 23.01.2015</i>	Gateway House 14 Bilton Road Rugby	Retrospective change of use of building to HMO
<i>R14/1663 Approved 26.01.2015</i>	55 New Street New Bilton Rugby	Change of use from a single dwelling to 2 flats including a 2 storey side extension, single storey rear extension and garage to rear
Listed Building Consents		
<i>R14/2151 Listed Building Consent 09.01.2015</i>	Lessingham House Birdingbury Road Leamington Hastings	Listed building consent for two storey side extension, porch to rear and internal alterations to include removal of internal wall at ground floor to form cloak room, additional door opening to proposed study, and formation of new staircase
<i>R14/2252 Listed Building Consent 12.01.2015</i>	White Lodge Vicarage Lane Dunchurch	Listed building consent for minor amendments to planning consent R13/1563 to include works as follows: minor adjustments to internal partitions and walls, slightly raised roof lights, external flue to log burner and removal of old air handling equipment and replace with new

		heat exchanger.
<i>R14/2046 Listed Building Consent 16.01.2015</i>	Wolvey Hall 8 Hall Road Wolvey	LBC: Retrospective: Conversion of stables into single dwelling.
<i>R14/0947 Listed Building Consent 19.01.2015</i>	29 Coventry Road Brinklow	Listed Building Consent for replacement windows and alteration
Advertisement Consents		
<i>R14/2232 Advertisement Consent 12.01.2015</i>	6 Royal George Buildings Market Place Rugby	Adv: Fascia and projecting sign & interchangeable poster inside of shop front
Agricultural Determinations		
<i>R15/0003 Prior Notification of agriculture or forestry development 27.01.2015</i>	Hospital Farm Hayway Lane Broadwell Rugby	Determination as to whether prior approval is required for the erection of an agricultural storage building.
Approval of Details/ Materials		
<i>R12/1291 Approval of Details 08.01.2015</i>	Rugby Gateway Phase R1 Leicester Road Rugby	Variation of conditions 2 & 15 of planning permission R10/1281 (Erection of 244 dwellings with associated open space, infrastructure and ancillary works; alteration to Brownsover Lane and junction with existing roundabout) to make alterations to the layout involving the substitution and repositioning of plots, removal of bus stops and removal of pedestrian crossing.
<i>R12/0101 Approval of Details 08.01.2015</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>R12/0600 (R13/1088) Approval of Details 12.01.2015</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>R14/0969 Approval of Details 14.01.2015</i>	Woodside Park Oxford Road Coventry	Creation of an additional 6 pitches, and construction of amenity blocks, together with associated works (variation of condition 7 of planning permission R14/0067 dated 12/3/14) to reword the original wording of the condition to restrict the number of caravans to be sited on each pitch in accordance with drawing no SK05.
<i>R14/0263 Approval of Details 15.01.2015</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>R11/1987 Approval of Details 22.01.2015</i>	Courier House Hi Speed Services Ltd Watling Street Rugby	Change of use of former Petrol Filling Station and Café to Courier Vehicle Depot and ancillary offices (sui generis use class) (retrospective)
<i>R14/1763 Approval of Details 23.01.2015</i>	Heathlands Coventry Road Cawston	Proposed conversion of existing detached garage together with external alterations and extension of existing detached double garage to form a separate residential dwelling house, including the repositioning of the existing driveway (resubmission of approved planning permission R14/0886 dated 23/07/2014 to include a separate access to serve the development and increasing the size of the proposed extensions)
<i>R13/1612 Approval of Details</i>	Land North of Technology Drive	Outline planning application with means of access for consideration (all other matters

26.01.2015	Technology Drive Rugby	reserved for subsequent approval) 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.
<i>R14/1730 Approval of reserved matters 28.01.2015</i>	Rugby Gateway Phase R4 Leicester Road Rugby	Erection of 132 dwellings with associated open space, playing pitches, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
Approval of non-Material Changes		
<i>R13/1088 Approval of non-material changes 12.01.2015</i>	Former Peugeot Factory Site A Unit DC6 Oxford Road Ryton on Dunsmore	Approval of reserved matters for a sortation facility (Class B8) relating to appearance, landscaping, layout and scale against outline application (R12/0600) 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 B1c/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.
<i>R14/0644 Approval of non-material changes 19.01.2015</i>	Plots 2 & 3, Zone C Castle Mound Way Central Park	Erection of two industrial/warehouse buildings with ancillary offices and gatehouses and use for purposes within Class B2 (General Industrial) and Class B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987, as amended, together with the construction of vehicular accesses, parking and servicing areas, earthworks, landscaping and drainage works (submission of reserved matters pursuant to outline planning permission ref.no. R95/0151/21330/OP dated 17th March 2000) - substitution of drawings to include the provision of a mezzanine floor and additional overflow car parking in respect of the unit on plot 3 approved under approval of details ref.R07/1337/MAJP, dated 30 January 2008 as revised by minor material amendment ref.R12/2279 approved on 01 March 2013 and associated non-material amendments approved on 20 September 2013 (plot 2) and 19 March 2014 (plot 3) in compliance with condition 4 attached to outline planning permission ref.R95/0151/21330/OP dated 17th March 2000.

<i>R14/0219 & R14/0220 (Listed Building Consent) Approval of non- material changes 20.01.2015</i>	Rugby School Oak Street Rugby	Demolition of existing boundary wall and erection of replacement wall and gates
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