

14th May 2015

PLANNING COMMITTEE - 27TH MAY 2015

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 27th May 2015 in the Council Chamber, Town Hall, Rugby.

Adam Norburn
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 22nd April and 21st May 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 – 7th April 2015 – 29th April 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 2015/16 – 2) are attached.

Membership of the Committee:-

To be confirmed at Annual Council meeting on 21st May 2015.

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 – 27th May 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

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R15/0043	Land off School Street/Priory Road, Wolston, Rugby Erection of 20No. Dwelling houses with associated garages, car parking, driveways and infrastructure to supersede part of the previously approved scheme (planning ref R12/1194).	3
2	R15/0649	46A Church Street, Rugby, CV21 3PT Proposed change of use from a charity's homeless shelter (Sui Generis) to 2 residential flats (Class C3).	16
3	R12/2253	Land adj. to Europark, A5 Watling Street, Clifton Upon Dunsmore, Rugby. Part outline planning permission for the erection of two buildings and use for purposes falling within Class B2 (General Industrial) of The Town and Country Planning (Use Classes) Order 1987, as amended, together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping – all matters reserved Part full planning permission for the construction of an access road with associated drainage, earthworks and drainage infrastructure comprising surface water and foul sewers and package treatment plant to serve the proposed outline development.	20
4	R13/2165	Land on west side of A5 Watling Street, Clifton Upon Dunsmore, Rugby. Erection of two buildings and use for purposes of an alcohols distillery and alcohols and hydrocarbon warehouse (Use Classes B2 and B8) together with ancillary offices (Class B1); erection of associated energy centre with flue, botanicals building and external tank farms; access, parking and servicing including weighbridge; earthworks and landscaping, drainage, fencing, demolition of existing buildings and diversion of public right of way R107.	42

Reference number: R15/0043

Site address: Land off School Street/Priory Road, Wolston, Rugby

Description: Erection of 20No. Dwelling houses with associated garages, car parking, driveways and infrastructure to supersede part of the previously approved scheme (planning ref R12/1194)

Case Officer Name & Number: Owain Williams – 01788 533789

This application has been brought forward to planning committee due to its status as a major application, a call in from Councillor Poole and due to the significant community interest.

Site Description

The site is located within the village boundary of Wolston with the exception of the field to the south of School Street (which lies in open countryside and the Green Belt), as identified in the Wolston Inset Map in the adopted Rugby Borough Local Development Framework Core Strategy (June 2011). The settlement of Wolston is located between Rugby and Coventry within close proximity to the A45. The settlement is identified within the Adopted Core Strategy as a Main Rural Settlement and as such is a 3rd tier development priority behind Rugby town centre (1st tier) and the Rugby settlement as a whole (2nd tier).

The site itself forms part of a larger site which already has obtained planning approval for development. The site itself is bounded to the south by School Street, which is one of the main access roads leading into Wolston village from the east. Priory Road runs along the western and northern boundaries and the site adjoins open land to the east. Immediately to the west of the site is a 1970s housing development (comprising two-storey townhouses grouped into terraces) located on Priory Road and Meadow Road. The houses located on the south side of School Street in the main comprise detached houses and bungalows.

To the north of the site on the adjacent side of Priory Road is The Priory, which comprises a large detached 16th century Grade II * listed house and detached outbuildings set in large grounds. The frontage to The Priory contains a significant group of mature trees that helped screen the main listed building from the development site. There are also some further agricultural outbuildings located to the west of The Priory, alongside the driveway into this property. Directly to the west of The Priory and to the north west of the site is a Scheduled Ancient Monument known as Wolston Priory and Moated Site

The site is fairly level and comprises a large field with no physical features within it apart from some fairly mature hedgerows (containing a small number of mature trees) along each boundary. The northern part of the site exhibits the characteristics of an area of wetland, with a pond located close to the north-east corner of the site. It is currently in agricultural use and has a public footpath (R138) running across the site from the north-west to south-east corners.

Proposal Description

The proposals are for a partial re-plan of 20 units (market housing) which forms part of an extant planning permission at the site for the erection of 80 dwellings (see planning history). The proposals seek to change the current configuration of dwellings on plots 32 – 51 (inclusive), amend access arrangements and substitute house types and garages.

The layout has been altered so vehicular access to properties and parking is generally gained from the perimeter of this block. This removes the requirement for the internal drive/ courtyard parking area to the south, allowing for a more simplified layout and more uniform rear garden areas. This has also been achieved by designing seven of the plots on the western boundary to be served by a private drive which runs parallel to Priory Road and provides direct access on it through the hedgerow. The original submission proposed two entries through the hedgerow but this has now been reduced to a more centralised single entry following concerns raised by the neighbours and parish council.

Other small alterations have been made to the internal layout by increasing the sizes of the gardens and improving the visibility splays.

The dwellings will all be of a scale, design and appearance of those houses already approved and under construction.

Relevant Planning History

R10/1131 - Residential development comprising 92 houses, including public open space within the site , garaging, newt reserve and associated infrastructure including the diversion of public right of way R138 – Refused Permission – 22/02/12

Erection of 80 dwellings with associated open space, landscaping, infrastructure and newt reserve (resubmission of refused application ref R10/1131 dated 28th Feb 2012) – Refused permission 17th October 2012 but allowed at appeal via a public inquiry on the 6th March 2013

Technical Consultation Responses

Environmental Services – No objections subject to conditions

WCC Ecology – No objections

WCC Highway – No objections

WCC Archaeology – No objections

Historic England – No comments received

Third Party Responses

Comments received for the original submission

Neighbours (42) – Objection

- This application will adversely impact upon the rural character of the village and area
- The removal of the existing hedge to allow vehicle access to the standards required by WCC highways would impact upon the character of the area and on the rural landscape.
- The retention of this hedge was core to the original approval and its removal would be a travesty of planning.
- Concerned that the original plans are already being altered
- Stop building more and more houses as Wolston does not have the infrastructure to support more families in it.
- The removal of large parts of the hedgerow is unnecessary and will adversely affect the character of Priory Road.
- The removal of up to 40 metres of hedgerow contradicts the original application that was passed by the planning inspector.
- Having access points on Priory Road would be dangerous to all concerned. It is a very narrow road and traffic problems could occur.
- Priory Road is already extremely busy and is unsuitable for additional traffic and is narrow with some visibility problems and this would only go to make a dangerous situation worse.
- The proposal will affect the visual amenity of the area.

Parish Council – Objection

- The retention of the hedge was debated at length during the Inquiry and it was agreed that the hedge should be retained and safeguarded as an important natural and ecological feature and mitigation against the visual impact of the development
- The proposed additional incision through the hedge in front of plot 48 is not considered necessary. The approved access point in front of plots 44 and 45 would be sufficient to serve all 7 dwellings.
- The loss of hedgerow to allow for visibility splays would seriously undermine the strategic nature of this landscape feature and significantly erode the quality and character of the street scene and proposed development.
- The Highway Authority's request for 2.5m x 45m visibility splays is unnecessary. Additionally, private drives are normally acceptable with a width of around 3.5m for shared use.
- In the planning balance, the retention of the hedge should be given significant weight particularly where its removal is unjustified.
- There are adverse ecological and biodiversity implications with the destruction of ancient hedgerows which would be contrary to paragraph 118 of the Framework
- Wolston is, by definition, a rural village and the removal of any additional hedgerow, in part or in whole, would contribute further to the unrelenting urbanisation of the rural environment.
- In making these changes the rear gardens of plots 32-37 (inclusive) and plots 43 and 50 have been severely compromised. The resulting size of these rear gardens is clearly substandard for their host dwelling.
- The changes to the layout result in an overall degradation to the quality of the scheme which outweigh any benefits and result in adverse and demonstrable harm to the character and appearance of the area through the loss of mature native hedgerow to allow for the required visibility.
- The Parish Council would therefore request that amendments are sought to address the following matters:
 - Closure of the proposed additional access point in front of plot 48;
 - Confirmation that the visibility splay requirement will not result in the loss of any of the hedgerow; and
 - Redesign of the internal layout to increase the size of the rear gardens for plots 32-37 (inclusive) and plots 43 and 50.

In the event that these changes are not made, the Parish Council would maintain a strong objection on the basis that the proposal fails to accord with saved Policy GP2 and does not demonstrate a high quality design in accordance with paragraphs 56, 57 and 64 of the Framework

Councillor Heather Timms – Objection on the grounds that the visual amenity will be affected through the large scale removal of a well-established hedge and trees. The hedge is also a significant feature of the heritage setting of the Priory so its removal would have a major negative impact.

Councillor Derek Poole – Objection on the grounds that it would affect the visual amenity of the area. A very well established hedge would be decimated by this application. The removal of up to 40 metres of hedge contradicts the original planning application that was passed.

Comments received after the amended plans were received

Neighbours (2) – Objection

- The traffic and Highway safety problems remain the same as the original application. Priory Road remains a busy short cut and "Rat run". Any further added driveways or access roads can only increase the already hazardous situation
- Comments remain the same as previously regarding impact on the character and appearance and highway safety

Parish Council – Objection

- Parish Council has considered the plans and object to changing the plans, as the new/amended application still involves removing part of the hedge line and there will still be negative implications for road users on Priory Road

Relevant Planning Policy

Rugby Borough Local Development Framework – Core Strategy (2011)

CS1 Development Strategy

CS16 Sustainable Design & Construction

CS17 Reducing Carbon Emissions

CS19 Affordable Housing

CS20 Local Needs Housing

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

GP2 Landscaping

E6 Biodiversity

LR1 Open Space Standards

RBC Supplementary Planning Documents.

Planning Obligations SPD (August 2011)

Housing Needs SPD (June 2011)

Sustainable Design & Construction SPD (June 2011)

Wolston Housing Needs Survey 2011

National Planning Policy Framework 2012

Assessment of Proposals

The determining issues to take into account in this case would be the impact upon the character and appearance of the development and surrounding area, the impact upon the neighbouring amenities, the impact upon highway safety and biodiversity.

Principle of the development

The principle of this development has already been found acceptable via the application which was approved by the planning inspector on the 6th March 2013. The proposal does not alter the number of dwellings which remains at a total of 80 across the site so would still comply with policy CS1 of the Core Strategy 2015.

Character and appearance

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

Policy CS16 continues to state that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings.

It is considered that the proposed alterations made to the layout and to the 20 houses shown on the proposed plans have improved the scheme. Plot 50 of the original scheme which sat upon the corner of Priory Road and School Street has now been re-orientated and set back from the road which is beneficial within the street scene as it appears less prominent. The plots fronting Priory Road have now been set back into the site and are now served by a private drive adjacent to the existing hedge which provides a better relationship to Priory Road and allows clearer vistas along Priory Road towards the Priory the Grade II* Listed Building. By altering the plots fronting Priory Road it has enabled the cramped appearance within the site to be alleviated as the parking court serving plots 42, 47-49 has been omitted. The design concept is now similar to the treatment along School Street which provides the site with more uniformity.

In order to serve the dwellings now fronting Priory Road an access will have to be punched through the existing hedgerow which surrounds the site on Priory Road. It is this issue which has generated the significant community interest in the application which is clear to see from the objections. The hedgerow, as quite rightly pointed out by the objectors, is of significance and important to the character and appearance of the area. The comments received refer to a loss of 40 metres of hedgerow. This distance has been generated not only from the access formed but the amount of hedgerow that would have to be cut back or removed to allow for suitable and satisfactory visibility splays from the accesses. The original proposal showed two accesses created to serve the 8 dwellings however this has now been reduced to a single more centralised access. The access through the hedgerow which equates to 14 metres now also takes into consideration the visibility splays, which have subsequently been reduced by the highway officer, so no further hedgerow apart from section making way for the access shall be removed.

Whilst this loss of hedgerow would impact upon the character of the area to an extent within the immediate vicinity of Priory Road, it is very important to highlight the approved vehicular accesses onto Priory Road that already have permission through the original approval R12/1194. The original approval allowed 3 accesses out onto Priory Road, one serving the emergency access road and the other two serving a single and double garage (plots 32 and 34 respectively). The emergency access is the constant in this proposal and stays as approved however the amended plans now only shows one access onto Priory Road rather than two. The combined width of the two accesses originally approved equates to the width of the single access proposed so therefore ultimately no more hedgerow is being lost than originally approved. It is therefore considered the loss of hedgerow proposed would be substantiated considering the benefits gained to the layout in terms of the improved street scene and due what had already been approved previously.

It is therefore considered the proposal would comply with policy CS16 of the Core Strategy 2011 in terms of the character and appearance of the area and also the impact upon the setting of the Grade II* Listed Building.

Neighbouring Amenities

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

The proposed alterations and changes to the layout and houses upon the site do not significantly alter the impact upon the neighbouring amenities. If anything the amenities to the properties on Priory Road would be improved as the properties along Priory Road are set back further into the site. Taking this into account it is considered that the proposed dwellings would comply with policy CS16 of the Core Strategy 2011.

Highway Safety

The proposals have been assessed by the Warwickshire County Council Highway Department. The comments given to the original submission highlighted two areas of concern. The first was the visibility splays of the two accesses exiting the site onto the Priory Road and the second was the visibility splays out onto the main estate road internally between plots 37 and 38, however the amended plans and information have overcome these concerns.

The highway officer's revised comments now state that "the revised proposals for access onto Priory Road show a single shared access serving plots 44-49, together with accommodation for pedestrians and a suitable refuse collection point. Such proposals are (in principle) supported by the Highway Authority; however consideration should be given to the appropriateness of 25m visibility splays at this location. The Highway Authority is prepared to accept that the 90 degree bend on Priory Road and the junction with Meadow Road are likely to constrain vehicles approaching from the right on egress to a speed of around 20mph; and that vehicles approaching from School Street will be on the opposing side of the carriageway. Accordingly, the 2.4m visibility splays shown would be acceptable"

With regards to the concern relating to the visibility splay between plots 37 and 38 the applicant has made further representation to the Highway Authority (together with minor plan alterations to remove the tree from the garden of Plot 36); to the effect that the Local Planning Authority can condition that the appropriate splays be kept clear by the occupiers and that this can also be conditioned on the property deeds.

Taking into consideration the comments of the highway officer and taking into consideration the points raised above in relation to the importance of the hedgerow the visibility splay of 2.4 metres by 25 metres would be considered acceptable, as also argued by the Parish Council, in order to retain the majority of the hedgerow. The highway officer also concluded that the "Highway Authority takes the pragmatic view that it would not be expedient to continue to argue that changes to the layout are required in order to achieve a resolution".

Biodiversity

Saved policy E6 of the Rugby Borough Local Plan 2006 states that the Borough Council will seek to safeguard maintain and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern.

Developers will be required to take measures during the development process to prevent the disturbance of wildlife and to make provision for the protection and subsequent retention of natural features and necessary supporting habitats, such as ponds, hedgerows, ditches and trees which are to be retained. Where loss of habitat is unavoidable, adequate mitigation measures should be undertaken and only where this is not possible, adequate compensation measures should be implemented. Where necessary the Borough Council will seek long term management plans, which will be secured by planning conditions or obligations

The County Council ecologists have assessed the application and stated that "as the amended plans do not appear have any change in potential impact to features of ecological interest, we would recommend that we have no further comments on the application. We would recommend that the previous comments in relation to R12/1194 still stand.

Other considerations

As the changes made are only affecting a section of the site the other issues regarding, flooding, contamination and archaeology would remain acceptable as already considered in the previous approval.

Recommendation

Grant Permission Subject to Conditions and a Deed of Variation

DRAFT DECISION

APPLICATION NUMBER

R15/0043

DATE VALID

18/12/2014

ADDRESS OF DEVELOPMENT

STREET
LAND OFF PRIORY ROAD AND SCHOOL
PRIORY ROAD
WOLSTON
RUGBY
CV8 3HG

APPLICANT/AGENT

Mr James Matthews
Bloor Homes Ltd (Midlands Division)
Unit 7
Calico Business Park
Amington
Tamworth
Staffs
B77 4DS

APPLICATION DESCRIPTION

Erection of 20No. Dwelling houses with associated garages, car parking, driveways and infrastructure to supersede part of the previously approved scheme (planning ref R12/1194)

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:

Dwg Nos. MI523-SL-001K; MI523-PD-001A; M523_MAT_01F; MI523-EN-132A; MI523-SL-CS02A; 303-01; 401.SP.1.-01; 401.SP.1-02; 405.SP.1-01; 405.SP.3-01; 405.SP.3-02; 419.SP.1-01; 419.SP.1-02A; 419.SP.2-01; 419.SP.2-02; 420-01; 420-02; 420-03A; 421-01; 421-02; 430.SP.1-01A; 430.SP.1-02; 432.SP.2-01A; MI-PD-G01+PG02; MI-PD-PGL01+PXLG01 and MI-PDXLG01+XLG02 received by the Local Planning Authority on the 17th March 2015

REASON:

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

CONDITION: 3

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Local Planning Authority on 18th December 2015 and on plan received by the Local Planning Authority on Dwg no. M523_MAT_01F received by the Local Planning Authority on the 17th March 2015

REASON:

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

CONDITION 4:

No development shall commence unless and until details of all proposed walls, fences, railings 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 which should be completed prior to the occupation of the first dwelling. The details shall be retained in perpetuity thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interest of visual amenity

CONDITION: 5

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

REASON:

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

CONDITION 6:

The details contained within the environmental Protection Plan completed by FPCR dated October 2013 and accepted on the 5th November 2013 in reference to the approval R12/1194 dated 6th March 2013 shall be fully adhered to as part of this altered layout.

REASON:

To protect features of recognised nature conservation including great crested newts and their habitats in accordance with Habitat Directive (as amended) and Wildlife and Countryside Act (as amended).

CONDITION: 7

Occupation of any dwelling shall not occur until a habitat management plan covering all the areas identified in the Habitat Creation and Restoration Scheme Rev A completed by FPCR dated October 2013 and accepted on the 5th November 2013 in reference to the approval R12/1194 dated 6th March 2013 has been submitted to and approved in writing by the Local Planning Authority:

The plan shall include:

- i) Description and evaluation of the features to be managed
- ii) Ecological trends and/or constraints on site that may influence management;
- iii) Aims and objectives of management;
- iv) Appropriate management options for achieving aims and objectives;
- v) Prescriptions for management actions;
- vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually;
- vii) Personnel responsible for the implementation of the plan;
- viii) Monitoring and remedial/contingencies measures triggered by monitoring

The works identified in the management plan shall be undertaken by monitoring

REASON:

To protect features of recognised nature conservation including great crested newts and their habitats in accordance with Habitat Directive (as amended) and Wildlife and Countryside Act (as amended).

CONDITION: 8

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment, ref: 10031, prepared by Banners Gate, dated 9 June 2012 which formed part of the approval R12/1194 dated 6th March 2013, and the following mitigation measures detailed:

1. Limiting the rate of surface water run-off generated by the site to discharge at no more than 15 l/s as agreed by STW.
2. Provision of attenuation storage volume on the site, using SuDS as detailed in the FRA, to retain the 100-year (including a 30% allowance for climate change) event volume assuming the discharge rate given above as detailed.
3. Details of how the entire surface water scheme shall be maintained and managed after completion.
4. Detailed assessment, including full calculations, of the performance of the surface water system for the 30-year and 100-year 30% climate change cases. The proposed on site surface water drainage system should be designed to the Sewers for Adoption, 30 year standard or similar. However, details must also be provided to confirm that surface water will not leave the proposed site in the 100 year 30% (for climate change) event. If the system surcharges, we may require additional space to be made for water, the location of any surcharging should be identified as should any resultant overland flood flow routes. Any excess surface water should be routed away from any proposed or existing properties. Drainage calculations must be included to demonstrate this (e.g. MicroDrainage or similar package calculations), including the necessary attenuation volume, pipeline schedules, network information and results summaries.
5. Further site porosity tests shall be undertaken and submitted to indicate the suitability of the ground for infiltration purposes as detailed in the FRA. Should soakaways prove unviable, the appropriate additional attenuation volume must be included, using SuDS, in the detailed drainage design.

REASON:

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

CONDITION: 9

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

REASON:

In the interests of archaeology

CONDITION: 10

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

REASON:

In the interest of residential amenity.

CONDITION: 11

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

REASON:

In the interest of visual amenity.

CONDITION: 12

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

a) A minimum width of 5.0 metres with a gradient not steeper than 1 in 10, be constructed with 6m radii, and be hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway carriageway.

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

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

REASON:

In the interests of highway safety

CONDITION: 13

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

REASON:

In the interests of highway safety

CONDITION: 14

The development hereby permitted shall not be Occupied before the highway

(verge) crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority

REASON:

In the interest of highway safety

CONDITION: 15

The dwellings at plots 36, 37, 38 and 39 shall not be occupied unless and until the visibility splays shown on the drawing are made and permanently maintained. No structure, erection, trees or shrubs shall be placed, maintained or allowed to grow in the visibility splays so defined.

REASON:

In the interest of highway safety

CONDITION: 16

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

REASON:

In the interests of highway safety

CONDITION: 17

The accommodation for car parking and the loading and unloading of vehicles, shown on the approved plan - Site Layout - Plan No. And shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

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

CONDITION: 18

The agreed scheme for the protection of all retained trees on site (drawing no. MI523-SL-200A) under approval R12/1194 dated 6th March 2013 shall be adhered to and fully implemented prior to development commencing.

REASON:

To safeguard the existing trees

CONDITION: 19

No retained tree/hedge shall be cut down, uprooted or destroyed, nor shall any tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA

REASON:

To safeguard the existing trees and hedgerow

CONDITION: 20

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

REASON:

In the interests of fire safety

CONDITION: 21

No development shall commence until full details of external lighting, (excluding highway authority lighting) including details of the type, design and location have been submitted to and approved in writing by the Council. Any lighting shall only be erected in accordance with the approved details.

REASON:

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

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 may be made for the carrying out of inspections and the issue of permits

INFORMATIVE: 2

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

INFORMATIVE: 3

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

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

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

INFORMATIVE: 6

The applicant/developer is advised that the changed plot layout will lead to changes in the Section 38 Agreement; upon the granting of Planning Consent the developer is advised to contact the County Council's Development Group Officer who dealt with the Section 38 Technical Approvals in order to ensure that the correct drawings are included in the signed agreement. A fee may be levied for such changes. Failure to amend the agreement drawings may lead to a refusal to adopt the roads by the Highway Authority.

Reference number: R15/0649

Site address: 46A Church Street, Rugby, CV21 3PT

Description: Proposed change of use from a charity's homeless shelter (Sui Generis) to 2 residential flats (Class C3)

Case Officer Name & Number: Paul Varnish - 01788 533771

This application has been brought forward to planning committee as one of the applicants is related to a former serving Councillor.

Site Description

The application site is a two storey detached property that lies within the Town Centre Primary Shopping and Conservation Area. The property is within a small pedestrianised area which includes a number of shops and businesses. To the front of the premises are a raised flower bed and the entrance to the St Andrew's Gardens, which is designated as openspace.

The property is split into two levels, with the ground and first floor being accessed by their own separate entrance doors. The first floor was previously used as the homeless shelter and is considered to be of a Sui Generis Use Class. The ground floor is in a class A1 use and will remain unchanged as a barbershop.

The neighbouring property 47 Church Street is currently being used as a beauty salon and is separated by a 1.5 metre passageway, with the side and rear elevations of the property being a blank elevation. To the other side boundary is a circa 2 metre wide public footpath which is bounded by a circa 1.5 metre tall redbrick wall and beyond that is the openspace of St Andrew's Gardens. The rear of the property has a circa 1.8 metre high wall with an access way that serves a number of garages and outbuildings and beyond that is the garden areas to number 51 and 53 Church Mews, with the rear of these properties being circa 20 metres away.

Proposed Description

The proposal consists of a planning permission for a change of use from a homeless shelter (Sui Generis) to 2 residential flats (Class C3). The external appearance of the building will remain largely unchanged with only the provision of new side and rear elevation windows and the inclusion of a cycle store and a bin store to the rear backyard of the property.

Relevant decisions

R76/1494/3165/P – Use of premises for midland red sports and social club (1st Floor) – Approved - 06/04/77

Service Review Team Ref. 712 - 1st Floor only - Change of use of first floor from a Social Club to a Drop In Centre for the homeless and badly housed – Approved – 04/01/2010

R10/0139 - 1st Floor only - Variation on Condition 2 of planning approval ref. 712 to allow the drop in centre to operate between the hours of 09.00 and 19.30 – Approved – 16/04/2010

Technical Consultations

WCC Highways – No objection, subject to informatives – 06/05/2015

Environmental Health – No objection, subject to informatives – 11/05/2015

WCC Police – No objection – 23/04/2015

Third Party Consultations

Neighbours – None as yet

Planning Policy Guidance

Rugby Borough Council Local Plan, 2006 Saved Policies:

T5 Car Parking - Complies

Rugby Borough Core Strategy 2011:

CS1 Development Strategy - Complies

CS13 Local Services and Community Facilities - Complies

CS16 Sustainable Design - Complies

National Planning Policy Framework, 2012

Rugby Town Centre Conservation Area Appraisal, 2010

Assessment of Proposals

The main issue to assess in relation to this application is whether the principle of the change of use from the Sui Generis use to C3 residential use is acceptable, the impact the proposal will have on the visual, residential amenity of the area, highway safety and parking, and loss of a local community facility.

It is considered that the proposal conforms to the NPPF paragraph 23 and Local policy CS1 which state that the most sustainable location is within the Town Centre and that small development, including 'above the shop' living accommodation increases the vibrancy and helps towards revitalising and improving the town centre.

The proposal is also considered to conform to policy CS13, which states that a community facility should be retained unless it has been actively marketed or the facility can be provided at a different site. The first floor premises have been marketed by a local chartered surveyor since the 16th September 2014, but to date no interest has been shown in the property. The marketing scheme has included: marketing boards, brochures, mail shots, advertisements in the local newspaper and internet advertising. Additionally, the previous occupants, The Hope 4 charity, are still present within the area, as they have moved to new premises within Newbold Road.

The proposed site is within a Conservation Area and as such particular emphasis is placed on retaining the identity, appearance and character of the property and area. Local Policy CS16 states that all development will demonstrate high quality, inclusive and sustainable design and will be at a scale, density and design that would not cause any material harm to the qualities, character and amenity within the areas they are situated in, which is emphasised within the Rugby Town Centre Conservation Area Appraisal. This is further reiterated by the NPPF in paragraph 12 that states when deciding an application great weight should be given to the conservation of a designated heritage asset.

The proposed changes to the property are minimal, with only the addition of new windows to replace the boarded-up and broken windows on the side elevation that faces St Andrew's Gardens. The windows will be recessed and of a similar style and type to those on the front elevation. It is therefore considered that the proposal will improve the appearance of the property, whilst respecting the character and the identity of the building and the conservation area and therefore there is no conflict with local and national policy and guidance. Furthermore, the scheme will include a bin store to the rear of the property, which will prevent the storage of refuse bins to the front of the property, which would be unsightly and out of keeping with the area.

In terms of the impact the proposal will have on the neighbouring property number 47 Church Street and the properties to the rear number 51 and 53 Church Mews. Number 47 Church Street has no windows within the side or rear elevations and with regards to the properties to the rear, number 51 and 53 Church Mews, the nearest elevation is circa 20 metres away and is screened by the rear circa 1.8 metre high wall. It is therefore

considered that there will be minimal impact in terms of overlooking or loss of privacy and this relationship is deemed acceptable.

In terms of the provision for car parking, saved policy T5 suggests that car park provision in a High Access Zone, where there is good access to public transport; a 1-2 bed dwelling apartment should provide 0.75 parking spaces. The proposal does not have provision for this amount of parking. However, the policy states that this is only a guide figure and that all applications will be considered on their own merits. WCC Highways have not objected to the proposal as they recognise that the site falls within the High Access Zone and there is pay and display parking within the vicinity of the site. Therefore, taking into account that WCC Highways have not objected and the provision of the public car parks within the vicinity of the area, it is considered to be acceptable. The scheme also includes the provision of a cycle store, which will allow for 4 bicycles to be stored, which exceeds the guide of 1 bicycle space for the unit.

Recommendation

Grant Permission Subject to Conditions

DRAFT DECISION

APPLICATION NUMBER

R15/0649

DATE VALID

21/04/2015

ADDRESS OF DEVELOPMENT

45-46 CHURCH STREET
RUGBY
CV21 3PT

APPLICANT/AGENT

Mrs Rebecca Walker
Chapman Design
10 David Road
Rugby
Warwickshire
CV22 7PX
On behalf of Mr Khele, Poonah Investments

APPLICATION DESCRIPTION

Proposed change of use from a charity's homeless shelter (Sui Generis) to 2 residential flats (Class C3)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development shall not be carried out other than in accordance with the site location plan, at a scale of 1:1250 and the plans 2452-01 and 2452-03 received by the Local Planning Authority on 24th March 2015 and the amended plans 2452-02 and 2452-02A received on the 30th April 2015 and the amended plans 2452-04A received on the 01st May 2015.

Reference number: R12/2253

Site address: Land adj. to Europark, A5 Watling Street, Clifton Upon Dunsmore, Rugby.

Description : Part outline planning permission for the erection of two buildings and use for purposes falling within Class B2 (General Industrial) of The Town and Country Planning (Use Classes) Order 1987, as amended, together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping – all matters reserved

Part full planning permission for the construction of an access road with associated drainage, earthworks and drainage infrastructure comprising surface water and foul sewers and package treatment plant to serve the proposed outline development

Case Officer Name & Number: Steve Parkes 01788 533633

Authorised Use

Agricultural

Relevant Decisions

None

Technical Consultations

Highways England	no objection	directs that a condition be attached requiring the submission of a construction management plan
WCC – Highways	no objection	
Environment Agency	no objection	advises on drainage and flood risk including requirement for a permit for the discharge from the package treatment plant; confirms no further contamination assessment required; recommendations to safeguard biodiversity and water quality including the submission of a surface water management plan before earthworks commence
STW	no objection	
Natural England	no objection	confirms that the Cave's Inn Pits 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 securing measures to enhance 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 a condition covering the submission of a combined ecological and landscaping management plan
Warks Wildlife Trust	comments	recommendations covering habitat enhancement and protection measures, biodiversity impact assessment, protected species mitigation and lighting
WCC – Archaeology	no observations received	
Western Power Distribution	no objection	subject to diversion of power lines at developers expense
Warks Fire and Rescue	no objection	subject to condition covering water supplies and fire hydrants
Env Services	no objection	subject to conditions including air quality assessment, mitigation of dust, noise control and lighting

Landscape Officer (RBC)	no objection	recommends detailed scheme incorporates additional woodland planting
Tree Officer (RBC)	no observations received	

Third Party Consultations/Representations

Newton & Biggin PC	no observations received	
Harborough DC	no observations received	
Neighbours	objection (2 letters)	increase in traffic generation and associated noise with dangerous access to the A5; turning movements at Cathorpe and Lilbourne junctions dangerous; increase in accidents on this part of A5 and need to take account of traffic generated by Radio Station development; noise from plant and compressors adding to existing noise levels; noise assessment does not take account of reduced background levels at weekends; impact on wildlife; departure from the development plan and loss of public right of way; air pollution and smell

Other Relevant Information

Site and Surroundings

The application site extends to approximately 2.93 hectares and is located off the west side of the A5, Watling Street, approximately ½ mile to the east of the village of Newton. Directly adjoining the site to the north and in the ownership and control of the applicant is the Europark employment area. Europark contains a variety of existing industrial/commercial buildings used for Class B1, B2 and B8 purposes ranging in size from 500sq.m to 5,000sq.m together with storage yards. To the south is a parcel of brownfield land containing the remnants of a former petrol filling station adjacent to the A5 and three disused buildings to the south-west (the subject of related application ref. R13/2165 by Alcohols Ltd, also on this agenda). Beyond this is a parcel of greenfield land and at a higher level a ribbon of residential properties on Watling Crescent and the neighbouring PERI works. To the south- west is the Bernard Reilly haulage site used for the purposes of crushing and re-cycling of construction waste. The eastern boundary is formed by the slip road from the A5 which serves Europark. On the opposite side of

the A5 to the south is a former petrol filling station and HGV stop currently used for parcel deliveries, together with a bungalow and other detached residential property. To the west and also in the applicant's ownership and control is a nature conservation area containing small lakes and woodland planted areas beyond which is a watercourse and open countryside.

The site is greenfield land used occasionally under agreement for the grazing of sheep with gated access off the Europark slip road. The site comprises what were originally pre and post-war sand and gravel workings which were still in use for such purposes in the early 1970s. Levels across the site fall predominantly from north-east to south-west with a difference of approximately 12.5m

The Application

This is a hybrid application with proposals partly in outline and partly in full.

The outline element comprises the erection of two Class B2 general industrial units together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping. All matters are reserved though illustrative drawings have been submitted demonstrating how the development may potentially be accommodated on the site together with an indication of the type and design of the proposed buildings.

Unit A located on the northern part of the site has a gross internal area of some 3,348sq.m comprising 2,916sq.m of B2 floorspace and 432sq.m of ancillary B1 office space. The unit has been designed to allow potential future expansion of some 1,465sq.m of B2 floorspace. The building measures approximately 88.0m by 37.0m and 12.1m high to the ridge of the roof. A service yard is provided together with car parking for 84 vehicles including 4no. for disabled users. Provision is also made for the parking of 4 motor-cycles and secure, undercover parking for 12 cycles.

Unit B located on the southern part of the site has a gross internal area of 2,542sq.m comprising 1,927sq.m of B2 floorspace and 615sq.m of ancillary B1 office space. The building measures approximately 55.0m by 42.0m and 12.3m to the ridge of the roof. A service yard is provided together with car parking for 67 vehicles including 3no. for disabled users. Provision is also made for 3 motor cycles and 10 cycles.

It is intended that the design and materials proposed for the buildings will be selected to minimise visual impact and complement the industrial setting. Though both units are speculative as occupiers are unknown, it is stated that the massing and height of the buildings have been designed having regard to the operational requirements of typical potential occupiers.

The full, detailed proposals comprise the construction of an access road off the existing Europark slip road with associated drainage together with earthworks comprising cut and fill operations to form level platforms for the buildings proposed in outline, and drainage infrastructure comprising foul and surface water sewers and a package sewage treatment plant. The access road would serve both the buildings the subject of the outline proposals and the development proposed on the adjoining site the subject of the related application (R13/2165) by Alcohols Ltd which is also on this agenda.

The earthworks strategy is designed to balance cut and fill across the site to avoid the need to remove material off site or to import material and to create level development plots which step down the existing site contours from the A5 and minimise the need to change existing levels as far as practical.

Proposed surface water drainage comprises the collection of surface water from roofs, roads and hardstandings and discharge via piped sewers to an existing lake located to the south-west corner of the site which is to be used as an attenuation facility for the proposed development. Foul drainage will be to a small package treatment plant which will be designed and sized to also take foul drainage from the proposed Alcohols Ltd development on the adjacent site. Treated effluent would be discharged directly into a local watercourse to the west of the site.

An indicative landscape scheme has been submitted which includes new native tree and woodland mix planting particularly in the northern and southern parts of the site and also along the western boundary. Areas of grassland would also be provided within the site together with ornamental tree and shrub planting with a view to providing a variety of habitats.

Supporting Documents

The application is supported by a number of documents comprising design and access statement, transport assessment, framework travel plan, noise assessment, flood risk assessment, sustainability appraisal, site investigation, ecological assessment and historic statement.

Design and Access Statement

The design and access statement includes analysis of the site context, consideration of the design approach having regard to both the outline and detailed nature of the proposals and consideration of the potential visual impact.

Transport Assessment and Framework Travel Plan

The transport assessment considers the transport and highway implications of the proposal, including the availability of sustainable transport infrastructure, taking account of predicted peak hour trip rates to and from the development and parking requirements based on the Council's standards. It also takes account of recorded accident data. The proposed development is predicted to generate a maximum of 131 vehicle movements to and from the site during the morning peak period and 102 vehicle movements during the evening peak period.

The assessment concludes that the site is accessible to more sustainable means of transport, that parking can be provided in accordance with the Council's standards and that the Europark access from the A5 will continue to work within capacity both during the morning and evening peak periods. It further concludes that the proposed development is unlikely to have a detrimental impact on highway safety and the surrounding highway network.

The framework travel plan sets out the objectives and basis for future initiatives to encourage the use of more sustainable modes of travel to and from the site other than the private car and to reduce unnecessary travel. It is proposed that final travel plans will be produced within six months of occupation of each of the units following initial staff travel surveys. The travel plan would be subject to monitoring and review.

Noise Assessment

The noise assessment considers local and national policy and highlights that in view of the outline nature of the proposals for speculative B2 general industrial development, any processes or use of plant and equipment which may potentially entail noise generating activity, including the movement of vehicles, are unknown at this stage. The distance between the site and nearest residential receptors on the A5 is approximately 100m and those on Watling Crescent approximately 200m. It is therefore proposed that full details of potential noise impact, including any necessary noise monitoring and assessment together with full consideration of the need for mitigation be dealt with at the reserved matters stage and that this be covered by condition. Reference is also made to the noise assessment accompanying the Alcohols Ltd application on the neighbouring site, which is closer to sensitive receptors, and which concludes that noise levels will comfortably achieve the Council's noise criteria such that complaints are unlikely.

Air Quality

In view of the speculative nature of the proposals and that it is not known at this stage whether there will be any processes or activities which may give rise to emissions to air, it is proposed that this aspect be dealt with at the reserved matters stage. In terms of the impact of vehicular traffic on air quality, it is

explained in the transport statement that any potential detrimental impacts will be mitigated by way of travel plans encouraging the use of modes of transport other than the private car and as a result of European legislation requiring continuing reductions in polluting emissions from cars and lorries.

Flood Risk and Drainage Strategy

The flood risk assessment confirms that the site is at low risk from flooding falling within flood zone 1 and that the proposed development will not increase the risk of flooding off site. Ground conditions have shown that infiltration drainage is not possible and that surface water attenuation is therefore required. The attenuation pond to which surface water will be directed is shown to have sufficient storage capacity to hold the worst 1:100 year event plus allowance for climate change. The discharge from the site to an ordinary watercourse to the west would be controlled using a flow control device. It is intended that surface water drainage from roadways, car parks and hardstandings will comply with the Environment Agency's pollution prevention guidelines.

Foul water from the site would be discharged into an appropriately sized package treatment plant. Treated effluent would be discharged from the plant to a watercourse to the north west of the site.

Sustainability Appraisal

The sustainability appraisal explains how the proposed development will comply with the Council's sustainable design and construction policies and supplementary planning document in terms of high quality design, sustainable drainage systems and the incorporation of water, carbon and energy efficiency measures. It is confirmed that the development will incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emission by at least 10%. It is anticipated that renewable energy will be generated by roof mounted solar panels or by incorporating a biomass boiler into one or both of the buildings which will be determined at the reserved matters stage.

Ecological Assessment

The ecological assessment is based on a habitat survey undertaken in August 2013 which included an examination and evaluation of habitats and assessment of potential ecological constraints on the site including the presence and potential presence of protected species.

The site lies within Ecosite 06/57, a non-statutory site designated by Warwickshire County Council of local interest to nature conservation and rated as of medium ecological value. The Ecosite was designated for its important ponds and adjacent habitats which were once part of a larger sand and gravel extraction site. The application site falls within part of the Ecosite comprising what is described as semi-improved species poor grassland that includes low diversity of grass and herb species used for grazing sheep. With regard to protected species potential, it is stated that the habitat on site provides no potential shrub or tree nesting habitat for breeding birds while the open grassland has low potential to support ground nesting birds. There was no evidence of great crested newts or reptiles on the site during the survey period while the nearby ponds are considered to be of poor suitability for great crested newts. The grazed pasture is considered sub-optimal for foraging, commuting and sheltering of great crested newts and reptiles. The potential impact on such species during site clearance and construction is therefore considered to be low. It is also confirmed that there are no potential roosting locations for bats within the site whilst the grassland habitat provides a significantly less foraging resource than surrounding habitats.

To mitigate for the loss of pasture habitat recommendations are made comprising enhancement measures for off-site ponds and associated habitats currently owned and managed by the applicant. Enhancement measures are also recommended for proposed landscape areas within the development site itself. A precautionary approach towards protected species is recommended in a mitigation strategy during site clearance and construction under the supervision of a suitably qualified ecologist to ensure no adverse impact on all protected species potentially present on the site.

Site Investigation (Contamination Assessment)

The site investigation report summarises the findings of a historical desk study, environmental database search, ground investigation comprising boreholes and trial pits and laboratory testing. It also makes recommendations with regard to the design of foundations.

The site investigation shows that there is no evidence of any significant soil contamination and no evidence of groundwater contamination. The risk from ground gas is considered low though a precautionary approach in connection with ground slab construction is recommended. Taking account of the test results, it is concluded that no scheme of remediation is considered necessary for the proposed development.

Historic Statement

The statement provides an historic overview of the site and the development of the neighbouring Europark employment area. The application site was part of a larger area quarried for sand and gravel between 1926 and the early 1970s. The Europark employment area was established in 1990 following the sale of the former Eurotube company which had existed since 1967.

It is stated that following quarrying activities the application site was allowed to become barren but was sown to grass in 1987 by the current owners of Europark to improve the appearance on access to the employment area. The field has been let on an annual arrangement to a local farmer for seasonal sheep grazing though it is stressed that the field is isolated from larger agricultural holdings and is surrounded by industrial developments such that it does not lend itself to any significant agricultural use.

Relevant Planning Policy

Local Development Framework Core Strategy, June 2011

CS1	conforms	development strategy
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
GP6	conforms	safeguarding development potential
E6	conforms	biodiversity
T5	conforms	parking facilities

Sustainable Design and Construction SPD, February 2012

Planning Obligations SPD, March 2012

National Planning Policy Framework, March 2012 (NPPF)

National Planning Practice Guidance (NPPG)

Determining Considerations

The main planning considerations in this case relate to the principle of development in this particular location 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, 2011 and "saved policies", the Council's Supplementary Planning Documents (SPDs) and government policy and guidance contained in the National Planning Policy Framework, March 2012 (NPPF) and related Planning Practice Guidance.

Principle of Development

Policy CS1 concentrates new development in the most sustainable locations in the borough in order of priority. The urban area of Rugby is identified as the primary focus for meeting strategic growth targets whilst development in the countryside will normally be resisted and will only be permitted where national policy allows. It is stated in policy CS1 that it should be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy whilst it is also explained that inappropriate development will be resisted in countryside locations unless the development is appropriate to a countryside setting.

The application site comprises greenfield land located outside the urban area in the countryside. The site is not specifically allocated for development in the Core Strategy though directly adjoins the neighbouring Europark employment area identified as a strategically significant employment site under saved policy ED5 where there is a presumption in favour of development and redevelopment for B1(business), B2(general industrial) and B8(storage or distribution) uses. Access to the site would be taken from the existing Europark slip road from the A5 and the proposed development would essentially constitute an extension to the existing employment area. The access also facilitates the development of the neighbouring brownfield land by Alcohols Ltd.

Though the site is located lower down in the Council's sustainable development hierarchy, the applicant advises that there are no other sites in the Borough further up the hierarchy suitable for the type and size of development proposed and that if land is not made available to cater for the demand companies wishing to invest in the Borough will locate elsewhere. The Rugby Radio Station (RSS) and Gateway sustainable urban extensions are allocated for employment development under Core Strategy policy CS18 and both make provision for development for B2 general industrial purposes. The timescale for bringing forward employment land on the RRS of a type and size proposed in the current application is unknown, however, and is unlikely to be in the short-term. Though land is potentially available on the Gateway site, it is understood that the developers intend to construct units far greater in size than those proposed in this application. It is therefore accepted that sites in higher order locations are not necessarily available at this time and that the proposed development would add to the mix and size of units available in the Borough to the benefit of the local economy.

In addition, the site is not in what can reasonably be considered a typical open countryside location but is well contained amongst sporadic development in the locality. It is sandwiched between the Europark employment area and the neighbouring brownfield site which has the benefit of an extant planning permission for development for general industrial purposes the subject of the current application by Alcohols Ltd. The Bernard Reilly construction waste site adjoins to the south-west with the PERI works complex a little further on. The character is therefore established by a mix of uses in the immediate locality. The proposal comprises the logical infill of a site of modest size. The proposed development would be seen in the context of existing development, will readily assimilate with the mixed use surroundings and would not be uncharacteristic in the immediate area or inappropriate in the wider countryside setting. It is also apparent that the site is isolated from larger agricultural holdings/parcels of land and does not lend itself to any significant agricultural use.

Notwithstanding the above, national policy towards development in the countryside is a material consideration and the proposal must be compliant with such policy to be acceptable in planning terms. An important core planning principle of the NPPF is that sustainable economic development is proactively driven and supported to deliver the business and industrial units the country needs and to respond to wider opportunities for growth (para 17). In building a strong and competitive economy the NPPF advises that significant weight should be placed on the need to support economic growth through the planning system and that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (paras 18, 19 and 21). This includes supporting economic growth in rural areas through the sustainable growth and expansion of all types of business and enterprise by way of converting existing buildings and providing well designed new buildings (para 28) though it is also cautioned that the intrinsic beauty and character of the countryside should be recognised.

Across the majority of the Borough the open countryside is an unsustainable location for this type of development. The infrastructure required to support economic growth in most instances is not available and the development of employment units would likely have an adverse impact on the character of the countryside. As referred to above, however, this is not a typical open countryside location and it is not considered that the proposed development will have a seriously detrimental impact on the character of the locality or wider environment. The site is located adjacent to the A5 trunk road which provides ready access to the motorway network and is not remote from the urban area of Rugby. It is considered that the particular characteristics of the site and its surroundings are such that this is a more sustainable location for economic development than the majority of other open countryside locations.

Though the proposed development is speculative in nature and therefore potential occupiers unknown at this time, it will nonetheless have beneficial effects in supporting the local economy potentially providing a range of new jobs and supporting those in other related businesses. It will add to the range and availability of premises on the neighbouring Europark and consolidate the strategically significant employment area. The nature of the site and its immediate surroundings is such that the proposed development will not have an adverse effect on the intrinsic beauty and character of the countryside.

In view of the above, it is considered that the significant weight the NPPF places upon the need to support economic growth outweighs any issues in respect of the open countryside location of the site. The proposal accords with national policy controlling development in countryside locations and is therefore consistent with the development strategy set out in policy CS1. In the circumstances, it is considered that the proposed development is acceptable in principle. This should not be interpreted as a general relaxation of planning policy relating to development in the open countryside, however, but is specific to the merits of this particular case.

Details of Development

As a hybrid application, consideration is required of both the detailed elements comprising the earthworks and access road with associated drainage, and the indicative information provided in respect of the layout and nature and scale of the proposed units and associated landscaping.

The details of the development fall to be considered against Core Strategy policies CS16 and CS17 and saved policy GP2 in respect of appearance and design, landscaping, the protection of amenity, energy conservation and landscape and settlement character. 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.

In order to accommodate the amount of development proposed on the site and achieve a satisfactory layout it is necessary to adjust the levels. The earthworks are to be co-ordinated with the development proposed by Alcohols Ltd on the adjacent site (R13/2165) and will step down from the A5 thereby reducing the potential visual impact. The new access road essentially dictates the layout of the development with the two buildings located on either side. The indicative layout demonstrates that the site can satisfactorily accommodate the amount of development of the size proposed with appropriate parking, servicing and landscaping.

The buildings proposed are essentially rectangular blocks of a modest scale and height. The actual design, appearance and materials are reserved but the indicative scheme is typical of those incorporated in modern commercial and industrial developments and are considered acceptable in this location. It is intended that the development will be constructed to BREEAM very good standards and thereby incorporate water conservation measures in accordance with policy CS16.

In supporting information 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 proposing to design, construct and operate the buildings in accordance with the BREEAM very good standard the development will meet the requirements of Building Regulations which impose target requirements for controlling carbon emissions. In addition, the applicant confirms that detailed proposals will incorporate renewable energy equipment possibly in the form of solar panels which together with other measures will reduce predicted carbon dioxide emissions by at least 10% in accordance with Core Strategy policy CS17.

The detailed scheme will also take full account of the need for inclusive design to provide safe and convenient access for people with disabilities or impaired mobility. The indicative layout provides clearly defined pedestrian routes and incorporates the provision of parking conveniently located near the main access into the buildings. 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 incorporation of native species in the form of tree and shrub planting as shown on the illustrative landscape scheme will soften the impact and assist in assimilating the development into its surroundings whilst also enhancing the wildlife habitat potential of the site and biodiversity. The illustrative scheme incorporates recommendations for habitat creation as detailed in the Ecological Assessment. Such scheme will provide a natural and varied habitat, will soften the impact of the development and will assist in assimilating it into its surroundings.

Though the site has a comparatively restricted visual envelope with few close vantage points there will be a visual impact, particularly when viewed from the higher ground at the end of Watling Crescent nearby and over longer views from the edge of Newton village from the west though this is not considered significant. With the adjustment of levels the development will be set down significantly in relation to the A5 and be well screened from that direction. Existing planting along the western boundary of land in the applicant's ownership provides significant screening.

The site is not in an isolated location in open countryside and the development has also to be considered and viewed in the context of the existing uses and development nearby. There will be an impact on the character of the immediate locality in terms of the intensification of existing development and associated activity but it is not considered that this will detract significantly from the character of the area in terms of landscape quality and visual amenity. The development will be particularly viewed in the context of existing development on the nearby Europark. There will also be some environmental benefit from the improvement to the frontage to the A5.

In view of the above, it is considered that the proposals accord with Core Strategy policies CS16 and CS17, saved policy GP2, guidance contained in sections 7 and 10 of the NPPF and the Councils Sustainable Design and Construction SPD. The development will be 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.

Technical Considerations

The response of consultees confirms that there are no technical constraints to the development of the site as proposed.

Transport and Highways

With regard to transport and highway matters, 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 and will not have an adverse impact on the local or strategic highway network. The Highways Agency has considered the impact of the proposed development on its own and cumulatively with that proposed by Alcohols Ltd on the adjacent site (R13/2165) and has raised no objection to the proposals. Access from the A5 is satisfactory and within capacity and no additional mitigation is required.

The framework travel plan submitted is wholly consistent with national and local policies promoting sustainable transport having regard to the level of accessibility to the site by alternative modes and demonstrates the commitment of the applicant in this respect. The NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas (para 29). The site is not in the most sustainable location though is not remote from the urban area of Rugby and also sits on a key trunk road with good accessibility. It is acknowledged that there is no public transport provision nearby though the location near existing and proposed employment development potentially increases the opportunity for consideration of the use of alternative modes of transport collectively whilst Rugby railway station is only approximately 4 miles from the site providing access to the national rail network. The site is nonetheless sustainably located in relation to the strategic trunk road and motorway network for the receipt of raw materials and the distribution of products that will potentially be produced at the site.

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 indicative proposals for a total of 151 parking spaces are within the Council's maximum standard. 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, the proposal complies with policies CS1, T5 and the requirements of the NPPF.

Flood Risk and Drainage

Taking full account of flood risk is one of the core planning principles contained in the NPPF and it is advised that when determining planning applications, local planning authorities should ensure that flood risk is not increase elsewhere (para 103).

Falling within flood zone 1, the site meets the aim of the sequential test contained in guidance which is to steer new development to areas with the lowest probability of flooding. The Environment Agency is satisfied with proposals for surface water and foul drainage and that there are no implications in terms of additional flood risk elsewhere. The proposals are appropriately designed to accommodate a 1 in 100 year storm with allowance for climate change with attenuation provided by an existing lake and it is intended that sustainable drainage systems (SUDs) will be incorporated in the detailed development. There are no mains sewers serving the site hence the need to treat foul drainage by way of a small package treatment plant. Severn Trent Water has raised no objection to the proposals.

Amenity, Noise, Air Quality and 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).

With regard to noise, given the outline nature of the proposals the potential impact is unknown at this stage but will be fully considered in any reserved matters submission with appropriate mitigation if deemed necessary. Nonetheless it is considered that there are unlikely to be any detrimental effects on the amenities of the nearest sensitive receptors comprising the residential properties on Watling Crescent to the south and the bungalow on the opposite side of the A5 in view of the distance from the site. The Council's Head of Environmental Services has raised no objections to the proposals.

Though the site lies in the Council's Air Quality Management Area (AQMA), in view of the outline nature of the proposals the Head of Environmental Services is satisfied that this aspect can be covered by condition. Core Strategy policy CS11 in respect of transport and new development states that where development proposals fall within the designated AQMA, the transport assessment should set out how detrimental impacts on air quality will be mitigated. The transport assessment demonstrates that traffic generation will not be significant. Encouragement of the use of alternative means of travel to the private car, car sharing initiatives and minimising the need to travel as advocated in the framework travel plan can nonetheless potentially assist in reducing the impact on air quality.

The ground investigation report submitted has not revealed any significant contamination of the site and no further investigation or mitigation is deemed necessary. No adverse effects on either human health or groundwater are therefore likely to arise as a result of the development of the site.

In view of the above, the proposal accords with policy CS16 in respect of the protection of residential amenity and with guidance contained in the NPPF covering pollution control including noise, air quality and contamination.

Biodiversity

Saved Local Plan policy E6 seeks to safeguard biodiversity interests including protected species and supporting habitats 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.

Natural England has confirmed that the Cave's Inn Pits Site of Special Scientific Interest (SSSI) located in relative proximity to the site does not represent a constraint in determining the application. The County Ecologist principally advises the Local Planning Authority on biodiversity interests. Though the application site is located within a larger area identified as a non-statutory site for nature conservation, ecological assessment has confirmed that habitats within the site are common and considered to be of negligible ecological value.

The development site represents what is considered a minor section of the Ecosite and though the proposal would reduce the habitat area it would not directly affect the more diverse and important habitats within it. There is no flora or fauna of importance on the site and the proposals would not affect any protected species. The applicant has agreed to the off-site enhancement measures set out in the Ecological Assessment whilst recommendations for landscape areas within the development site have been incorporated in the indicative landscape scheme. Though there is no evidence of protected species on the site, the precautionary approach recommended during site clearance and construction can be covered by condition.

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. Opportunities for biodiversity enhancement have been considered and incorporated in the illustrative landscape/planting scheme and will be carried forward into detailed proposals. 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.

Third Party Representations

The Highways Agency is satisfied that the proposed development can be accommodated without any adverse impact on the local and strategic highway network on its own and cumulatively with other developments. It has been demonstrated that there will be no significant impacts on noise or air pollution or on wildlife. The scheme accords with the development plan and satisfactory proposals have been put forward for the diversion of the existing public right of way affected by the Alcohols Ltd proposed development on the neighbouring site.

Conclusion

The proposal accords with the development strategy contained in the development plan and the economic priorities of the NPPF that support the sustainable growth and expansion of businesses in rural areas. It has to be acknowledged that circumstances may arise where it is appropriate to enable businesses to be located in the rural area as an exception to the general policy approach of restraint on development, particularly where there is significant economic benefit in doing so. It is considered that the economic benefits in this case should be given particular weight.

There are no technical constraints to the development of the site and it is not considered that the proposals will cause any demonstrable harm to the environment or local amenity. There are particular circumstances in this case which, on balance, justify the proposed development in the countryside. Approval of the proposal should not, however, be taken to represent a relaxation of policy generally towards employment development in the countryside but that the decision is taken in the light of all material considerations in respect of the specific merits of this particular case.

Recommendation: Approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R12/2253

DATE VALID

09/02/2015

ADDRESS OF DEVELOPMENT

Land adj. to Europark
A5 Watling Street
Clifton upon Dunsmore
Rugby
CV23 0AQ

APPLICANT/AGENT

Mr Jason Tew
Tew And Smith
4 Harborough Road
Kingsthorpe
Northampton
NN2 7AZ
On behalf of Mr John Utley, Richard Utley
Limited

APPLICATION DESCRIPTION

Part outline planning permission for the erection of two buildings and use for purposes falling within Class B2 (General Industrial) of The Town and Country Planning (Use Classes) Order 1987, as amended, together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping - all matters reserved.

Part full planning permission for the construction of an access road with associated drainage, earthworks and drainage infrastructure comprising surface water and foul sewers and package treatment plant to serve the proposed outline development.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

The development to which this permission relates in respect of the access road and associated drainage, earthworks and drainage infrastructure comprising surface water and foul sewers and package treatment plant 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

Application for approval of the reserved matters specified in Condition 4 below, accompanied by detailed plans and full particulars in respect of the two buildings together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping, 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: 3

The development hereby permitted as referred to in condition 2 above 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: 4

Details of the following reserved matters in respect of the development referred to in condition 2 above shall be submitted to and approved in writing by the Local Planning Authority before any part of that 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: 5

Details of the following additional matters for the development referred to in condition 2 above shall concurrently with the submission of reserved matters required by condition 4 above, be submitted to and approved in writing by the Local Planning Authority before any part of that development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a) The provision of means of drainage and sewage disposal.
- b) The extent of accommodation for car parking, motor-cycle and cycle parking and loading and unloading of vehicles, which shall be in accordance with the Council's standards unless otherwise agreed in writing with the Local Planning Authority.
- c) The siting, height and design of all fences and walls on the site, including detailed treatment of the site boundaries.
- d) The type, height, design and location of all sources of external lighting.
- e) The location of air handling plant, flues or any other equipment located on the roof of the buildings or externally on the site, to include measures for acoustically treating such equipment.
- f) Details of how potential contamination from operational activities and processes will be prevented to ground, surface water and groundwater and the wider environment.

REASON:

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

CONDITION: 6

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

3919/01 Rev E	Location Plan
3919/02 Rev F	Site As Existing
3919/SK10 Rev J	Site As Proposed *comprising new access road, earthworks and drainage only
5050-10 Rev C	Drainage Strategy
5050-32	Spine Road General Arrangement
3919/SK12 Rev E	Indicative Site Sections, Sheet 1 of 4
3919/SK16 Rev A	Indicative Site Sections, Sheet 2 of 4
3919/SK17 Rev A	Indicative Site Sections, Sheet 3 of 4
3919/SK18 Rev A	Indicative Site Sections, Sheet 4 of 4

Documents

Planning Statement, Issue 3 (Tew and Smith, October 2013) together with Planning Statement Issue 3 Erratum

Design and Access Statement, Issue 3 (Tew and Smith, October 2013) together with Design and Access Statement Erratum

Transport Assessment, Revision A, dated November 2014 (BCAL CONSULTING) together with Transport Statement Erratum

Framework Travel Plan, Issue 2 (Tew and Smith, November 2013)

Flood Risk Assessment, Revision B dated November 2014 (BCAL CONSULTING)

Ecological Assessment, Final November 2013 (Landscape Science Consultancy Ltd)

Report on a Site Investigation (Ground Engineering, October 2013)

Sustainability Appraisal, Issue 2 (Tew and Smith, January 2014)

Sustainability Checklist

Historic Statement (Tew and Smith) together with Historic Statement Erratum

Noise Assessment

REASON:

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

CONDITION: 7

Before commencement of the access works, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The CMP shall identify the steps and procedures that will be implemented to minimise the impact of construction traffic including the management and routing of heavy goods vehicle access to the site, and include a Stage 1 Road Safety Audit. Once approved, the CMP shall be adhered to at all times during the construction period, unless first agreed in writing by the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

CONDITION: 8

No part of the development hereby permitted shall be brought into use until the proposed new access road and individual means of access to the buildings have been constructed and completed.

REASON:

In the interests of public and highway safety.

CONDITION: 9

An air quality assessment including the results and any proposed mitigation shall be submitted to and approved in writing by the Local Planning Authority concurrently with the submission of reserved matters required by condition 2 above. Any mitigation so approved shall thereafter be implemented in full.

REASON:

In the interests of public health and safety and residential amenity.

CONDITION: 10

Prior to the commencement of earthworks on the site a dust mitigation report shall be submitted to and approved in writing by the Local Planning Authority. Such report shall include details of how dust and debris will be prevented from migrating off site and impacting on surrounding commercial and residential properties as well as the highway network. The mitigation so approved shall be implemented in full.

REASON:

In the interests of the amenities of the locality.

CONDITION: 11

If, during development contamination not previously identified is found to be present at the site then no further development (unless agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained approval from the Local Planning Authority a report detailing how this unsuspected contamination shall be dealt with.

REASON:

In the interests of public health and safety.

CONDITION: 12

A scheme for the containment, mitigation and management of noise emanating from the site shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each individual building. The scheme shall include consideration of the use(s) to be carried on and any plant, equipment or machinery to be installed. The approved scheme shall thereafter be fully implemented. All equipment shall be rated to operate 10dB(A) less than the existing ambient noise level to minimise the potential for creeping background noise levels.

REASON:

In the interests of the amenities of the locality..

CONDITION: 13

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

REASON:

In the interest of highway safety.

CONDITION: 14

The accommodation for car parking, motor-cycle and cycle parking and the loading and unloading of vehicles approved in accordance with condition 5 above, shall be provided before the development to which it relates is first brought into use and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

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

CONDITION: 15

The soft landscaping scheme approved in accordance with condition 4 above shall be implemented no later than the first planting season following first occupation of the development. If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION: 16

Any fencing or other means of enclosure approved in accordance with condition 5 above shall be erected concurrently with the remainder of the development

REASON:

To ensure the proposed development of the site.

CONDITION: 17

Each building shall incorporate energy efficiency and conservation measures within their design and construction and renewable energy systems to meet at least 10% of energy requirements, unless as may be agreed in writing with the Local Planning Authority, in accordance with full details which shall be submitted to and approved in writing by the Local Planning Authority before the construction of each building is commenced. The details so approved shall thereafter be fully implemented and incorporated in the construction of the development.

REASON:

In the interests of sustainable development and to reduce CO2 emissions..

CONDITION: 18

The occupier of each building shall submit and obtain the written approval of the Local Planning Authority a Travel Plan within six months of the occupation of any part of the buildings. Each occupier shall agree the targets, strategies and monitoring programme for their Travel Plan tailored to their own circumstances.

REASON:

In the interests of sustainable transport.

CONDITION: 19

No work, other than loading and unloading, shall be carried out at any time outside the buildings, and any parts of the site to be used for storage purposes, other than within the proposed buildings, shall be identified and agreed in writing with the Local Planning Authority.

REASON:

In the interests of the visual amenities of the locality.

CONDITION: 20

Notwithstanding any indication given in the application and on the illustrative drawings, full particulars including details of the colour finish and texture of the materials to be used on all external surfaces of the proposed buildings, together with samples of facing bricks and cladding materials, shall be submitted to and approved in writing by the Local Planning Authority before the construction of each building is commenced.

REASON:

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

CONDITION: 21

No vehicular access shall be used for earthworks and construction purposes other than that proposed off the existing Europark access road from the A5. Construction of the development hereby permitted shall not be commenced until adequate provision has been made within the site for the parking of site operatives vehicles and for the loading and unloading of materials and goods.

REASON:

In the interests of public and highway safety.

CONDITION: 22

Unless otherwise agreed in writing by the Local Planning Authority the buildings hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to the BREEAM Very Good standard.

REASON:

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

CONDITION: 23

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

REASON:

In the interests of fire safety.

CONDITION: 24

All of the mitigation measures outlined in Section 7 of the Ecological Assessment (Landscape Science Consultancy, Final, November 2013) shall be implemented in full during site clearance and the construction stages of the development.

REASON:

To safeguard protected species and mitigate any potential impact in the interests of ecology and biodiversity.

CONDITION: 25

No works, including site clearance, shall commence on site until a combined ecological and landscaping management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Warwickshire County Council Ecological Services. This shall include details of measures to be implemented for ecological enhancement and details of a habitat management plan to include enhancement of off-site habitats as set out in the recommendations in Section 6 of the Ecological Assessment (Landscape Science Consultancy, Final, November 2013). The approved scheme shall thereafter be implemented in full.

REASON:

In accordance with the National Planning Policy Framework and ODPM Circular 2005/06.

CONDITION: 26

A surface water management plan to deal with the potential for the mobilisation of sediment through surface water run-off during heavy rain shall be submitted to and approved in writing by the Local Planning Authority before any earth moving activities are commenced.

REASON:

To prevent pollution and safeguard the water environment.

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

Condition 7 is attached on the direction of the Highways Agency (now Highways England).

INFORMATIVE: 2

For purposes of clarification the following drawings were submitted for illustrative/indicative purposes only:

3919/SK14	Unit A Elevations and Typical Section
3919/SK15 Rev A	Unit B Elevations and Typical Section
01 Rev D	General Landscaping Proposals
02	Landscape Setting

INFORMATIVE: 3

The landscaping reserved matters submission should include the details shown on illustrative/indicative drawings 01 Rev D (on site landscaping and planting) and 02 (off site planting) to ensure the level of habitat enhancement as referred to in the Ecological Assessment.

INFORMATIVE: 4

The Council's Head of Environmental Services advises as follows:

The Environment Permitting Regulations 2010 for the registration of small scale sewage discharges came into effect as of 1st January 2015. Designated Sensitive Areas have been revised to include Ground Water Source Protection Zone 1's, Special Areas of Conservation, Special Protection Areas, Ramsar Sites and Biological SSSIs - designated bathing waters and shellfish protected waters will continue to be designated sensitive areas for protection from pollution from small sewage discharges. Septic tanks discharging to ground via an infiltration system often provide a satisfactory level of treatment for protecting groundwater. However the current regime and new proposals do not allow discharges to be made direct to watercourses from septic tanks because the effluent they produce is not clean enough to release directly to a river. Instead, either a package treatment plant should be used or the discharge can be made to ground via an infiltration system if the local conditions are suitable to ensure the underlying groundwater is also protected. The developers should familiarise themselves with the new guidance, particularly annex C covering general binding rules.

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

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

Saturday 8.30 a.m - 13.00 p.m

NO WORK ON SUNDAYS AND BANK HOLIDAYS

INFORMATIVE: 5

The Environment Agency advises that the discharge from the private package treatment plant should not be made to a pond but to a running watercourse. A bespoke permit is required to discharge to a local watercourse as it is a non domestic discharge. The developer must take into account the maximum capacity for premises when sizing the plant. Further advice can be obtained by contacting local Environment Officer, Anja Torikka on 01543 404996 or anja.torikka@environment-agency.gov.uk

Reference number: R13/2165

Site address: Land on west side of A5 Watling Street, Clifton Upon Dunsmore, Rugby.

Description : Erection of two buildings and use for purposes of an alcohols distillery and alcohols and hydrocarbon warehouse (Use Classes B2 and B8) together with ancillary offices (Class B1); erection of associated energy centre with flue, botanicals building and external tank farms; access, parking and servicing including weighbridge; earthworks and landscaping, drainage, fencing, demolition of existing buildings and diversion of public right of way R107.

Case Officer Name & Number: Steve Parkes 01788 533633

Authorised Use

Mixed B2 general industrial/B8 storage or distribution/petrol filling station

Relevant Decisions

Redevelopment of land comprising: part full planning permission for the erection of a building and use for purposes within Classes B1(c), B2 and B8 together with the construction of access road, parking and service areas and associated works and installation of oil and gas storage tanks; part outline planning permission for the erection of a building and use for purposes falling within Classes B1(c), B2 and B8 together with ancillary offices, parking and service areas and associated works (R10/0103 – approved 08.09.10)

Extension of time limit for implementation of planning permission ref. R10/0103 dated 08.09.10 (R13/1751 – approved 18.12.13)

Technical Consultations

Highways England	no objection	direct that conditions be attached to ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic
WCC – Highways	no objection	
Environment Agency	no objection	advises on drainage and flood risk; recommends that further contamination assessment be covered by condition; advises that an environmental permit may be required for the distillery and that the type and amount of substances handled be reviewed when revised regulations come into force later in the year; makes recommendations to safeguard biodiversity and water quality including the drawing up of an incident response plan
STW	no objection	

Natural England	no objection	confirms that the Cave's Inn Pits 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 securing measures to enhance 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	concur with conclusions of ecological appraisal; recommends a condition be attached to safeguard species prior to and during construction works and that biodiversity offsetting be secured to compensate for an overall loss of biodiversity
Warks Wildlife Trust	comments	recommendations covering habitat enhancement and protection measures, biodiversity impact assessment, protected species mitigation and lighting
WCC – Archaeology	no observations received	
Western Power Distribution	no objection	subject to power lines being diverted at developers expense

Env Services	no objection	subject to conditions covering air quality, contamination, fixed plant, operating hours and drainage
Landscape Officer (RBC)	no objection	subject to incorporation of informal grassland/wildflower mix and additional tree planting
Tree Officer (RBC)	no observations received	
WCC – Right of Way	no objection	subject to informatives covering the formal diversion of the right of way and landscape condition
Ramblers Association	no objection	to footpath diversion providing the path is kept open at all times and is adequately way marked
Warks Fire & Rescue	no objection	subject to condition covering water supplies and fire hydrants

Third Party Consultations/Representations

Newton & Biggin PC	no observations received	
Harborough DC	no observations received	
Neighbours	objection (2 letters)	increase in traffic generation and associated noise with dangerous access to the A5; turning movements at Cathorpe and Lilbourne junctions dangerous; increase in accidents on this part of A5 and need to take account of traffic generated by Radio Station development; noise from plant and

compressors adding to existing noise

levels; noise assessment does not take account of reduced background levels at weekends; impact on wildlife; departure from the development plan and loss of public right of way; air pollution and smell

Other Relevant Information

Site and surroundings

The site extends to some 3.2 hectares and is located off the west side of the A5, Watling Street, approximately ½ mile to the east of the village of Newton. To the south, at a higher level beyond greenfield land is a ribbon of residential properties on Watling Crescent and the neighbouring PERI works. To the north of the site separated by a small paddock is the Europark employment area. Immediately adjoining to the west is the Bernard Reilly haulage site used for the purposes of crushing and re-cycling of construction waste. The eastern boundary is formed by the A5 trunk road on the opposite side of which is a former petrol filling station and HGV stop currently used for parcel deliveries, together with a bungalow.

The site comprises what were originally pre and post-war sand and gravel workings which were still in use for such purposes in the early 1970s. That part adjacent to the A5 was formerly a petrol filling station, the use of which ceased in the early 1990s although the kiosk and associated hardstanding remain. The western part of the site accommodates 3 no. single storey buildings understood to have been formerly ancillary to the sand and gravel workings but which have most recently been occupied by HTA Precision Sheet Metal for over 30 years for purposes of machining and the storage and despatch of goods. The central part of the site comprises un-restored sand and gravel workings and made ground which is largely overgrown and unused. Access to part of the site from the A5 is currently off a single width roadway which runs along the southern boundary. There is a change in levels of approximately 12m across the site which fall predominantly from east to west from the A5.

The site lies within Ecosite 06/57, a non-statutory site designated by Warwickshire County Council of local interest to nature conservation. A public right of way, R107, runs partly within the site's southern boundary linking with the A5.

The Application

This is a full application for the construction of an alcohols distillery with ancillary offices and an industrial alcohols and hydrocarbon warehouse together with the construction of an associated energy centre, botanicals building and external tank farms. The scheme also includes the construction of a new access road, parking and servicing together with weighbridge, earthworks and landscaping, drainage, fencing, the demolition of existing buildings and diversion of public right of way R107.

The distillery building measuring 47.5m by 30.0m would have a footprint of 1,416sq.m and be located on the eastern part of the site. It would have an eaves height of 10.4m and overall height of approximately 13.0m to the ridge of a shallow pitched roof. The building would be finished in a mixture of flat panel and profiled metal sheet cladding in shades of grey and includes a recessed glazed curtain wall façade to the frontage overlooking the car park and site entrance.

The building accommodates the distillery equipment used to produce gin and vodka, a filling area, tank store and warehouse together with a despatch area including raised loading bay to the rear. Ancillary offices within the building amount to some 713sq.m and include reception, staff welfare and amenity facilities, transport offices, laboratory, meeting rooms and branding room. Plant is located on the roof above the offices enclosed by parapet screen walls.

The industrial alcohols and hydrocarbon warehouse measuring 56.5m by 30.0m would be located in the south-western part of the site and comprises a single storey building with an eaves height of 7.5m and ridge height of approximately 9.0m to a shallow pitched roof. The building would be clad predominantly in profiled metal sheeting in shades of grey and also includes timber hit and miss cladding around a covered store area to break up the long elevation. The building accommodates a warehouse area of some 868sq.m which includes a blending store and blending room, storage, filling and empty drum areas. The remaining 813sq.m of the building comprises a covered storage area with open frontage on one side onto the service yard and circulation area in the central part of the site.

The energy centre and botanicals buildings would be located to the north of the distillery. The energy centre measuring 10.8m by 20.8m and 5.5m to the ridge of the roof would be similarly clad in matching profiled metal sheeting and would house two oil fired steam boilers and two compressors used in the distilling process. The energy centre would be linked to the distillery by an overhead pipe run. Emissions from the boilers would be emitted via a 16.0m high stack located in the northern corner of the energy centre. The smaller botanicals building measuring 10.8m by 10.8m and 5.5m to the ridge of the roof would be used to store raw materials such as berries, spices and peel used in the in the distilling process.

Two external tank farms are proposed. That serving the distillery would comprise 8no. 60,000 litre tanks measuring approximately 8.2m high by 3.4m in diameter whilst that serving the industrial alcohols building would consist of 20 tanks of the same size and volume. Each tank farm would be bunded to contain any potential spillage and include a safety collision barrier. The tank farms would be linked to the respective buildings by an overhead pipe run.

Access to the site will consist of a new road off the existing Europark slip road from the A5. Though included in the application site, the access road would be constructed as part of the proposed development of the adjacent land under the related application ref. R12/2253. Car parking is provided for 50 vehicles, including 3 disabled spaces, on entry to the site on the north side of the distillery building. Cycle parking is to be provided in the form of undercover "Sheffield" stands. Commercial vehicles would enter and access the circulation yard centrally between the two main buildings and includes 9 HGV parking bays for articulated lorries.

Surface water drainage would be subject to on site attenuation using underground storage tanks prior to discharge at a controlled rate to an existing watercourse located to the west of the site. Foul drainage would be to a package treatment plant to be provided as part of the development of the adjacent site and sized accordingly.

In view of the considerable change in levels across the site the land would be remodelled by means of cut and fill earthwork operations in order to create level platforms to accommodate the development. Three redundant buildings occupying the southern part of the site would be demolished prior to commencement of earthworks together with the demolition of the remains of the kiosk on the former filling station and breaking up and removal of the hardstanding. Soft landscaping comprising boundary planting with native tree and shrub species to three quarters of the perimeter of the site is proposed. This includes a 12.0m deep swathe along the northern boundary adjacent to the A5 and an 8.0m deep belt along the more exposed south-eastern boundary. A mix of ornamental trees would also be planted within the site.

The proposals necessitate the diversion of part of public right of way R107 which is defined on the definitive map as running from the A5 roughly parallel with, and just inside the southern boundary of the site. It is proposed to divert onto neighbouring land just outside the southern boundary in conjunction with a further diversion proposed on the adjoining land.

The occupier

The proposed development will provide a new headquarters for Alcohols Ltd, a family owned company dating back to 1805. The scheme will consolidate existing operations in Birmingham, north London and Bishops Stortford on one site replacing what are said to be outdated and obsolete premises with state of the art facilities which will allow the company to expand.

The company operates a gin and vodka distillery business together with a hydrocarbon and organic chemicals storage and distribution operation though no chemical manufacturing or processing would occur on the site. The company produces and markets a wide range of products supplying businesses that specialise in areas including pharmaceuticals, toiletries and cosmetics, cleaning, surface coatings, solvents, automotive products and chemical manufacturing. Products can be supplied by bulk tanker, intermediate bulk containers, drums and smaller containers. Branded materials are repacked and distributed nationwide by the company's own fleet of vehicles.

The company is said to be one of the last independent gin distillers in the UK producing and supplying gin and vodka to own label and branded customers internationally, notably producing London Dry Gin using traditional copper pot stills.

In support of the application it is stated that the company has identified the site as its preferred location following an extensive site search process being in a strategic location with good motorway access to markets which is considered vital to the operation of the business. The proposal represents an investment in excess of £6 million and will create around 70 jobs. The operation requires 36 full time staff and includes 16 office jobs, 3 jobs associated with site logistics and transport, 3 jobs in the laboratory for purposes of research and development, 4 in the distillery and 7 in the warehouse building. A further 40 delivery drivers will also be employed. The normal operating hours of the site would be from 06.00 to 20.00 Monday to Friday and occasionally from 06:00 to 14:00 on Saturdays though plant will normally operate between 06.00 and 17.00.

Supporting Documents

The application is supported by a number of documents comprising design and access statement, transport assessment, framework travel plan, noise and air quality assessments, flood risk and drainage strategy, energy and utilities reports, arboricultural assessment, ecology reports and contamination assessment.

Design and Access Statement

The design and access statement includes analysis of the site context and constraints and consideration of the design approach having regard to the client brief, including potential future expansion and mitigation of the potential visual impact.

Transport Assessment and Framework Travel Plan

The transport assessment considers the transport and highway implications of the proposal, including the availability of sustainable transport infrastructure, taking account of peak hour trip rates to and from the development and parking requirements based on the Council's standards. There would be a total of 25 vehicles to/from the site during the am peak and 17 during the pm peak predominantly comprising cars and representing less than 3% of traffic flows on the A5. It is therefore concluded that the increase in traffic flow is insignificant and that the transport impacts of the development are negligible and will not have an adverse impact on the local highway network.

The framework travel plan sets out the objectives and basis for future initiatives to encourage the use of more sustainable modes of travel to and from the site other than the private car and to reduce unnecessary travel. It is proposed that a final travel plan will be produced within six months of occupation of the development following an initial staff travel survey. One of the initiatives will be to

encourage a car sharing scheme whilst the travel plan would be subject to annual monitoring and review.

Noise Assessment

The noise assessment considers the potential impact of site activities, including delivery vehicles, 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 existing daytime and night time background noise levels at the location of the nearest sensitive receptors and then considered against proposed operational hours based on both daytime and night time working.

Operational noise is predicted to be 5dB under the lowest measured background noise level during the day and 1dB during the night at the closest noise sensitive receptors adjacent the A5 and 14 dB under the lowest measured background noise level during the day and 9dB during the night at the closest noise sensitive receptors to the development on Watling Crescent. It is therefore concluded that noise levels from the proposed development will be within the range described as complaints unlikely and that noise does not present a constraint to the development of the site for the intended use.

Air Quality Assessment

The air quality assessment considers the operational impacts associated with the proposed development against national objectives and the nearest sensitive receptors including emissions to air during the operation of the oil fired boilers and distillery and from vehicular traffic. Demolition and construction impacts are also assessed.

It is noted that no noticeable odours are generated by the distillery process and that processes using natural botanicals will be carried out within the production still room which is a sealed unit preventing any noticeable odours externally. A closed pipe feed system will also prevent the escape of any potential odorous emissions. Though only one of the boilers would normally be operational at any one time, a worst case assessment assumes that both boilers would be operational 100% of the time.

It is concluded that the impact of the operation of the proposed development on air quality near the site will be imperceptible and will not breach national limits. Demolition and construction works are also considered to have a negligible impact on residential properties nearby subject to the implementation of normal dust management procedures.

Flood Risk and Drainage Strategy

The flood risk assessment and drainage strategy confirm that the site is at low risk from flooding falling within flood zone 1 and that the proposed development will not increase the risk of flooding off site. Ground conditions have shown that infiltration drainage is not possible and that surface water attenuation is therefore required on site using attenuation crates. The discharge from the site to an ordinary watercourse to the west would be controlled at 5 l/s using a flow control device. Foul water from the site would be discharged into the adjacent development where it will be treated in an appropriately sized package treatment plant. Treated effluent would be discharged from the plant to a watercourse to the north west of the site.

Energy and Utilities

The energy assessment considers the potential to incorporate renewable energy technologies in the design of the development to meet the Council's sustainable design and construction requirements for the reduction of predicted carbon dioxide emissions by at least 10%. It is concluded that the only viable renewable energy technology is the use of photovoltaic cells as other typologies are considered inappropriate in terms of practicality and scale.

It is demonstrated that the reduction in carbon emissions in compliance with Building Regulations and the Council's sustainability requirements can be met through the application of energy efficiency standards in the design and construction of the buildings and the operation of plant together with the use of 149sq.m of photovoltaic cells on the roof of the proposed buildings. Overall, carbon emissions would be reduced by 14.7%.

The utility report confirms the absence of a gas supply in the vicinity and that a new electricity sub-station will be required to serve the site. Existing BT telecommunications infrastructure is present within the vicinity of the site which it is anticipated will be capable of supporting the proposed development.

Arboricultural Assessment

The assessment confirms that the majority of trees on and adjacent to the site will be retained and protected during development though 5 no. Silver Birch trees would be lost to form the access road into the site. The ground remodelling and construction of the buildings will also necessitate the removal of Willow and Hawthorn scrub. In mitigation of the loss it is stated that at least twenty replacement trees will be planted encompassed in the wider landscaping scheme for the site.

Ecological Appraisal

The ecological appraisal confirms that the site comprises a mixture of marshy grassland, scrub and semi-improved grassland habitat. Surveys to determine the presence or absence of bats and reptiles on the site have also been carried out, including the suitability of the buildings to be demolished for use by roosting bats. No reptiles were recorded whilst no evidence of bat use was found associated with the buildings. Foraging surveys found very low levels of bat activity commuting over the site. The ecological appraisal, including biodiversity impact assessment, concludes that development of the site would not result in the loss of any particularly valuable or rare habitat types or impact on protected species but due to the overall loss of semi-natural habitats, some compensation should be incorporated within the proposals.

Contamination Assessment

The assessment identifies no significant constraints to development but recommends that further intrusive on-site investigation is carried out including monitoring and sampling to determine if there are hydrocarbons in the soil or groundwater to confirm desk-top findings. It is also recommended that an asbestos survey of structures to be demolished is undertaken.

Relevant planning Policy

Local Development Framework Core Strategy, June 2011

CS1	conforms	development strategy
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
GP6	conforms	safeguarding development potential
E6	conforms	biodiversity
T5	conforms	parking facilities

Sustainable Design and Construction SPD, February 2012

Planning Obligations SPD, March 2012

National Planning Policy Framework, March 2012 (NPPF)

National Planning Practice Guidance (NPPG)

Determining Considerations

The main planning considerations in this case relate to the principle of development in this particular location 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, 2011 and "saved policies", the Council's Supplementary Planning Documents (SPDs) and government policy and guidance contained in the National Planning Policy Framework, March 2012 (NPPF) and related Planning Practice Guidance.

Principle of Development

Policy CS1 concentrates new development in the most sustainable locations in the borough in order of priority. The urban area of Rugby is identified as the primary focus for meeting strategic growth targets whilst development in the countryside will normally be resisted and only where national policy on countryside locations allows will development be permitted. It is stated in policy CS1 that it should be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy whilst it is also explained that inappropriate development will be resisted in countryside locations unless the development is appropriate to a countryside setting.

The application site comprises previously developed (brownfield) land located outside the urban area in the countryside. The site is not specifically allocated for development though is in proximity of the neighbouring Europark employment area identified as a strategically significant employment site under saved policy ED5 where there is a presumption in favour of development and redevelopment for B1(business), B2(general industrial) and B8(storage or distribution) uses. Though access to the site would be taken from the existing Europark slip road from the A5, the proposed development does not constitute the simple replacement of the existing buildings on the site with more modern premises of a similar size and scale which would have limited impact, nor is it required to meet a particular local need in the rural area. The applicant points out, however, that the specialised nature of the proposed development is not necessarily consistent with other locations in the settlement hierarchy and that the particular circumstances support development in this location. Whilst it could therefore potentially be considered that the proposal conflicts in principle with the Council's development strategy as set out in policy CS1, national policy towards development in the countryside is a material consideration together with the planning history of the site and the proposal must be compliant with such policy to be acceptable in planning terms.

One of the core planning principles of the NPPF is to encourage the effective use of land by re-using land that has been previously developed (brownfield land) provided that it is not of high environmental value (para 17). The application site has a long history of use for sand and gravel workings, a petrol filling station and use of the existing buildings for over 30 years by HTA Precision Metals for purposes of machining and the storage and despatch of goods though the premises are now vacant. The central part of the site comprises unrestored land and made ground. The brownfield site is not of high environmental value nor does it make a positive contribution to the character of the countryside in which it is located. It is therefore considered that the proposal complies with government policy for the re-use of brownfield land.

Another important core principle of the NPPF is to proactively drive and support sustainable economic development to deliver the business and industrial units the country needs and to respond to wider opportunities for growth (para 17). In building a strong and competitive economy the NPPF advises that significant weight should be placed on the need to support economic growth through the planning system and that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (paras 18, 19 and 21). This includes supporting economic growth in rural areas through the sustainable growth and expansion of all types of business and enterprise by way of converting existing buildings and providing well designed new buildings (para 28) though it is also cautioned that the intrinsic beauty and character of the countryside should be recognised.

The site is not in what can reasonably be considered a typical open countryside location but is well contained amongst sporadic development in the locality. It is located in close proximity to the Europark employment area and neighbours the site the subject of the related application to further expand the employment area. The Bernard Reilly construction waste site adjoins to the south-west with the PERI works complex a little further on. The character is therefore established by a mix of uses in the immediate locality. The proposed development would be seen in the context of existing development, will readily assimilate with the mixed use surroundings and would not be uncharacteristic in the immediate area or inappropriate in the wider countryside setting.

Across the majority of the Borough the open countryside is an unsustainable location for this type of development. The infrastructure required to support economic growth in most instances is not available and the development of employment units would likely have an adverse impact on the character of the countryside. As referred to above, however, this is not a typical open countryside location and it is not considered that the proposed development will have a seriously detrimental impact on the character of the locality or wider environment. The site is located adjacent to the A5 trunk road which provides ready access to the motorway network and is not remote from the urban area of Rugby. It is considered that the particular characteristics of the site and its surroundings are such that this is a more sustainable location for economic development than the majority of other open countryside locations. The nature of the site and its immediate surroundings are such that the proposed development will not have an adverse effect on the intrinsic beauty and character of the countryside.

There is no doubt that the proposed development will be of significant economic benefit consolidating three existing sites with investment in state of the art facilities enabling the continued growth and expansion of the applicant's business. It will have beneficial effects in supporting the local economy and providing a range of new jobs as well as supporting those in the supply chain and other related businesses.

It should also be recognised that the principle of development of this site has previously been accepted. The site benefits from an extant planning permission granted to HTA Precision Metal for the construction of two buildings totalling over 5,000sq.m floorspace for use for purposes within classes B1, B2 and B8. The proposed development at 3,984sq.m floorspace is less but is for the same class of uses. HTA Precision Metals will not be implementing the extant permission since the company has since relocated to premises in Coventry.

In view of the above, it is considered that the significant weight the NPPF places upon the need to support economic growth outweighs any issues in respect of the open countryside location of the site. The proposal accords with national policy controlling development in countryside locations and is therefore consistent with the development strategy set out in policy CS1. In the circumstances, it is considered that the proposed development is acceptable in principle. This should not be interpreted as a general relaxation of planning policy relating to development in the open countryside, however, but is specific to the merits of this particular case.

Details of Development

The details of the development fall to be considered against Core Strategy policies CS16 and CS17 and saved policy GP2 in respect of appearance and design, landscaping, the protection of amenity, energy conservation and landscape and settlement character. 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 attached great importance to the design of the built environment and section 10 which seeks to meet the challenge of climate change.

In order to accommodate the amount of development proposed on the site and achieve a satisfactory layout it is necessary to adjust the levels. The earthworks are to be co-ordinated with the development proposed on the adjacent site (R12/2253) and will step down from the A5 thereby reducing the potential visual impact. The new access road essentially dictates the layout of the development with the service yard located between the two buildings on entry to the site and car parking conveniently located on the north side of the distillery.

The layout of development on the site and the design of the buildings operationally meet the specific functional requirements of the occupier and would allow for future expansion if required. The buildings proposed are essentially rectangular blocks of a modest scale with the height reduced through the incorporation of shallow-pitched roofs. The design of the primary elevation with full height curtain wall glazing to the distillery building appropriately addresses the main access into the site and will be a visually prominent and attractive feature and provide the site with identity. The materials and colour finishes proposed are typical of those incorporated in modern commercial and industrial schemes and are considered acceptable in this location. It is proposed that a condition be attached to the grant of planning permission to ensure the development incorporates water conservation measures to BREEAM very good standards in accordance with policy CS16.

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. In designing, constructing and operating the buildings the development will meet the requirements of Building Regulations which impose target requirements for controlling carbon emissions. In addition, the proposals incorporate renewable energy equipment in the form of photovoltaic cells which together with other measures will reduce predicted carbon dioxide emissions by at least 10% in accordance with Core Strategy policy CS17.

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 incorporation of native species in the form of tree and shrub planting will soften the impact and assist in assimilating the development into its surroundings whilst also enhancing the wildlife habitat potential of the site and biodiversity. Though the site has a comparatively restricted visual envelope with few close vantage points there will be a visual impact, particularly when viewed from the higher ground at the end of Watling Crescent nearby and over longer views from the edge of Newton village from the west though this is not considered significant. With the adjustment of levels the development will be set down significantly in relation to the A5 and be well screened from that direction. The planting belt along the southern boundary will also eventually provide significant screening from Watling Crescent.

The site is not in an isolated location in open countryside and the development has also to be considered and viewed in the context of the existing uses and development nearby. In this respect, the proposal will result in the provision of significant additional floorspace and site coverage over and above that contained in the existing buildings on the site. There will be an impact on the character of the immediate locality in terms of the intensification of existing development and associated activity but it is not considered that this will detract significantly from the character of the area in terms of landscape quality and visual amenity. The development will be particularly viewed in the context of existing development on the nearby Europark. There will also be some environmental benefit from the improvement to the frontage to the A5 which formerly accommodated the petrol filling station and which currently detracts from the amenities of the locality, the making good and bringing of the despoiled, made ground in the central part of the site into beneficial use and the replacement of the collection of older buildings which are essentially beyond their useful life with more modern development.

In view of the above, it is considered that the proposals accord with Core Strategy policies CS16 and CS17, saved policy GP2, guidance contained in sections 7 and 10 of the NPPF and the Councils Sustainable Design and Construction SPD. The development will be 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.

Technical Considerations

The response of consultees confirms that there are no technical constraints to the development of the site as proposed.

Transport and Highways

With regard to transport and highway matters, 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 and will not have an adverse impact on the local or strategic highway network. The Highways Agency has considered the impact of the proposed development on its own and cumulatively with that proposed on the adjacent site (R12/2253) and has raised no objection to the proposals. Access from the A5 is satisfactory and within capacity and no additional mitigation is required.

The framework travel plan submitted is wholly consistent with national and local policies promoting sustainable transport having regard to the level of accessibility to the site by alternative modes and demonstrates the commitment of the applicant in this respect. The NPPF recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas (para 29). The site is not in the most sustainable location though is not remote from the urban area of Rugby and also sits on a key trunk road with good accessibility. It is acknowledged that there is no public transport provision nearby though the location near existing and proposed employment development potentially increases the opportunity for a future bus or minibus service to be provided whilst Rugby railway station is only approximately 4 miles from the site providing access to the national rail network. The site is nonetheless sustainably located in relation to the strategic trunk road and motorway network for the receipt of raw materials and the distribution of products produced at the site.

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 50 parking spaces are within the Council's maximum standard. 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, the proposal complies with policies CS1, T5 and the requirements of the NPPF.

Flood Risk and Drainage

Taking full account of flood risk is one of the core planning principles contained in the NPPF and it is advised that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere (para 103).

Falling within flood zone 1, the site meets the aim of the sequential test contained in guidance which is to steer new development to areas with the lowest probability of flooding. The Environment Agency is satisfied with proposals for surface water and foul drainage and that there are no implications in terms of additional flood risk elsewhere. The surface water drainage strategy proposals are appropriately designed with on-site attenuation and controlled discharge to accommodate a 1 in 100 year storm with allowance for climate change. The Council's Land Drainage Officer has considered the proposed drainage strategy which is deemed acceptable subject to the submission of final details which can be covered by condition. There are no mains sewers serving the site hence the need to treat foul drainage by way of a small package treatment plant on the neighbouring site. Severn Trent Water has raised no objection to the proposals.

Amenity, Noise, Air Quality and 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).

The noise assessment submitted with the application confirms that there are unlikely to be any detrimental effects on the amenities of the nearest sensitive receptors comprising the residential properties on Watling Crescent to the south and the bungalow on the opposite side of the A5. The assessment has been considered by the Council's Head of Environmental Services who has raised no objections to the proposals.

Though the site lies in the Council's Air Quality Management Area (AQMA), the conclusions of the air quality assessment that the operational impacts of the proposed development will be insignificant based on predicted traffic generation and other operational considerations on site are accepted. No objections have been raised by the Head of Environmental Services subject to a condition covering submission of full details of the oil fired boilers contained in the proposed energy centre. Core Strategy policy CS11 in respect of transport and new development states that where development proposals fall within the designated AQMA, the transport assessment should set out how detrimental impacts on air quality will be mitigated. The proposals will not give rise to significant changes in air quality requiring the implementation of specific mitigation measures. Encouragement of the use of alternative means of travel to the private car, car sharing initiatives and minimising the need to travel as advocated in the framework travel plan can nonetheless potentially assist in reducing the impact on air quality.

The ground investigation report submitted has not revealed any significant contamination of the site though further investigations are recommended which can be covered by condition. This will ensure that any risks from potentially contaminated areas of the site will be managed and mitigated and ensure that no adverse effects to either human health or groundwater will arise as a result of the development of the site.

In view of the above, the proposal accords with policy CS16 in respect of the protection of residential amenity and with guidance contained in the NPPF covering pollution control including noise, air quality and contamination.

Biodiversity

Saved Local Plan policy E6 seeks to safeguard biodiversity interests including protected species and supporting habitats 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.

Natural England has confirmed that the Cave's Inn Pits Site of Special Scientific Interest (SSSI) located in relative proximity to the site does not represent a constraint in determining the application. The County Ecologist principally advises the Local Planning Authority on biodiversity interests. Though the application site is located within a larger area identified as a non-statutory site for nature conservation, ecological assessment has confirmed that habitats within the application site are common and considered to be of negligible ecological value. Surveys have confirmed that there is no flora or fauna of importance on the site and that the proposals will not affect any protected species.

The assessment, however, confirmed that development of the site would result in a net loss to biodiversity. This is being compensated by the detailed landscape and planting scheme which includes habitat creation on site and by biodiversity offsetting off-site in the neighbouring Europark area. These aspects are covered by condition. The proposals therefore ensure that there will be no net loss of biodiversity and that habitats will be enhanced in accordance with the requirements of the NPPF and policy E6.

Third Party Representations

The Highways Agency is satisfied that the proposed development can be accommodated without any adverse impact on the local and strategic highway network on its own and cumulatively with other developments. It has been demonstrated that there will be no significant impacts on noise or air pollution or on wildlife. The proposal accords with the development plan and satisfactory proposals have been put forward for the diversion of the existing public right of way which are of no less public benefit.

Conclusion

The proposal accords with the development strategy contained in the development plan and with the economic priorities of the NPPF that support the sustainable growth and expansion of businesses in rural areas. It has to be acknowledged that circumstances may arise where it is appropriate to enable businesses to be located in the rural area as an exception to the general policy approach of restraint on development, particularly where there is significant economic benefit in doing so. It is considered that the economic benefits in this case should be given particular weight.

There are no technical constraints to the development of the site and it is not considered that the proposals will cause any demonstrable harm to the environment or local amenity. There are particular circumstances in this case which, on balance, justify the proposed development in the countryside. Approval of the proposal should not, however, be taken to represent a relaxation of policy generally towards employment development in the countryside but that the decision is taken in the light of all material considerations in respect of the specific merits of this particular case.

Recommendation: Approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R13/2165

DATE VALID

02/02/2015

ADDRESS OF DEVELOPMENT

Land on west side of A5
Watling Street
Clifton Upon Dunsmore
Rugby
CV23 0AJ

APPLICANT/AGENT

Mr Jason Fox
MIm Consulting Engineers
55 Charlotte Street
Birmingham
West Midlands
B3 1PX
On behalf of Mr Adam Wallis, Alcohols Limited

APPLICATION DESCRIPTION

Erection of two buildings and use for purposes of an alcohols distillery and alcohols and hydrocarbon warehouse (Use Classes B2 and B8) together with ancillary offices (Class B1); erection of associated energy centre building with flue, botanicals building and external tank farms; access, parking and servicing including weighbridge, earthworks and landscaping, drainage, fencing, demolition of existing buildings and diversion of public right of way R107.

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

001 Rev P1	Location Plan
010 Rev P1	Proposed Site Plan
012	Proposed Hard Landscape Layout
020 Rev P2	Proposed Office/Distillery Plan
021 Rev P2	Proposed Office/Distillery Plan

025 Rev P2	Proposed Industrial Warehouse Plan
026 Rev P1	Support Buildings Plan
030 Rev P2	Proposed Office/Distillery Elevations
031 Rev P2	Proposed Industrial Alcohols Building Elevations
032 Rev P2	Proposed Support Building Elevations
040 Rev P2	Proposed Office Distillery Sections
050 Rev P2	Proposed Site Sections
5050-10 Rev B	Drainage Strategy
615900-110 Rev P3	Surface Water Drainage Strategy Sheet 1 of 2
615900-111 Rev P3	Surface Water Drainage Strategy Sheet 2 of 2
664252-C114 Rev P1	Drainage Details
5050-20 Rev A	Cut and Fill Earthworks
5050-30 Rev A	Spine Road Design
5050-31 Rev A	Spine Road Long Section
5050-32	Spine Road General Arrangement
664252/506 Rev P3	Option D Site Cut-Fill Area Plan
664252/507 Rev P3	Option D Site Planning Sections
664252/508 Rev P1	Option D Site Planning Sections
1431-PL1-01 Rev C	Soft Landscape Proposal - Landscape Strategy and Schedules
1431-PL1-02(D)	Soft Landscape Proposal - Landscape Strategy and Schedules
1431-PL1-03 Rev D	Soft Landscape Proposal - Landscape Strategy and Schedules
AquaCell - Range and OSMA AquaCell Core Stormwater Management Modules (photograph details)	
Plan attached to MLM letter dated 7 May 2015 identifying off-site habitat enhancement area	
Documents	
Planning Statement, doc ref 4723, December 2014 (Alliance Planning)	
Design and Access Statement, doc ref 12119, December 2014 (BBLB, Corstophine and Wright)	
Transport Assessment, doc ref 664252/JF/RII Rev 2, December 2014 (MLM)	

Travel Plan, doc ref 664252/JF/R12 Rev 2, December 2014 (MLM)

Flood Risk Assessment and Drainage Strategy Report, doc ref 664252-JF-R04 Rev 2, December 2014 (MLM)

Utility Services Report, doc ref 664252/JF/R09 Rev 2, December 2014 (MLM)

Air Quality Assessment, doc ref 664252/JF/R08 Rev 2, December 2014 (MLM)

Noise Impact Assessment Report, doc ref 664252/JF/R07 Rev 2, December 2014 (MLM)

Arboricultural Impact Assessment, doc ref 664252/JF/R08 Rev 3, December 2014 (MLM)

Bat Survey Report, doc ref 664252/JF/R02 Rev 3, December 2014 (MLM)

Presence/Absence Reptile Survey Report, doc ref 664252/JF/R01 Rev 4, December 2014 (MLM)

Ecological Assessment Final, November 2013 (Landscape Science Consultancy Ltd)

Preliminary Ecological Appraisal, doc ref 664252/JF/R14, 17 April 2015 (MLM)

Biodiversity Impact Assessment Matrix

Renewable Energy Report, doc ref 664252/JF/R10 Rev 2, December 2014 (MLM)

Phase 1 Contamination Assessment Report, doc ref 664252/JF/ R05 Rev 1, December 2014 (MLM)

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 part of the development hereby permitted shall commence until a method statement detailing the proposed earthworks in the vicinity of the A5 and construction of the proposed retaining wall has been approved and completed to the satisfaction of the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

CONDITION: 4

Before commencement of the access works, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The CMP shall identify the steps and procedures that will be implemented to minimise the impact of construction traffic including the management and routing of heavy goods vehicle access to the site, and include a Stage 1 Road Safety Audit. Once approved, the CMP shall be adhered to at all times during the construction period, unless first agreed in writing by the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

CONDITION: 5

The existing entrance to the former petrol filling station shall be closed and the kerbline and verge reinstated, before the development hereby permitted is brought into use, in accordance with fully detailed drawings which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

CONDITION: 6

The development hereby permitted, with the exception of earthworks, shall not commence until the proposed access as shown on Robert Utley Ltd drawing 5050-32 has been completed to the satisfaction of the Local Planning Authority in consultation with Highways England.

REASON:

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

CONDITION: 7

Notwithstanding any indication given in the application and on the approved drawings, full particulars including details of the colour finish and texture of the materials to be used on all external surfaces of the proposed buildings, together with samples of cladding materials, shall be submitted to and approved in writing by the Local Planning Authority before any development, with the exception of earthworks and site preparation, is commenced.

REASON:

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

CONDITION: 8

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

REASON:

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

CONDITION: 9

The soft landscaping scheme shown on the approved drawings nos. 1431-PL1-01 Rev C, 02(D) and 03 Rev D shall be implemented no later than the first planting season following first occupation of the development. If within a period of 10 years from the date of planting any tree/shrub/hederow 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 in the same place unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION: 10

Prior to the commencement of earthworks on the site a dust mitigation report shall be submitted to and approved in writing by the Local Planning Authority. Such report shall include details of how dust and debris will be prevented from migrating off site and impacting on surrounding commercial and residential properties as well as the highway network. The mitigation so approved shall be implemented in full.

REASON:

In the interests of the amenities of the locality.

CONDITION: 11

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

REASON:

In the interest of highway safety.

CONDITION: 12

No vehicular access shall be used for earthworks and construction purposes other than that proposed off the existing Europark access road from the A5. Construction of the development hereby permitted shall not be commenced until adequate provision has been made within the site for the parking of site operatives vehicles and for the loading and unloading of materials and goods.

REASON:

In the interests of public and highway safety.

CONDITION: 13

Full details of the type, height, design and location of all sources of external lighting shall be submitted to and approved in writing by the Local Planning Authority before such lighting is installed or erected.

REASON:

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

CONDITION: 14

Notwithstanding any indication given in the application, full details of the proposed external tank farms including associated gantries, bunding and collision safeguarding measures shall be submitted to and approved in writing by the Local Planning Authority before the tank farms are installed.

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.

CONDITION: 15

Notwithstanding any information provided in the application, full details of the type and design of the oil fired boilers, including manufacturers specification and information on emissions to air, together with confirmation of the stack height, shall be submitted to and approved in writing by the Local Planning Authority before construction of the proposed energy centre is commenced. The boilers shall not be operated other than in complete accordance with the details so approved.

REASON:

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

CONDITION: 16

No work, other than loading and unloading and work in connection with the external tank farms, shall be carried on at any time outside the buildings and any drums and/or containers stored externally on the site shall not be stacked such that they exceed 5.0 metres in height.

REASON:

In the interests of the amenities of the locality.

CONDITION: 17

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

REASON:

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

CONDITION: 18

Full details of the location of air handling plant, flues or any other equipment located on the roof of the buildings or externally on the site, to include measures for acoustically treating such plant or equipment, shall be submitted to and approved in writing by the Local Planning Authority before such plant, flues or equipment is installed.

REASON:

In the interests of the amenities of the locality.

CONDITION: 19

A Travel Plan shall be submitted for the written approval of the Local Planning Authority within 6 months of the occupation of the development. Such Plan shall be based on the Travel Plan Framework submitted with the application and include results of the initial staff travel survey together with targets, strategies and monitoring programme.

REASON:

In the interests of sustainable transport.

CONDITION: 20

The development hereby permitted shall not be commenced until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, to include a comprehensive Phase II ground investigation as detailed in Section 5.1 of the Contamination Assessment Report, based on 1. above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in 2 above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3. above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the written approval of the Local Planning Authority and the scheme shall be implemented as approved.

REASON:

In the interests of safeguarding controlled waters and human health.

CONDITION: 21

A surface water management plan to deal with the potential for the mobilisation of sediment through surface water run-off during heavy rain shall be submitted to and approved in writing by the Local Planning Authority before any earth moving activities are commenced.

REASON:

To prevent pollution and safeguard the water environment.

CONDITION: 22

Before the development hereby permitted is first brought into use, an incident reponse plan to deal with any chemical spills/leaks that may occur through normal operation/failure/maintenance activities and at worst, a severe failure, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency

REASON:

To avoid the pollution of nearby ponds and the tributary of the River Avon in the interests of biodiversity and public health.

CONDITION: 23

Prior to the commencement of development, including site clearance, a Construction Environmental Management Plan (CEMP) detailing measures to safeguard species and areas of ecological importance prior to and during construction, shall be submitted to and approved in writing by the Local Planning Authority. This shall include pre-commencement checks for wildlife by an appropriately qualified ecologist and mitigation measures and safeguards for wildlife that are to be employed whilst works are taking place on site.

REASON:

To ensure that species and habitat are not harmed by the development in the interests of ecology and biodiversity.

CONDITION: 24

Full details of surface water drainage based on the approved drainage strategy drawings and the information contained in the Flood Risk Assessment and Drainage Strategy Report, including means of attenuation, pipe runs/sewers, gullies, manholes, interceptors, catchpit, controlled discharge device and penstock cut-off valve, together with proposed maintenance and management regimes, shall be submitted to and approved in writing by the Local Planning Authority before development, with the exception of earthworks and site preparation, is commenced. The approved scheme shall thereafter be fully implemented before the development is first brought into use.

REASON:

To ensure the satisfactory drainage of the site, minimise flood risk and to prevent pollution of the water environment.

CONDITION: 25

Full details of proposed cycle parking which shall be secure and under cover, including the number of stands and location on the site, shall be submitted to and approved in writing by the Local Planning Authority before development, with the exception of earthworks and site preparation, is commenced. The approved cycle parking shall be provided before the development is brought into use and thereafter retained for the parking of cycles of employees and visitors to the site.

REASON:

In the interests of sustainable transport.

CONDITION: 26

Unless otherwise agreed in writing by the Local Planning Authority the buildings hereby permitted shall be constructed to achieve a minimum water efficiency standard equivalent to the BREEAM Very Good standard.

REASON:

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

CONDITION: 27

The development hereby permitted shall not be brought into use unless and until full details of energy efficiency and conservation measures, including renewable energy systems based on the information contained in the Renewable Energy Report, that have been incorporated in the design and construction of the buildings to achieve carbon emission reductions of at least 10%, have been submitted to and approved in writing by the Local Planning Authority. The approved efficiency measures shall be fully implemented in accordance with the approved details and shall be retained in working order in perpetuity.

REASON:

To ensure energy efficiency is achieved through sustainable design and construction and the operation of the premises.

CONDITION: 28

Full details of the type, height, design and colour finish of the proposed mesh fencing shall be submitted to and approved in writing by the Local Planning Authority before the fencing is erected.

REASON:

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

CONDITION: 29

No work shall be carried on at the premises except between the hours of 06:00 and 20:00 on Mondays to Fridays and between 06:00 and 14:00 on Saturdays.

REASON:

In the interests of the amenities of the locality.

CONDITION: 30

No works, including site clearance, shall commence on site until a combined ecological and landscaping management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Warwickshire County Council Ecological Services. This shall include details of measures to be implemented for ecological enhancement and details of a habitat management plan including the enhancement of the neighbouring off-site habitat identified on the plan attached to the MLM letter dated 7 May 2015.

REASON:

In accordance with the National Planning Policy Framework and ODPM Circular 2005/06.

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

Conditions 3, 4, 5 and 6 are attached on the direction of the Highways Agency (now Highways England). The highway mitigation works associated with this consent involves works within the public highway, which is land over which the applicant/developer has no control. Highways England (the Agency) therefore requires the applicant/developer to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with the Agency's Section 278 Business Manager, David Steventon, to discuss these matters on david.steventon@highways.gsi.gov.uk.

INFORMATIVE: 2

The applicant/developer should be aware that any works undertaken to the Highways England (the Agency) network are carried out under the Network Occupancy Management policy, in accordance with the Agency's procedures, which currently requires notification/booking 12 months prior to the proposed start date. Exemptions to these bookings can be made, but only if valid reasons can be given to prove they will not affect journey time reliability and safety. The Area 7 MAC's contact email for these matters is area7.roadspace@aone.uk.com.

INFORMATIVE: 3

The Environment Agency advises of the following:

- a). If the production capacity of the distillery were to exceed 300 tonnes per day an Environmental Permit would be required.
- b) The distribution warehouse will handle alcohols (including industrial alcohols), hydrocarbons and organic chemicals but specific details relating to the potential inventory has not been given. These are likely to be classed as dangerous substances (if only as flammable liquids), but the application indicates that they intend to be sub-COMAH. If the total inventory of dangerous substances is around the Lower Tier threshold it is recommended that this be reviewed when the revised COMAH Regulations come into force later this year. Should the applicant/agent wish to discuss this further they are advised to contact Dave Othen, PPC Team Leader on 01543 404850.
- c) A bespoke permit is required to discharge from the package treatment plant to the local watercourse as it is a non-domestic discharge. The treatment plant will serve both this development and the premises adjacent and the applicant must take into account the maximum capacity for both premises when sizing the plant. Further advice can be obtained by contacting the local Environment Officer, Anja Torikka on 01543 404996 or anja.torikka@environment-agency.gov.uk.

d) With regard to condition 22, the Agency advises that the relevant stretch of the River Avon is a priority 1 Water Framework Directive waterbody in a drinking water protected area and is therefore sensitive.

E) The off-site ponds are stated as holding large numbers of fish and that they are fished. Any fishing club or fishing rights changes or impacts should be agreed before constructional work commences. Advice on the fishing or movement of fish can be obtained by contacting Fisheries Officer, Tom Astley on 01534 404868. Consent may be required.

F) The development both during the construction stage and operation should fully adhere to the Agency's "Pollution Prevention Guidelines" in order to protect off-site ponds and watercourses.

INFORMATIVE: 4

The Council's Head of Environmental Services advises of the following:

a) 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 AND PUBLIC HOLIDAYS

b) The proposed development site is adjacent to/in close proximity to an existing permitted mobile crushing and screening operation (B Reilly & Son). The site recycles thousands of tonnes of spent aggregates and other inert construction waste that can generate localised dust emissions. The permit issued by the Local Authority contains conditions that include control measures such as wet suppression and maximum stockpile heights but there is potential for dust and or/odour to affect the applicants intended business operations. These factors need to be taken into account during the detailed design phase to ensure such emissions do not enter into the distillery process and storage/filling area.

INFORMATIVE: 5

The overhead electricity lines which cross the site will need to be diverted at the developers expense before the development commences. Western Power Distribution should be contacted to discuss and agree the diversion requirements - tel. 0845 7240250 or email WPDnewsuppliesmids@westernpower.co.uk.

INFORMATIVE: 6

The County Rights of Way Officer advises as follows:

- Development on the existing recorded alignment of public footpath R107 may not commence until the public footpath has been formally diverted by a legal order that has come fully into effect.

- If it is necessary to temporarily close public footpath R107 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way Team should be contacted well in advance to arrange this.

- Any disturbance or alteration to the surface of public footpath R107 requires the prior authorisation of Warwickshire County Council's Rights of Way Team, as does the installation of any new gate or other structure on the public footpath.

- Any vegetation planted less than two metres away from the edge of the diverted public footpath must be kept permanently trimmed back such that the footpath remains unobstructed at all times.

INFORMATIVE: 7

For purposes of clarification the following drawings and documents received by email attachment on 9th April 2015, together with Footpath Relocation Plan dwg.no 005 Rev P1, were submitted for illustrative/indicative/information purposes only:

Indicative Gantry dwg.nos LP005 Rev A and LP006 Rev A

Bunding Photograph

The storage of flammable liquids in tanks (HSE)

SEPA and EA Guidance on Tanks and Bunding (CIRIA)

Emergency preparedness and response for an on site incident.

Emergency preparedness and response for an off site incident.

Environmental Legislation Register

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	27 th May 2015
Report Title	Planning Appeals Update
Portfolio	
Ward Relevance	All
Prior Consultation	None
Reporting Director	Head of Planning and Culture
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 01/01/2015 to 31/03/2015.

<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 – 27th May 2015

Planning Appeals Update

Report of the Head of Planning and Culture

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 January to 31st March 2015) a total of 8 planning appeals were determined, of which 3 were allowed, 4 were dismissed and 1 was withdrawn. 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 March 2015 there were 5 planning appeals and 2 enforcement 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: 27th May 2015
Subject Matter: Planning Appeals
Originating Department: Head of Planning and Culture

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 Jan 2015 - 31st March 2015

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
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	Dismissed 23/01/2015
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	Dismissed 17/02/2015
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	Allowed 26/02/2015
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	Dismissed 12/03/2015
31 Betony Road Rugby CV23 0FB	Retention of 1m high boundary fence to side of dwelling	Richard Redford R14/0781 APP/E3715/D/15/3004111	Delegated Refusal 22/07/2014	Turned away late appeal 18/03/2015
26 Livingstone Avenue Long Lawford Rugby CV23 9BU	Erection of a part two storey part single storey to the north facing elevation of the dwelling.	Owain Williams R14/1352 APP/E3715/D/15/3003477	Committee Refusal 15/10/2014	Allowed 21/03/2015

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
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	Dismissed 23/03/2015
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	Allowed 26/03/2015

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.03.2015

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
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 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.	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)
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

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
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
Land Adjacent to The Highlands Rugby Road Brandon CV8 3GJ	Erection of a new detached dwelling and associated access (Amended scheme that reduces the overall height of the dwelling by 200mm from a previously refused proposal under planning reference number R12/0894 refused 25th July 2012 for the erection of a new detached dwelling and associated access)	Nisar Mogul R14/2122 APP/E3715/W/15/3002806	Delegated Refusal 11/12/2014	Written Reps
Land Rear of 17 Westgate Road Rugby CV21 3UD	Erection of a detached three-bed dwelling with associated integral garage, parking, access and landscaping.	Richard Redford R14/0879 APP/E3715/W/15/3005998	Delegated Refusal 15/01/2015	Written Reps
36 Charles Lakin Close Shilton Coventry CV7 9LB	Large structure erected in rear garden that requires pp	John Wilbraham/Barry Rose ENF/2014/0391 APP/e3715/c/14/2226203	Appeal against enforcement notice issued 28/08/2014	Written Reps

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	27 May 2015
Report Title	Delegated Decisions – 07.04.2015 to 29.04.2015
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Daniel McGahey 3774
Report Subject to Call-in	Y
Report En-Bloc	N
Forward Plan	N
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 – 27 May 2015

Delegated Decisions – From 07.04.2015 To 29.04.2015

Report of the Head of Planning and Recreation

Recommendation

The report be noted.

1. BACKGROUND

Decisions taken by the Head of Planning and Recreation 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: 27.05.2015
Subject Matter: Delegated Decisions – 07.04.2015 to 27.04.2015
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 07.04.2015 TO 29.04.2015

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R15/0509 Refused 08.04.2015</i>	Willow Lodge Hayway Lane Broadwell	Retrospective application for the erection of a log store shed in the location of a previous LPG fuel store area
<i>R15/0404 Refused 08.04.2015</i>	Dundykes Draycote Road Draycote	Erection of single storey annexe
<i>R12/1692 Refused 16.04.2015</i>	Rear of 2A Dunsmore Avenue Rugby	Erection of detached dwelling.
<i>R15/0186 Refused 17.04.2015</i>	50 Longrood Road Bilton Rugby	Erection of a single storey front extension, single storey rear extension, together with the conversion and extension to the existing garage including the raising of the existing garage roof.
<i>R14/2311 Refused 20.04.2015</i>	Land adjacent to 3 Tattlebank Cottages London Road Willoughby Rugby	Erection of 2no. semi-detached dwellings and associated works.
Applications Approved		
<i>R15/0468 Approved 07.04.2015</i>	Motec 23A Cromwell Road Hillmorton Rugby	Erection of a single storey front extension, alterations to the front elevation, existing building height and provision of a new roof.
<i>R15/0469 Approved 07.04.2015</i>	Rugby Town Junior Football Club Kilsby Lane Hillmorton Rugby	Installation of an all weather sports pitch and provision of floodlights and mesh fencing, together with the creation of two grass pitches with associated ground works (Amendment to planning permission ref: R14/0108 dated 02/04/14 to include the repositioning of the all weather sports pitch to be positioned over the existing grass pitch ref: SF1 together with the

		repositioning of current barriers and dugouts that surround pitch SF1 to SF2).
<i>R15/0415 Approved 07.04.2015</i>	72 Shenstone Avenue Rugby	Erection of a two storey side and rear extension and a single storey rear extension
<i>R14/1626 Approved 07.04.2015</i>	Swallow Barn Malt Kiln Farm Main Street Rugby	Proposed first floor extension together with external alterations
<i>R14/0210 Approved 07.04.2015</i>	82 Bridget Street New Bilton Rugby	Conversion of dwelling to 2 flats including the erection of a single storey rear and side extensions and other external alterations
<i>R15/0403 Approved 08.04.2015</i>	Trees Church Walk Bilton Rugby	Single storey front and rear extensions and first floor side extension including front balcony
<i>R15/0166 Approved 08.04.2015</i>	Former Jewson Timber site 180b Wood Street Rugby	Change of use of building from D2 use (indoor scooter, skate board, BMX and rollerblade park) to B8 (storage and distribution)
<i>R15/0453 Approved 08.04.2015</i>	61 Overslade Lane Rugby	Erection of two detached dwellings and associated parking (Amendment to a previously approved scheme under planning reference number R14/0329 granted 18th March 2014 to include a shed for each dwelling)
<i>R15/0069 Approved 08.04.2015</i>	Cawston Manor Coventry Road Cawston Rugby	Retrospective change of use of the first floor from B1 (offices) to 3 No. residential flats and retention of the D1 (aesthetic cosmetic surgery) at ground floor.
<i>R15/0515 Approved 09.04.2015</i>	26 Brindley Road Hillmorton Rugby	Proposed single storey front extension and single storey rear extension
<i>R14/2202 Approved 09.04.2015</i>	(Whites of Coventry) Land and Buildings Adjacent Former Waterworks London Road Ryton-on-Dunsmore	Proposed New Steel Portal Framed Building for storage and sale of car parts and demolition of existing Industrial Brick Built Buildings

<i>R15/0531 Approved 10.04.2015</i>	Co-Operative Group 1 Scholars Drive Cawston Rugby	Installation of new atm
<i>R14/2314 Approved 10.04.2015</i>	260 Alwyn Road Bilton Rugby	Erection of a two storey front/side extension, single storey front and rear extension and detached garage and alterations to existing access arrangements including provision of a new dropped kerb.
<i>R15/0526 Approved 10.04.2015</i>	37 Ilmer Close Brownsover Rugby	Single storey rear extension
<i>R14/2131 Approved 10.04.2015</i>	8 Dunsmore Heath Dunchurch Rugby	Erection of two storey side and rear extension, single storey front extension, convert part of existing garage to living and replacement windows
<i>R15/0354 Approved 10.04.2015</i>	Stepnells Ltd 21 – 27 Regent Street Rugby	Erection of a three storey rear extension
<i>R15/0181 Approved 13.04.2015</i>	Sundown Daventry Road Rugby	Retention of a metal storage container.
<i>R15/0527 Approved 13.04.2015</i>	Marton Glebe Farm Stockton Road Rugby	Erection of a ground and first floor front extension, first floor side extension, rear extension and external rendered façade.
<i>R15/0205 Approved 13.04.2015</i>	Manor Farm Main Street Withybrook	FULL: Erection of Grainstore
<i>R13/1864 Approved 13.04.2015</i>	Kirby Gate Main Street Monks Kirby Rugby	Erection of a single storey extension to form a bedroom and entrance hall.
<i>R14/1046 Approved 14.04.2015</i>	The Stables (R/O 9 Main Street) Clifton Upon Dunsmore Rugby	Application for a Minor Material Amendment to planning permission R11/1608 (erection of a single storey dwelling) for alterations to new dwelling including entrance door and porch, dormer window in East elevation, roof and window alterations. Internal alterations to provide rooms in roof space, alteration of part

		of garage to laundry room with rear porch and provision of cloakroom, alterations to chimney, additional rooflights, alteration to residential curtilage and provision of roof mounted solar panels.
<i>R14/2121 Approved 14.04.2015</i>	Calcutt Elms Farm Calcutt Lane Stockton Rugby	Erection of two storey side extension, single storey porch, single storey rear extension and new driveway, change of use of agricultural land to extend existing residential curtilage and associated works.
<i>R15/0494 Approved 14.04.2015</i>	68 Rugby Road Binley Woods Coventry	Erection of single storey side extension and erection of detached garage and provision of new pitched roof to existing single storey outbuildings and demolish existing garage
<i>R15/0559 Approved 15.04.2015</i>	15 Murray Road Rugby	Erection of a single storey rear and side extension
<i>R15/0577 Approved 15.04.2015</i>	32 Ferndale Road Binley Woods	Erection of a single storey side garage extension
<i>R15/0104 Approved 15.04.2015</i>	Land Rear of Elm Cottage Willow Lane Rugby	Erection of dwelling
<i>R15/0409 Approved 15.04.2015</i>	Frankie & Benny's Unit 9 Junction One Leicester Road Rugby	Proposed change to the external appearance of the building to include: the addition of timber cladding behind the existing signage, timber cladding to the front elevation inset window surrounds and the rendering of the surrounds to the main front entrance doors.
<i>R15/0495 Approved 15.04.2015</i>	31 Deerings Road Hillmorton Rugby	Erection of a two storey rear extension
<i>R15/0589 Approved 16.04.2015</i>	Burnhams Farm Limestone Hall Lane Church Lawford Rugby	Construction of an agricultural building (fodder store)
<i>R15/0372 Approved 16.04.2015</i>	21 Cedar Avenue Ryton on Dunsmore Coventry	Erection of a first floor side, single storey rear extensions and a front canopy (Amendment to previously approved scheme under R14/0316 granted 1st May 2014 for the erection of a first

		floor side extension, a front canopy and single storey rear extension.)
<i>R15/0472 Approved 17.04.2015</i>	105 Clifton Road Rugby	Demolition of existing garage and the erection of a double garage.
<i>R15/0587 Approved 17.04.2015</i>	Land at Paddock Farm Marton Road Birdingbury	Siting of two temporary portacabins for office space and toilet block for the duration of works in connection with the proposed change of use of existing mechanics workshop to B1 Use Class Office application reference R15/0545 (retrospective)
<i>R15/0545 Approved 17.04.2015</i>	Land at Paddock Farm Marton Road Birdingbury	Proposed part change of use of existing mechanics workshop to B1 Use Class Office, together with the insertion of a mezzanine floor and associated parking.
<i>R15/0278 Approved 17.04.2015</i>	Bilton Silver Band Winwick Place Bilton	Erection of a side extension to existing band hall.
<i>R15/0578 Approved 20.04.2015</i>	Stone Well Pye Court Willoughby Rugby	Erection of a garage
<i>R15/0484 Approved 20.04.2015</i>	Land at Throstles Nest Ansty Lane Coombe Fields Rugby	Erection of a storage building to provide accommodation for animals and storage for grassland and arena machinery, feed, hay, bedding, forage and equipment.
<i>R15/0519 Approved 20.04.2015</i>	12A Cambridge Street Rugby	Part Retrospective permission for full demolition of the existing building and erection of a block of 4 apartments including associated works and parking. (Amendment to approval R11/2096 dated 26th December 2012, as a result of the need to fully demolish the existing building)
<i>R15/0398 Approved 21.04.2015</i>	The Motte Eil Lane Brinklow	Two Storey extension to side elevation with new front elevation and internal alterations
<i>R15/0572 Approved 21.04.2015</i>	The Barn Frankton Lane Frankton	Proposed conversion and extension of existing barn to residential (Use Class C3).

<i>R14/2257 Approved 22.04.2015</i>	Land adjoining 14 The Locks Hillmorton Rugby	Erection of one detached dwelling and detached garage (re-submission of refused application R13/1791)
<i>R14/2048 Approved 22.04.2015</i>	The Evergreens Wood Lane Shilton Coventry	Permanent permission application for use of land as a private gypsy and traveller site for 2 mobile homes, including stables and storage buildings (previous temporary permissions R12/0342 and R13/1494).
<i>R15/0335 Approved 22.04.2015</i>	Castle Lea Castle Lane Woolscott Rugby	Erection of a side/front extension to bungalow including retrospective conversion of the garage to ancillary living accommodation.
<i>R15/0590 Approved 22.04.2015</i>	158 Montague Road Bilton Rugby	Single storey rear extension
<i>R15/0574 Approved 23.04.2015</i>	31 Vere Road Rugby	FULL: Porch to front, single storey rear extension & detached garage in rear garden
<i>R15/0491 Approved 23.04.2015</i>	Land Adjacent to the Old Rectory Lutterworth Road Churchover Rugby	Retention of (already in place) stable block and associated access from highway (following approval of application R05/0301/21680/P)
<i>R15/0276 Approved 24.04.2015</i>	Bull Inn The Bull Inn 33-35 Main Street Rugby	Erection of fencing, creation of a play area and a grassed area, erection of decking and pergola and re-roofing of outbuildings.
<i>R15/0644 Approved 24.04.2015</i>	23 Millfields Avenue Rugby	Erection of single storey rear extension and extended raised patio with steps and hand rail
<i>R15/0646 Approved 24.04.2015</i>	45 Lindale Brownsover Rugby	Erection of single storey front extension
<i>R15/0370 Approved 28.04.2015</i>	Little Thatch Church Walk Bilton Rugby	Installation of new brick pillars and gates to existing access

<i>R15/0325 Approved 28.04.2015</i>	Pailton Pastures Farm Montilo Lane Pailton Rugby	Erection of an agricultural building for storage of grain and retention of ancillary ground works and bund
<i>R15/0573 Approved 28.04.2015</i>	Annexe Toft Cottage Southam Road Toft Dunchurch	Conversion of the existing garage to living area, insertion of a dormer over the existing lounge area to create a first floor bedroom and a ensuite over study area and erection of a single storey side extension and a detached car port
<i>R15/0636 Approved 29.04.2015</i>	2 St Margarets Avenue Wolston Coventry	Erection of a single storey rear extension, provision of raised decking, repositioning of existing shed, extension to the private amenity space and provision of a new car parking area.
<i>R14/2148 Approved 29.04.2015</i>	33 Livingstone Avenue Long Lawford Rugby	Outline planning permission for the demolition of the existing and erection of 2 no. detached dwellings and associated garages with all matters reserved except access.
Prior Approval Applications		
<i>R14/0420 Prior Approval Required and Granted 07.04.2015</i>	Oakridge Farm Hillmorton Lane Clifton-Upon-Dunsmore Rugby	Prior notification application for the change of use of an agricultural building to 2no. Residential dwellings (use class C3) with associated building operations
<i>R15/0427 Prior Approval Not Required 10.04.2015</i>	G M Rail Services Limited 65 Somers Road New Bilton Rugby	Prior Approval application under Part 24 of the Town and Country Planning [General Permitted Development] Order 1995 [as amended] for the upgrade of existing telecommunications base station comprising the removal of the existing 13.8 m high column and replacement, with minor relocation with a 15.0 m high column [including antennas], 3 No, equipment cabinets [1 No existing cabinet to be removed] and ancillary works thereto
<i>R15/0513 Prior Approval Not Required 10.04.2015</i>	Sunnyview Farm Coventry Road Rugby	Prior Approval application for the erection of a single storey rear extension projecting 5 metres from the original rear elevation of the dwelling, 5.353 metres in width, 2.410 metres to the eaves with a maximum height to the ridge of 3.760 metres.
<i>R15/0426 Prior Approval Not</i>	42 Jackson Road Hillmorton	Prior Notification: Single storey rear extension

<i>Required 16.04.2015</i>	Rugby	
<i>R15/0474 Prior Approval Required and Granted 16.04.2015</i>	Rose Cottage Farm Burnthurst Lane Rugby	Prior approval of proposed change of use from two existing single storey brick and tile barns into a single residential unit with granny annexe.
<i>R15/0614 Prior Approval Not Required 21.04.2015</i>	4 Regent Place Rugby	Prior approval change of use from office (B1) to a day nursery (D1).
Listed Building Consents		
<i>R15/0448 Listed Building Consent 07.04.2015</i>	Davenport Cottage Back Lane Birdingbury	Listed Building Consent for the installation of new flue for a log burning stove to be installed in the existing study
<i>R15/0434 Listed Building Consent 07.04.2015</i>	Croft Field Main Street Harborough Magna Rugby	Listed Building Consent for the increase in height and alteration of the existing two storey rear projection including the installation of a roof light and the replacement of the existing front porch with a green oak porch.
<i>R12/0385 Listed Building Consent 24.04.2015</i>	War Memorial High Street Ryton on Dunsmore Rugby	Listed Building Application for the dismantling , restoration and re-assembling of war memorial
Advertisement Consents		
<i>R15/0497 Advertisement Consent 10.04.2015</i>	Quartzelec Quartzelec Limited 4 Castle Mound Way Rugby	Fascia lettering to south elevation of building and freestanding monocurve sign to entrance of site
<i>R15/0532 Advertisement Consent 10.04.2015</i>	1 Scholars Drive Cawston Rugby	Installation of a non-illuminated advertisement around proposed atm machine
<i>R15/0510 Advertisement Consent 14.04.2015</i>	HTRC Zones 3 and 4, Ansty Park Pilot Way Coventry	Display of 2No. Illuminated fascia signs

<i>R15/0586 Advertisement Consent 20.04.2015</i>	Clarks Unit 9 Elliotts Field Retail Park Leicester Road Rugby	Advertisement consent for the Installation of 1no. acrylic fascia sign and 1no. projecting aluminium sign
<i>Certificate of Lawful Use or Development</i>		
<i>R15/0467 Certificate of Lawful Use or Development 22.04.2015</i>	Stables Main Street Withybrook	Lawful Development Certificate for outbuildings
<i>Approval of Details/ Materials</i>		
<i>R14/1133 Approval of Details 06.03.2015</i>	The Corn Dryer Flecknoe Station Road Flecknoe Rugby	Conversion of Corn Dryer to Dwelling House - Alterations to Approved Scheme Ref R13/0427
<i>R14/2161 Approval of Details 08.04.2015</i>	Elliott's Field Retail Park Leicester Road Rugby	New restaurant/café unit (Class A3) to replace proposed A3/A5 units contained within approval R11/1297 dated 1st July 2013 with associated landscape and associated works.
<i>R11/1297 Approval of Details 08.04.2015</i>	Elliott's Field Retail Park Leicester Road Rugby	Redevelopment of Retail Park to include the demolition of existing units B1 to C2 and the erection of 12 new (class A1) retail units (with ancillary class A3); replacement structural frame to unit A2, the sub division of unit A2 and the installation of mezzanine floor space; external alterations to unit A1; erection of 2 new cafe (class A3) units; reconfiguration of the car park layout; alterations and improvements to the access including 2 no. new service and delivery access off Old Leicester Road; alterations and enhancements to landscaping and associated works.
<i>R14/1794 Approval of Reserved Matters 08.04.2015</i>	Land Adjacent to Coton House Lutterworth Road Churchover Rugby	Application for Reserved Matters for 18 dwellings relating to appearance, landscaping and scale (Phase 1) against hybrid planning application R12/1353 that included outline planning permission for the provision of a new estate village comprising of the provision of 60 dwellings.
<i>R14/2229 Approval of Reserved</i>	Warwickshire College Royal L/Spa	Erection of 131 dwellings with associated works and landscaping. (Approval of reserved

<i>Matters</i> 10.04.2015	Land at Former Rugby College Site Lower Hillmorton Road Rugby	matters in relation to outline planning permission R13/0124)
<i>R12/1882</i> <i>Approval of Details</i> 14.04.2015	Land to the north of 69 Hillmorton Road Rugby	Erection of a pair of semi-detached dwellings.
<i>R13/0124</i> <i>Approval of Details</i> 14.04.2015	Warwickshire College Lower Hillmorton Road Hillmorton Rugby	Outline application for Class C3 residential development of up to 131 dwellings and provision of 0.4 hectare of land for the provision of a Class C2 Extra Care facility, with associated works and landscaping. All matters reserved except for access.
<i>R14/0409</i> <i>Approval of Details</i> 20.04.2015	The Coal Yard High Street Ryton-on-Dunsmore	Erection of 14 No. dwellings and associated works
<i>R14/1268</i> <i>Approval of Details</i> 21.04.2015	American Amusements Unit Unit 7 Junction One Leicester Road Rugby	Variation of Conditions 4 and 5 of approval R13/2084 (Change of use from Leisure (Use Class D2) to Retail (Use Class A1) and associated external alterations) to allow for the addition of a mezzanine to be used for storage and ancillary facilities
<i>R09/0035/MEIA</i> <i>Approval of Details</i> 21.04.2015	Ansty Park Land East of the A46 (Coventry Eastern Bypass) And South of the M6 Ansty	Use of land for the construction of 124,484 sq.m. of floor space for use as a High Technology Park for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and associated infrastructure, car parking and landscaping.
<i>R13/0416</i> <i>Approval of Reserved Matters</i> 21.04.2015	Zones 3, 4 and 5 Central Boulevard Ansty Park Coventry	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 to Coombe Fields Road - submission of reserved matters and other details pursuant to outline planning permission ref.no. R09/0035/MEIA, dated 15/05/09.
<i>R10/1972 – Outline Planning Permission</i> <i>(R14/2186 – Reserved</i>	Former Peugeot Factory Site B Unit DC1	Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car

<p><i>Matters)</i> <i>Approval of Details</i> <i>23.04.2015</i></p>	<p>Imperial Road Oxford Road Ryton-On-Dunsmore</p>	<p>parking, loading areas and sprinkler tank (Application H), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423).</p>
<p><i>R13/0124</i> <i>Approval of Details</i> <i>23.04.2015</i></p>	<p>Warwickshire College Lower Hillmorton Road Hillmorton Rugby</p>	<p>Outline application for Class C3 residential development of up to 131 dwellings and provision of 0.4 hectare of land for the provision of a Class C2 Extra Care facility, with associated works and landscaping. All matters reserved except for access.</p>
<p><i>R12/1194</i> <i>Approval of Details</i> <i>24.04.2015</i></p>	<p>Land off Priory Road and School Street Priory Road Wolston</p>	<p>Erection of 80 dwellings with associated open space, landscaping, infrastructure and newt reserve (resubmission of refused application ref R10/1131 dated 28th Feb 2012)</p>
<p><i>R14/1997</i> <i>Approval of Details</i> <i>27.04.2015</i></p>	<p>Ivy Grange Bilton Rugby</p>	<p>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.</p>
<p><i>R12/1353</i> <i>Approval of Details</i> <i>27.04.2015</i></p>	<p>Coton House Lutterworth Road Churchover Rugby</p>	<p>A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p>
<p><i>R13/0928</i> <i>Approval of Details</i></p>	<p>Stable Block and Adjacent Buildings</p>	<p>Listed Building Application for the partial demolition of the Stable Block Building and for</p>

<i>(Listed Building)</i> 29.04.2015	Coton House Lutterworth Road Churchover Rugby	the demolition of structures within the curtilage of the Stable Block Building.
<i>R13/0786</i> <i>Approval of Details</i> 29.04.2015	Stable Block Coton House Lutterworth Road Churchover Rugby	Listed Building Application for the alterations and extensions of the Stable Block to form 8 dwellings
Approval of non-Material Changes		
<i>R14/0969</i> <i>Approval of Non-Material Changes</i> 17.04.2015	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>R14/1005</i> <i>Approval of Non-Material Changes</i> 20.04.2015	Barn Woolscott Road Willoughby	Conversion of a redundant brick built agricultural barn to a three bed dwelling with extensions and roof alterations. (Amendment to approved planning permission ref: R13/2271 dated 14th January 2014 to include a second floor gable-end window and the re-positioning of the kitchen extension wall)
<i>R14/2163</i> <i>Approval of Non-Material Changes</i> 21.04.2015	The Old Livery Glebe Farm Road Draycote Rugby	Conversion of existing integral garage into bedroom including installation of two new windows on eastern elevation, two new rooflights on western elevation and timber doors to remaining garage (part retrospective)
Withdrawn/ De-registered		
<i>R15/0666</i> <i>Withdrawn</i> 20.04.2015	13 Main Street Bilton Rugby	Erection of a single storey rear and side extension