

21st January 2011

PLANNING COMMITTEE - 2ND FEBRUARY 2011

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 2nd February 2011 in the Council Chamber, Town Hall, Rugby.

Site Visits

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

2.00pm	Fields Farm, Lower Green, Woolscott
2.30pm	The Barn, Back Lane, Birdingbury
3.00pm	32 Bawnmore Road, Rugby
3.30pm	Grange Bungalow, Brandon Lane, Brandon
4.00pm	Wolvey House Farm, Wolds Lane, Wolvey

Note: The road between Brandon and Bretford is currently closed. Access can be gained by travelling into Wolston and then turning right at the Co-op store. Turn left immediately after the railway viaduct out of the village which then leads to Brandon Lane.

Andrew Gabbitas
Executive Director

Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their personal interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial 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 personal 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 12th January 2011.

2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –
 - (a) personal interests as defined by the Council's Code of Conduct for Councillors;
 - (b) prejudicial 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. Planning Appeals – Update.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 21st December 2010 – 20th January 2011.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2010/11 – 12) are attached.

Tea will be served in the Members` Room at 5.00 pm.

Membership of the Committee:-

Councillors Gillias (Chairman), Butlin, Cranham, Day, Lane, Lewis, Kirby, Mrs Parker, Ms Robbins, Roberts, Sandison and Whistance.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic and Scrutiny Services Officer (Team Leader) (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.

**RUGBY BOROUGH COUNCIL
PLANNING COMMITTEE - 2ND FEBRUARY 2011
REPORT OF THE HEAD OF PLANNING AND CULTURE
APPLICATIONS FOR CONSIDERATION**

Planning applications for consideration by Committee are set out as follows:

- (i) applications recommended for refusal with the reason(s) for refusal (pink pages)
- (ii) applications recommended for approval with suggested conditions (gold pages).

RECOMMENDATION

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for Refusal

Item	Application Ref Number	Location Site and Description	Page number
1	R10/0661	Fields Farm, Lower Green, Woolscott, Rugby Erection of 2 no. attached dwellings adjoining the existing farmhouse.	4
2	R10/0839	Land adjacent to Grange Bungalow, Brandon Lane Outline application for erection of 11 dwellings (all matters reserved.).	13
3	R10/1432	32 Bawnmore Road, Bilton, Rugby, CV22 7QN Change of Use of land from highway verge to residential curtilage and erection of boundary fence	19

Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
4	R09/0681/ MAJP	Land between Lawford Lane and Beech Drive, Bilton Outline application including access for the development of the site comprising the erection of a 55-bed nursing home, a 40-bed dementia care home, 36 close care units and associated infrastructure.	24
5	R10/0383	Wolvey House Farm, Wolds Lane, Wolvey Conversion of Barns to 5 Residential Dwellings including the demolition of existing barn to be replaced with a new garage block.	44

6	R10/2197	Land off Orchard Close, Wolvey Submission of reserved matters against outline planning permission reference R08/0698/OPS, for erection of 3no. detached dormer bungalows with associated access, parking and works.	55
7	R10/1522	The Barn, Back Lane, Birdingbury, Rugby, CV23 8EN Installation of solar panels to the rear facing roof slopes of two curtilage buildings.	61
8	R10/1458	The Barn, Back Lane, Birdingbury, Rugby, CV23 8EN Installation of solar panels to the rear facing roof slopes of two curtilage buildings.	66
9	R10/2085	80 Wood Street, Rugby, CV21 2TS Change of use from B2 general industrial use to D2 use class for use as a martial arts centre.	70

Reference number: R10/0661

Case Officer: Chris Davies 01788 533627

Site address: Fields Farm, Lower Green, Woolscott, Rugby

Description: Erection of 2 no. attached dwellings adjoining the existing farmhouse.

Proposal:

The applicant seeks planning permission to erect 2no. attached dwellings adjoining the existing farmhouse, resulting in a total of 3no. private residences on the site (not including the holiday lets). The dwellings are to house his daughter and his son and family, whom the applicant states have roles that require them to be on site at all times in order to assist with the agricultural and haulage operations.

History:

R79/1488/11188/OP	Erection of dwellings. Refused 05/03/80
R80/0968/11188/OP	Erection of agricultural dwelling. Refused 04/02/81
R00/0457/11188/P	Conversion of existing stables and cow sheds to Refused 08/11/00 provide 2no. 1 bedroom dwellings.
R00/0933/11188/P	Conversion of existing stables and cows sheds to Approved 18/01/01 provide 2 holiday cottages.

Other Relevant Information:

Councillor Hazelton has requested that the application be determined by the Planning Committee.

Fields Farm is a relatively isolated site on elevated land near Woolscott. The residential part of the site is currently accessed via a narrow land off Woolscott Road that leads to a single lane access track.

The main farmhouse is located at the end of the access track. Low level single storey outbuildings adjoining it have been converted into 2no. holiday lets. A large barn is located nearby.

The site is also home to an unauthorised haulage business, which occupies the lower part of the site and is the subject of an enforcement notice and appeal that is currently being determined by the Planning Inspectorate. Two large barn-like buildings are located close to the lower access and are used as part of this business. A second access off Woolscott Road was permitted in 2007 and was intended to allow vehicles to access the agricultural land that lies below the existing farmhouse. This access was later used to serve the aforementioned barn-like buildings, which were permitted for agricultural uses

and are now the subject of the aforementioned enforcement appeal regarding their use in connection with the haulage business.

The whole site can be clearly seen from the adjacent highway (Woolscott Road), and its elevated location and lack of natural screening mean that the existing dwelling is already a very prominent structure in the landscape.

Technical Responses:

- | | | |
|------------------------|-----------------|--|
| WCC Highways - | Objection - | Increased traffic on a substandard road
Detrimental to highway safety
Increased likelihood of damage to highway verges and structure. |
| WCC Ecology - | No objection - | Advisory notes required regarding breeding birds and bats should the application be approved. |
| Environmental Health - | No objections - | Request a condition limiting the occupation of the dwellings to persons working on site should be application be approved, as there are concerns regarding noise disturbance arising from the use of the site and it's impact on residents not connected to the site and if the houses were converted to holiday lets or other unrelated uses. |

Parish Response

No comments received.

Neighbour Responses

Objections (3) - enforcement history and pending appeal should be resolved before further applications on the site are considered/ the site cannot support or sustain a further 2no. dwellings – the agricultural business does not warrant them/ lack of justification/ conversion of existing holiday lets should be considered instead/ will the intended tenants be employed on the site and in agriculture?

Planning Policy:

RBLP	S3	Rural Settlement Hierarchy	Conflicts
RBLP	GP1	Appearance and Design	Conflicts
RBLP	GP3	Protection of Amenity	Conflicts
RBLP	E1	Development in the Countryside	Conflicts
RBLP	E5	Landscape and Settlement Character	Conflicts

RBLP T3	Access and Highway Layout	Conflicts
RBLP T5	Parking Facilities	Complies
PPS1:	Sustainable Development	
PPS3:	Housing	
PPS7:	Sustainable Development in Rural Areas	

Considerations:

The key considerations in determining this application are firstly the need for dwellings and subsequently matters relating to design, amenity and highways.

Justification of Need

Annex A of PPS7: Sustainable Development in Rural Areas outline the five key tests against which applications for dwellings in the countryside should be assessed. These tests require such applications to display evidence that:-

- a) there is an *existing* functional need
- b) that this need relates to a full-time worker or one who is primarily employed in agriculture and does *not* relate to a part-time post
- c) the unit and agricultural activity have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have prospects of remaining so
- d) the functional need could not be met by existing dwellings on the site or any other accommodation in the area which is suitable and available for occupation by the workers concerned
- e) other planning requirements (e.g. relating to access impact or impact on the countryside) have been met.

In response to these test requirements, the Council's response on each test in order is as follows:-

- a) The applicant states that the additional dwellings are needed to house family members who are employed in roles within the family business that require their permanent residence on the site, thus indicating an existing functional need. However, there no housing needs statement that identifies a requirement for additional on site accommodation on the basis that the intended occupants of the dwellings must live on site to support the existing agricultural business, nor has any evidence been put forward to this effect.
- b) No details have been submitted to sufficiently identify whether the roles of the intended occupants (the applicant's son and daughter) are of a full-time or part-time nature.
- c) Although the applicant has operated a business on the site for several years, the introduction of firstly the holiday lets (in 2000) and then the agricultural haulage element (from 2007 onwards) indicate that the agricultural business was not financially secure or profitable on its own. The further development of the agricultural haulage business into the present general haulage operation casts additional doubt on the viability of the agricultural operation as the primary source of business income.

- d) The applicants have submitted no evidence prove that the housing need they identify could not be satisfied from existing housing stock currently available in the locality. This avenue should be explored and exhausted before new housing is proposed. A basic internet search for properties available in the locality (Grandborough, Woolscott, Flecknoe, Braunston and Willoughby) undertaken by the officer on 18 January 2011, showed that 58 dwellings were available for sale and 8 for rent.
- e) The concept of residential development on this site does not comply with planning policy, both local and national (see explanatory text below).

As the proposals fail to satisfy these five tests the proposal conflicts with Annex A of PPS7 and with PPS7 holistically.

Suitability of Location

The site is well outside the nearest established settlement of Grandborough (Woolscott is not identified as a settlement by the Rugby Borough Local Plan), and visible from a significant distance away due to its prominent elevated location in open countryside and the lack of either natural or manmade screening.

The site already has a dwelling on it which is used in connection with the on-site operations, and there are also 2no. holiday lets (approved in 2000 on the principle that they would supplement the main agricultural operation) all within a confirmed space, but is served only by an unmade access track. Apart from the access track, the site has no obvious visual or physical relationship to either Woolscott or nearby Grandborough.

The proposed development would intensify the existing residential element of the site to the detriment of its rural character, and would significantly increase the visual impact of this part of the site on the character of the surrounding countryside.

The proposal therefore conflicts with Policies S3, E1 and E5 of the Rugby Borough Local Plan 2006, which seek to ensure that residential development in rural locations meets identified housing needs and is located close to the site of those needs, and the guidance set out in PPS1: Sustainable Development, PPS3: Housing and Annex A of PPS7: Sustainable Development in Rural Areas.

Appearance and Design

At present the existing farm house dominates the residential element of the site, with the low level converted outbuildings appearing subservient. The house can be clearly viewed from all sides from within the site, and at least two of the elevations can be viewed from further afield.

The proposed dwellings would adjoin the existing farmhouse, effectively more than doubling the mass of the existing building. They would comprise a significant increase in two storey accommodation as well as an elongated

single storey element, thus increasing visual prominence in the immediate and wider locality.

The proposed dwellings, due to their size, massing and bulk, would collectively dwarf and have an overbearing impact on the existing one, leading to its individual character being lost. They would also lead to a significant increase in the level of housing on a comparatively small amount of land.

The design, scale and mass of the proposed houses take little account of the open and rural nature of the setting, and are entirely out of keeping with such a site.

The proposals therefore conflict with Policies GP1, E1 and E5 of the Rugby Borough Local Plan 2006, which seek to ensure that development is in keeping with and sympathetic to its surroundings, and guidance set out in PPS1: Sustainable Development, PPS3: Housing and PPS7: Sustainable Development in Rural Areas.

Amenity

As the proposal site is set so far away from other dwellings in the area, it is unlikely that their use would result in a material impact on the amenities of nearby residents in either Woolscott or Grandborough.

However, the addition of two dwellings on the site would significantly impact on the amenities of the occupants of the farmhouse. It must be borne in mind that whilst the applicants intend to house family members in the proposed dwellings, future occupants are unlikely to require a similar set-up.

The proposed houses would occupy land currently set aside as a garden area for the existing house, thus significantly reducing the private amenity space allocated for the existing dwelling. In addition to this, the plans and supporting documents indicate no private amenity space for the occupants of the new dwellings. Again, whilst this arrangement may suit the family dynamic of the applicants, it is unlikely that future occupants would find it equally amenable.

The proposal fails to adequately protect existing residential amenity or provide for potential residential amenity requirements on the site, and the scheme therefore conflicts with Policy GP3 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect residential amenity, and guidance set out in PPS3: Housing.

Highway and Parking Issues

The Highway Authority has raised objections, with specific concerns over the intensification of use of the existing access track as a primary means of access to the proposed dwellings, noting that it is already below an acceptable standard in highway for its present use in highway terms. They also detail that this intensification could, and probably would, lead to further degradation of the highway structure and adjacent verges, not least because of the lack of established passing bays along the route to the dwellings; vehicles are required to either pull in to available gateways as and when possible or mount the soft verges in order to clear a path for oncoming vehicles.

The Highway Authority has put forward the possibility of closing the existing access and utilising the newer access off Woolscott Road. Whilst this would resolve the issues relating to the poor quality of the existing residential access and the impact on the adjoining highway, it would not be acceptable in planning terms given that this second access was only permitted to meet an established demand for agricultural vehicle access. This option would also require significant works to the track leading from the access to the dwelling site, which at present consists of primarily rough hardcore and untreated grass areas. Further development/resurfacing of this unofficial route to the dwelling site would further scar the landscape and would detrimentally impact on the visual character and appearance of the site.

The proposed access arrangements therefore conflict with Policy T3 of the Rugby Borough Local Plan 2006, which seeks to ensure that vehicular movements relating to the site do not affect the safe operation of adjacent highways, Policy GP1 of the Rugby Borough Local Plan 2006 which seeks to ensure that development is not harmful to the character and appearance of the site and its visual impact on the surrounding area, and guidance set out in PPS1: Sustainable Development and PPS7: Sustainable Development in Rural Areas.

At present there is a large area to the front of the existing dwelling and holiday lets which has been dressed with hardcore and set aside for parking and vehicle turning facilities. This part of the site would be unaffected by the proposals and is capable of accommodating a significant number of domestic vehicles. The proposed development therefore complies with Policy T5 of the Rugby Borough Local Plan 2006, which seeks to ensure that residential developments benefit from sufficient parking facilities.

Alternative Residential Accommodation on the Site

The concept of converting the existing holiday lets on the site to provide residential accommodation has been raised as a means of overcoming the accommodation requirements of the applicant.

Whilst this would negate the need for additional dwellings, thus significantly reducing the visual impact of such provision, the holiday lets themselves are small and compact in nature, and would need extensive alteration and extension in order to reflect the accommodation levels proposed in the new

dwellings. This would in all probability require first and possibly second storey extensions to the existing units, significantly increasing their own visual impact on the presentation and character of the site, to the detriment of their existing character and agricultural heritage.

Appearance aside, such works would also remove the ancillary nature under which the holiday lets were originally permitted, and again bring into consideration the need for a further two permanent dwellings on the site.

Access to the site would in all probability be proposed in a similar manner to the existing proposal hereby considered, and would therefore meet with a similar response to that given by the County Highways Engineer and referred to above.

It is therefore unlikely that proposals for such a scheme would meet with planning approval.

Relevance and Significance of Current Enforcement Appeal

As identified in neighbour objections received in response to consultations, the lower part of the site (comprising land and 2no. large buildings adjacent to the Woolscott Road access) is currently the subject of an appeal, lodged by the applicant in response to enforcement action.

The enforcement action was undertaken because the haulage element of the site appeared to have diversified into a general haulage business; the permitted use was to be ancillary to the agricultural business (the applicant provided overnight accommodation for vehicles and animals on their way to slaughter facilities).

The appellant, in their official statement of case on this appeal, asserts that the agricultural business is no longer financially viable, and that the haulage operation needs to be of a general nature in order to remain a viable business.

This statement, declaring the agricultural element of the site as unviable, lies in direct conflict the assertion made by the applicants of the present housing application, which relies on the argument that the agricultural business is sustainable to the extent that further staff accommodation is required.

Recommendation:

Refuse as contrary to policy.

Report prepared by: C Davies 18/01/2011

DRAFT DECISION

APPLICATION NUMBER

R10/0661

DATE VALID

14/12/2010

ADDRESS OF DEVELOPMENT

Fields Farm
Lower Green
Woolscott
Rugby
CV23 8DD

APPLICANT/AGENT

Mr Bob Faxon
Schoonberg-Walker And Associates
3 Sunnyside
Broadwell
Rugby
Warwickshire
CV23 8HD
On behalf of Mr Robert Mawby

APPLICATION DESCRIPTION

Erection of 2no. attached dwellings adjoining the existing farmhouse.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL 1:

The site is located in open countryside, where residential development needs to be justifiably necessary to meet the essential operational requirements of a rural business and be small in scale, having regard to guidance contained in PPS1: Sustainable Development, PPS3: Housing and PPS7: Sustainable Development in Rural Areas.

There is insufficient evidence to establish that the proposed dwellings meet the requirements of the functional tests contained within Annex A of PPS7: Sustainable Development in Rural Areas, the framework on which suitability of housing provision in rural areas is assessed.

The proposed development is therefore contrary to Policies S1, GP1, E1 and E5 of the Rugby Borough Local Plan 2006 which seek to ensure that development is in keeping with and sympathetic to its rural surroundings and is necessary to continue the operation of an agricultural business, and guidance set out in PPS1: Sustainable Development, PPS3: Housing and PPS7: Sustainable Development in Rural Areas.

REASON FOR REFUSAL 2:

The proposed dwellings are considered by virtue of their size, appearance and prominent location to be unsympathetic to the character and appearance of the existing dwelling, and if approved would constitute an incongruous feature within the wider rural setting to the detriment of the visual amenities of the locality and wider open countryside. The proposal is therefore contrary to Policies GP1, E1 and E5 of the Rugby Borough Local Plan 2006 which seek to ensure that development is in keeping with and sympathetic to its surroundings, and guidance set out in PPS1: Sustainable Development, PPS3: Housing and PPS7: Sustainable Development in Rural Areas.

REASON FOR REFUSAL 3:

The proposed dwellings due to their siting, size and massing would have an overbearing effect on the existing farmhouse which would be detrimental to the amenities that residents of that property could reasonable expect to continue to enjoy. They are also located on land presently set aside as private garden areas

relating to the existing property, thus reducing the level of amenity space afforded to the dwelling. The proposed dwellings themselves do not have sufficient access to private amenity space, with garden and parking areas proposed as communal facilities. The proposal is therefore contrary to Policy GP3 of the Rugby Borough Local Plan 2006 which seek to ensure that development is in keeping with and sympathetic to its surroundings, and guidance set out in PPS3: Housing.

REASON FOR REFUSAL 4:

The proposal would lead to an intensification of use of the existing substandard access track and an increase in damage to the highway structure and verges. There is also insufficient provision to allow vehicles to pass safely whilst remaining on the highway. The proposals therefore conflict with Policy T3 of the Rugby Borough Local Plan 2006, which seeks to ensure that development is not detrimental to highway safety.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

S3, GP1, GP3, E1, E5, T3 and T5

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

Reference number: R10/0839

Site address: Land adjacent to Grange Bungalow, Brandon Lane

Description: Outline application for erection of 11 dwellings (all matters reserved.)

Case Officer Name & Number: Karen McCulloch, 01788 533623

Relevant information

This application is being reported to Committee following a request from Councillor Timms.

Description of site

This application relates to a field close to the A45. The area is currently grassed and appears overgrown in places. There is a hedgerow on the site frontage and the field slopes down towards the southern boundary away from the road.

Grange Farm and other buildings are located to the north east side of the site. Grange Bungalow has a side facing window looking towards the site, however this is a secondary window as there is also a window on the rear boundary. There are open fields on the other boundaries of the site.

There is a row of dwellings opposite the site, within Coventry City Council's area. These are mostly rendered bungalows with hipped roofs although The Fieldings is a two storey dwelling with a pitched roof and render.

Description of proposals

This is an outline application for the erection of 11 dwellings. Only the principle of development is to be considered at this stage although illustrative plans showing a cul-de-sac layout with two storey detached houses has been submitted.

The applicants have advised that in the event of an approval 3 of the houses (27.2%) would be provided as affordable housing.

Third party comments

Cllr Timms Strongly object to the application

Brandon & Bretford Parish Council Objection

- development is inappropriate in the Green Belt,
- development is outside of village, far away from facilities and cannot be a rural exception site,
- development is too large and there is no identified local need.

Neighbours (6) Objection

- site is in the Green Belt where development is resisted
- will affect rural character of the area
- understand affordable housing projects may be allowed, this does not apply to this application
- site frequently floods and is not suitable to develop
- could worsen flooding downstream and affect nearby properties
- development will set a precedent which would worsen flooding further
- Brandon Lane and existing gardens also flood, possibly from the A45, this damages the road
- increased traffic and noise, lane is already used by heavy lorries and as a short cut

- there is already a noise issue from the nearby motor cycle training track
- loss of hedgerows and wildlife habitat, site is used by numerous species of wildlife
- loss of privacy and light
- site is used for grazing not arable land
- would have an adverse impact on utilities and infrastructure
- design, appearance and layout are out of character with the area

Technical consultation responses

Environment Agency	Objection	Flood risk assessment is required
WCC Ecology	Objection	Habitat survey is required
WCC Highways	Objection	Do not consider an access with suitable visibility could be provided
WCC Archaeology	No objection	Subject to condition
Natural England	No objection	
Severn Trent	No objection	Subject to condition
Coventry Airport	No objection	Consider risk assessment should be carried out
Airport Safeguarding	No objection	
CCC Planning	No objection	
CCC Highways	Comments	Site is in unsustainable location with infrequent public transport and will be dependant on private motor transport.
Highways Agency	No comments received	
WCC Planning	No comments received	

Relevant planning policies and guidance

E1	Conflicts	Development in the countryside
E2	Conflicts	The Green Belt
E5	Conflicts	Landscape and settlement character
E6	Conflicts	Biodiversity
GP1	Conflicts	Appearance and design of development
GP2	Complies	Landscaping
GP3	Complies	Protection of amenity
GP15	Conflicts	Planning obligations
GP16	Conflicts	Parish plans
T3	Conflicts	Access and highway layout
T5	Complies	Parking facilities
H7	Conflicts	Rural exceptions
H12	Conflicts	Open space provision in residential developments in the rural area
LR1	Conflicts	Open space standards
PPG2	Green Belts	
PPS5	Planning for the Historic Environment	
PPS25	Development and flood risk	
Brandon and Bretford Village Design Statement, 2001		

Assessment of proposals

The key issue to assess in relation to this application is whether the principle of the proposed development is acceptable. Issues such as visual amenity, impact on neighbours, highway safety, car parking and flood risk must also be considered.

The site is located within the West Midlands Green Belt. Guidance contained within PPG2: Green Belts, and saved policy E2 of the Rugby Borough Local Plan state that within the Green Belt there is a presumption against inappropriate development.

The construction of new buildings within the Green Belt constitutes inappropriate development unless they are for a specific range of uses. These are, agriculture & forestry; essential facilities for outdoor sport & recreation; limited extension, alteration or replacement of existing dwellings; limited infill in existing villages (under specific circumstances) and limited infill of major developed sites (where these are identified in the Local Plan.)

As the proposals do not fall within any of the specified categories they constitute inappropriate development. Policy E2 and PPG2 go on to state that inappropriate development will not be acceptable unless there are very special circumstances to outweigh the harm to the Green Belt. The applicant has not submitted any information regarding very special circumstances. It is therefore considered that the principle of the proposed development is unacceptable and contrary to policy E2 and PPG2.

The site is not within a settlement boundary and is located in the countryside, saved Local Plan policy E1 states that development will be resisted in order preserve the character of the countryside, the proposal is therefore contrary to this policy.

Policy H7 refers to rural exceptions and states that development of affordable housing to meet identified local needs may be acceptable in countryside locations adjacent to existing settlements subject to a range of criteria. As the site is not located adjacent to an existing settlement, includes mostly market housing and no information regarding local need for affordable housing has been provided it is not considered a rural exceptions site. The proposals are therefore contrary to policy H7.

Guidance contained within PPG2 states that the visual amenity of the Green Belt should not be harmed by development proposals. Saved policy E5 and saved policy GP1 of the Local Plan state that development should respect the character of an area. This area is predominantly open countryside and it is considered that the proposals would add to the built development within the area and would have an adverse impact on the rural character, contrary to policies E5, GP1 and PPG2.

As this is an outline application the details of the proposed landscaping are not under consideration at this stage. However, it is considered that a landscaping scheme could be produced which protects existing trees and hedgerows and provides additional appropriate landscaping. The proposals could therefore comply with policy GP2.

In relation to the impact on neighbouring properties Grange Bungalow is located to the side of the site. This property has a side facing secondary window looking towards the site. As this is a secondary window the impact on this property is considered acceptable. The properties opposite the site are around 25m from the site boundary. It is considered a layout could be provided which would not adversely impact on the residential amenity of these properties. Policy GP3 is therefore complied with. Neighbours have raised concerns that development would lead to a loss of a view, however views are not protected and this is not a reason to refuse the application.

Policy GP16 relates to Parish documents and states that these should be considered in determining applications. The Brandon and Bretford Village Design Statement, 2001 states that Brandon should remain small and compact within the Green Belt setting. It is considered that the proposed development is contrary to this statement and therefore contrary to policy GP16.

In relation to highway safety Warwickshire County Council have advised that they do not consider that an access could be provided with suitable visibility splays. The proposals would therefore be detrimental to highway safety and contrary to policy T3.

In terms of parking facilities it is considered that acceptable levels of car parking could be provided on site. Cycle parking could be accommodated in rear gardens or garages and policy T5 is therefore complied with.

Policy GP15 states that development will only be permitted where the physical, social and economic needs of the development can be met or can be mitigated for through appropriate planning contributions. Policy H12 states that on sites of 6 or more dwellings open space should be provided in accordance with the standards contained within policy LR1. Given the size of the site on site open space could not be provided, therefore a contribution would be required. The required contribution has been put to the applicants for comments as to whether they would be prepared to pay this contribution. The applicants have not confirmed they would be prepared to pay the required contribution and the proposals are therefore contrary to policies GP15, H12 and LR1.

Parts of the site are located within the Flood Zone. The Environment Agency have objected to the application on the grounds that the application was not accompanied by a Flood Risk Assessment. This is contrary to guidance contained with PPS 25 – Development and Flood Risk.

WCC Ecology have objected to the application on the basis that a survey has not been provided to allow the impact on protected species to be assessed. The proposals are therefore contrary to policy E6.

The County Archaeologist has commented on the application and has no objection subject to a condition requiring a programme of archaeological work, guidance contained within PPS5 is therefore complied with.

Recommendation

Refusal

DRAFT DECISION

APPLICATION NUMBER

R10/0839

DATE VALID

30/11/2010

ADDRESS OF DEVELOPMENT

LAND ADJACENT GRANGE
BUNGALOW
BRANDON LANE
BRANDON

APPLICANT/AGENT

Mr. B. Faxon
Schoonberg-Walker & Associates
Sunnyside
3 The Green
Broadwell
Rugby
Warwickshire
CV23 8HD
On behalf of Mr. T. Kirton

APPLICATION DESCRIPTION

Outline application for erection of 11 dwellings (all matters reserved.)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL: 1

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to guidance contained in PPG2 Green Belt not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing dwellings and for limited infill in specified villages.

The proposed development does not fall within any of the categories which are normally acceptable in the Green Belt and as such, constitutes inappropriate development having an adverse effect on the rural character of the area and detrimental to the openness of the Green Belt. In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for residential; development in the face of a strong presumption against inappropriate development derived from the prevailing policies and it is considered that the development fails to preserve the openness and character of the Green Belt or countryside. The proposed development is therefore contrary to saved policies E1, E2, E5, GP1 & GP16 of the Rugby Borough Local Plan 2006 and guidance contained within PPG2: Green Belts.

REASON FOR REFUSAL: 2

The proposed development does not constitute a rural exceptions site as defined by policy H7 of the Rugby Borough Local Plan, 2006 as the proposal includes market housing, no local need for affordable housing has been demonstrated, the development would adversely affect the character of the area and the site is not located adjacent to an existing settlement. The proposals are therefore contrary to this policy.

REASON FOR REFUSAL: 3

Parts of the applications site are located within the Flood Zone, the application is not accompanied by a Flood Risk Assessment to allow the flood risks associated with the development to be assessed. The application is therefore contrary to guidance contained within PPS25 - Development & Flood Risk.

REASON FOR REFUSAL: 4

Vehicular access to the site cannot be provided in a position that would enable suitable visibility splays to be provided. This would be detrimental to highway safety and contrary to policy T3 of the Rugby Borough Local Plan 2006.

REASON FOR REFUSAL: 5

The application is not accompanied by a Phase 1 Habitat Survey to allow the impact on protected species to be assessed. The application could therefore adversely impact on protected species and is contrary to policy E6 of the Rugby Borough Local Plan 2006.

REASON FOR REFUSAL: 6

The proposed development would increase the demand for and usage of open space facilities within the area. No on-site facilities are proposed and the applicant has not confirmed that they would be prepared to contribute to the maintenance of existing facilities. The proposals are therefore contrary to policies GP15, H12 and LR1 of the Rugby Borough Local Plan 2006.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

E1, E2, E5, GP1, GP2, GP3, GP15, GP16, H7, H12, LR1, T3 & T5.

PPG2: Green Belts.

PPS5: Planning for the Historic Environment.

PPS 25: Development & Flood Risk

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

Reference number: R10/1432

Site address: 32 Bawnmore Road, Bilton, Rugby, CV22 7QN

Description: Change of Use of land from highway verge to residential curtilage and erection of boundary fence

Case Officer Name & Number: Martin Needham (01788) 533741

The proposal:

The property is a detached corner plot property located within the Rugby urban area. Planning permission is sought to extend the residential curtilage by changing the use of the highway verge and land between the existing property boundary and the public footpath along the front, side and rear of the site. The verge is 1.2 metres in width and opens to 4 metres at the rear of the site onto a grassed area with trees. The proposal also involves moving the existing 1.8m high close boarded timber fence to the edge of the footpath to the side and rear to enclose the verge. A hedge of 60-70cm high is proposed along the front boundary of the site.

The fence had previously been moved out to the side without obtaining planning permission, or consent from Warwickshire County Council as landowners. Following enforcement action by the County the fence was moved back to its previous position. Vegetation along the side of the previously enclosed verge was removed during this period however, only weeds have re-grown on this side causing the verge to appear somewhat unkempt currently.

In addition to changing the use of and enclosing the highway verge, an area of land to the rear previously owned by no.34 Bawnmore Road is also included in the application, and is shown to form part of the garden of no.32. From the available information this area was originally open land when the estate was first constructed, however over time it was acquired by no.34 and became part of its residential curtilage.

Site History:

R10/1789 - Erection of rear dormer window, single-storey rear extension and external alterations (amendments to planning permission reference 511) – Approved 10.11.2010.

511 - Erection of rear dormer window, single-storey rear extension and external alterations – Approved 1.02.2010.

Consultee Responses:

Highways Officer – Object. Proposal will be detrimental to highway safety. Proposal will remove rights of the public to enjoy the highway and contravene highway law.

Tree Officer – No objection subject to condition.

Warwickshire County Council Ecology – Recommend notes regarding planting and protected status of nesting birds.

Third Party Responses:

Neighbours –

3 letters of support –

Old fence unsightly, new fence looks good. Grass area was always left scruffy, unkept, overgrown and used by drug users. Applicants have tried to make their property look substantially better. Verge attracts litter, proposal would be more tidy and attractive.

5 letters of objection –

Consider important to retain verge and greenery as name of street (Beswick Gardens) implies. Disagreement with information provided with application and have not witnessed the anti-social problems raised. Fence would be a highway safety hazard. Proposal would deprive residents' enjoyment of trees and grassy area and fence would not be an attractive feature. Proposal would set a precedent. Verges in area add to local amenity. Proposal would contravene open frontage design of area. Concerns of increased surface water run off and effect on drainage system. New wall to rear extends significantly beyond original boundary of the Beswick Gardens communal verge and amounts to land grabbing. Verge should be re-instated to its original condition.

Further comments from 4 of the original objectors, and 1 additional objector following additional information received 5th January 2011 –

Hedge along front boundary would restrict view for vehicles, and this is also part of WCC highway verge. Wall in rear garden extends beyond original boundary of the Beswick Gardens communal verge. Similar issue happened at Dalkeith Avenue where fence erected on County Council land had to be moved back. Maps provided in application are not evidence of boundaries. Side fence previously moved without planning permission and has left verge in a distressed condition. Detrimental to visual aspect and highway safety. Planting at rear would actually be behind proposed fence and would not help. Land is required for utilities. Constant disruption from property as extensions to house are being built.

Other Relevant Information:

This application is for the consideration of the Planning Committee following a request for a committee site visit by Cllr Kirby.

Relevant Planning Policies and Guidance:

RBLP Policy GP1	Design and appearance of development	Conflicts
RBLP Policy GP3	Protection of amenity	Complies
RBLP Policy T3	Access and highway layout	Conflicts
PPS1	Delivering Sustainable Development	Conflicts
PPS9	Biological and geological conservation	Complies
PPG13	Transport	Conflicts

Consideration:

The main issues to consider in this application are the impacts of the proposal upon visual and residential amenities, highway safety and biodiversity.

The verge is a design feature in the original development of the area and positively contributes to the openness of Beswick Gardens. When properly re-vegetated the verge would be aesthetically pleasing and be beneficial to the visual amenities of the locality. Beswick Gardens and the nearby area generally have a pleasant open character and the relocation of the boundary fence is considered harmful to this. Other examples of verges are also present along the fronts of the properties on Bawnmore Road, Longrood Road and Beswick Gardens, and an extensive verge to the side is also present nearby to the side of a property on Hampden Way.

Examples of boundaries abutting the footpath can also be seen nearby, however where highway verges are present they contribute to the visual amenities of the locality. The enclosure of the verge is considered harmful to visual amenities and would set an unwelcome precedent for similar proposals.

The applicant has provided information with the application detailing how the verge was littered and poorly maintained, and also used for anti-social behaviour including vandalism of the fence by children. A letter submitted with the application states that the grass area has been a well known hang out for drug users.

Whilst the presence of litter and being unkempt may have reduced the aesthetics of the verge to a degree, it is considered that the enclosure of the verge in its entirety would be more harmful to the streetscene. With regard to anti-social issues, the verge itself is not considered to give rise to undue disturbance and amenity issues, despite the comments submitted with the application. It is considered that such activity could be addressed more suitably by the police, and on the basis of the available information it is not considered sufficient reason to justify the enclosure of the verge.

The Highways Authority has objected to the proposal and comment that to extend the property curtilage and erect the boundary fence would reduce forward visibility for vehicles travelling along Beswick Gardens. As a result the Highways Authority has considered the proposal to be detrimental to highway safety. In addition to this issue, should the hedge to the front exceed 60cm height, this would be above what would be acceptable for the visibility splay for the junction of Bawnmore Road and Beswick Gardens.

A further objection has been raised by the Highways Authority on the grounds that the proposal would remove the rights of the public to the use and enjoyment of the verge and that the County Council would not be prepared to sell the land. These comments are noted, however this issue is partly an ownership dispute separate from the application process, and rather these comments do not directly apply to planning policies as such.

The applicant has suggested that a hedge could be proposed if the fence was not considered acceptable. Whilst this would be more aesthetically pleasing than a fence, the loss of the open space would still be harmful to the openness of the street and amenities of the locality, and has not been considered a possible alternative in this instance.

Plans of the original street layout and a photograph have been provided by neighbours, showing that the land transferred to no.32 from no.34 was originally open land. Over time this section of land was acquired by no.34 and became part of their residential curtilage. The planning status of this land is somewhat unclear as permission would have been required to utilise it as residential curtilage (though no record of such permission exists). It is uncertain when this land was first used as such, however from the available information there is a reasonable likelihood that the use of this area of land as residential curtilage has become established owing to the passage of time, and it is not considered expedient to pursue this particular matter with enforcement action should planning permission be refused.

The tree officer has raised no objection to the proposal subject to a condition regarding implementation of the planting proposed. Three trees subject of Tree Preservation Orders are present to the front of the site however these would be unaffected by the proposal

With regard to concerns raised regarding utilities located within the verge, this issue does not have direct relevance to planning policies and does not carry significant weight in determining this application.

With regard to the concerns raised regarding surface water run off, the proposed development is not considered to give rise to flooding issues, and in addition the property is not situated within a flood plain. It is not considered therefore that this issue requires further assessment.

Disturbance caused by the ongoing construction works to the house extensions under development are not related to the planning issues at hand in this application, although the comments relating to mud being dragged onto the road from the verge are noted.

Overall, the proposal is considered harmful to the visual amenities of the locality and detrimental to highway safety.

Recommendation:

Refuse planning permission.

DRAFT DECISION

APPLICATION NUMBER

R10/1432

DATE VALID

08/09/2010

ADDRESS OF DEVELOPMENT

32 BAWNMORE ROAD
RUGBY
CV22 7QN

APPLICANT/AGENT

Damon Street
32 Bawnmore Road
Rugby
Warwickshire
CV22 7QN

APPLICATION DESCRIPTION

Change of Use of land from highway verge to residential curtilage and erection of boundary fence

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL:

The existing highway verge positively contributes to the streetscene and visual amenities of the area. The proposed change of use and boundary fence would adversely affect the openness of the street and appearance of the area, to the detriment of the visual amenities of the locality. The proposal is therefore contrary to policy GP1 of the Rugby Borough Local Plan 2006, and national policy PPS1, which seek to ensure new development complements and enhances the character of the surrounding area, is attractive in appearance, and is of good and inclusive design.

REASON FOR REFUSAL:

The proposed fencing would reduce the forward visibility splay on Beswick Gardens and be detrimental to highway safety. The proposal is therefore contrary to policy T3 of the Rugby Borough Local Plan 2006 and national policy PPG13.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

GP1, GP3, T3, PPS1, PPS9, PPG13

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

Reference number: R09/0681/MAJP

Site address: Land between Lawford Lane and Beech Drive, Bilton

Description: Outline application including access for the development of the site comprising the erection of a 55-bed nursing home, a 40-bed dementia care home, 36 close care units and associated infrastructure.

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

The Proposal;

Outline planning permission with access is sought for the development of the site with amended plans having been received showing the proposal as comprising the erection of a 55-bed nursing home, a 40-bed dementia care home and a total of 36 extra care units in the form of dwellings / cottages and apartments along with associated infrastructure including road, cycle way and parking areas. The submitted information details that the extra care units will only be capable of occupation where at least one member of the household is at least 55 years of age or older and where they have a package of care purchased from the site care provider. An extended phase 1 habitat survey, foul water and surface water statement, design and access statement, landscape statement, care home and feasibility report and planning statement were submitted as part of the application. Access to site will be via Ivy Grange. The amended indicative plans show the nursing and dementia homes on the northern side of the east-west running road, footpath and cycle path opposite the proposed access point, with the existing right of way that crosses the site from north to south separating the 2 buildings. They show 27 of the proposed extra care units toward the western end of the site close to Lawford Lane with the remaining 9 units toward the eastern edge of the site close to Beech Drive. The plans show the buildings varying in height between 1 ½ storey to 2-storey for the extra care units with the nursing and dementia units being 3-storey in height with all having roof space above.

Specific matters relating to appearance, landscaping, layout and scale will be the subject of reserved matters submissions should outline planning permission be given.

The original plans submitted sought permission for a 59-bed nursing home, 48-bed dementia home, a dentists surgery, 4 private houses, 32 affordable extra care units and 20 independent living units in the form of cottages / houses and apartment, along with associated infrastructure. The first set of amended plans saw these numbers drop to 50 residential units (extra care and independent living units), dentists, 4 private houses, 44-bed dementia nursing home and 57-bed nursing home. Following further extensive negotiations these plans were amended further to show the 55-bed nursing home, 40-bed dementia unit and 36 extra care units detailed above.

Site History;

None relevant.

Consultee Responses;

Environment Agency	No objection	Request conditions
RBC Forward Planning	No objection	
WCC Libraries	No objection	Request financial contribution of £3,999 for library services in the area
Environmental Health	No objection	Request conditions and informatives
Tree Officer	No objection	Requests conditions and informatives
WCC Highways	No objection	Request conditions and informatives
WCC Rights Of Way	No objection	Request an informative
WCC Archaeology	No objection	Request condition
WCC Ecology informatives	No objection	Request conditions and informatives
Warwickshire Wildlife Trust	Concerns	Indicate that further surveys are required
WCC Fire & Rescue	No objections	Request condition

Neighbour Responses;Original Plans

Neighbours (25)	Object	On the grounds of highway and pedestrian safety; impact on inc petition of the Cheshire Close cul-de-sacs; proximity of dementia unit to 55 signatures area of family housing with young children a concern; existing Use of site for horse paddock / stables appropriate to location; loss of nature and wildlife; adverse impact on quality of life; loss of green space; green land to be lost was an important factor in the purchasing of houses in the immediate area; loss of access rights for existing houses on Bilton Road; no provision for continued parking area for houses with Warwickshire County Council licenses over the land; development of this space would result in the loss of the last vestiges of its
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identity as a village location; parking concerns; inadequate parking provision for staff and users of proposed development; criminal activity concerns; proposed access will reverse reduced vehicle levels brought about by the Western Relief Road; inconsistency of plans; long term negative impact on the area; already a significant number of such facilities in the area; adverse impact on the conservation area; adverse impacts on the demographics of the area; loss of peace and tranquillity; change the character of Bilton; inadequate time for comments; loss of light; land was obtained through Compulsory Purchase Order by Warwickshire County Council to provide a by-pass which is now no longer needed as the Western Relief Road so should be returned by sale to those it was purchased off; conflict with policy including LR4 as the land is used for recreational purposes; conflict with policy TCR3; already a retirement village on outskirts of village; Bilton is not edge of town; no details on alternative site consideration including why it was rejected; inaccurate contents of submitted information; loss of rural, village setting; loss of privacy; overlooking; impact on character and appearance of the area; increased traffic disturbance; impact on property prices; the site should remain in its current use; impact on the area; lack of parking; over-spill parking happening on surrounding roads to the detriment of highway and pedestrian safety; impact on protected species; road junction too busy; likely use of the cycle path by the intended residents; proximity of development to mobile telephone installations; no trees or hedgerows should be lost; failure to complement surrounding design, appearance and height; loss of views; single access point seems inadequate; inaccurate details in submission; impacts for residents from neighbouring band practice hall; inadequate transport assessment; fumes from increased road level; loss of Greenfield land; loss of mature trees; loss of wildlife; noise and light pollution; loss of

trees; no need for the development; and loss of a public car park.

Neighbours (2) Support

Will be a good use of the land; would improve the security of the site and those surrounding sites; and there being a need for it in the locality.

1st Amended Plans

Neighbours (17) Object

On the grounds that a single vehicular access is insufficient for the numbers proposed; volume of traffic; increased congestion; loss of open green spaces; impact on the character of the area; bats roost on the site; impact on protected species; no parking provision provided for properties 306, 308, 310 and 312 Bilton Road, loss and destruction of green space; increased activities; parking concerns with inadequate amount provided; crime concerns; loss of wildlife habitat; impact on wildlife; sufficient brown field sites elsewhere that could be developed first; access concerns around proposed access junction; subsequent change of C2 houses to private; inaccurate plans; inclusion of land the owner is not willing to sell; no provision for wheelie bin storage; perceived overlooking; inadequate boundary treatments to adequately separate parking and amenity areas; emergency and refuse vehicle access concern; noise concerns; negate benefits that have arisen from the Western Relief Road; need for another such development in the area; inappropriate location; non-compliance with policies TCR3 and LR4; land was purchased by Compulsory Purchase Order (CPO) in order to be used to provide a by-pass and as that is not to be built the land should be returned by sale to those it was bought of; loss of light; adverse impact on the character of the area; increased stress on local facilities such as doctors; loss of existing landscaping; disruption; and there being numerous brown field sites in the Borough where the proposal could be sited.

Current Amended Plans

Neighbours (4) Object

On the grounds of there already being several of these facilities in the area; the area will become a primary centre of the old and infirm; failure to integrate in the area; village ambience cannot be achieved due to its scale, size and concentration of such facilities in the area; not an edge of town location; conflicts with policy TCR3; no details on what other sites have been considered and why they have been rejected; open space to eastern side of Beech Drive is in constant use despite statement in the submitted Feasibility Report; is of value to the community; is not brown field land; proposal will mitigate recent highway improvements; reduction in parking facilities for properties from 306 to 310 Bilton Road from 2 per dwelling to one per dwelling; failure to provide full rear access to 310 Bilton Road; lack of facilities for 306 to 310 Bilton Road risks emergency service access; inhibit safe loading and unloading for 306 to 310 Bilton Road; the site should be returned by sale to those it was bought off by Compulsory Purchase Order since it is not going to be used as a by-pass – the reason it was bought in the first place; loss of light through landscaping indicated on the plans submitted; proximity of landscaping to existing properties; adverse impact on the character of the area; loss of open space; introduction of significant buildings; traffic volumes; highway safety concerns on Ivy Grange junction; lack of parking; loss of green space; loss habitat and bio-diversity; proposed units at eastern end of site significant distance from access point; space for wheelie bin storage; inaccurate plans; there not being an 'existing conifer hedge' to the rear of properties on Bilton Road; and no benefit to Bilton.

Other Relevant Information;

Part of the site is currently used for the stabling of horses with associated paddock area whilst the remainder of the site is unused and inaccessible in parts due to a mixture of fencing, bunding and landscaping. A public footpath crosses the site linking Bilton village and The Green to the south of the site with housing and flats to the north of the site. Ground levels rise from west to

east and there is a slight increase from south to north across the site before falling away to the north.

The site, located within the Rugby Urban Area, was originally allocated for use to provide the Bilton by-pass however due to the creation of the Western Relief Road, the need for the land to provide a by-pass no longer exists. A section of the site is used as an area of paddock for horses whilst the remainder of the site, separated by the public right of way, is over-grown land not currently used for any purpose.

The site is in multiple ownership with Rugby Borough Council, Warwickshire County Council and a number of other private owners all having had notice served on them as land owners.

Relevant Policies;

RBLP Policy S1	Complies	Urban Development Priorities
RBLP Policy GP1	Complies	Design & Appearance of Developments
RBLP Policy GP2	Complies	Landscaping
RBLP Policy GP3	Complies	Protection of Amenities
RBLP Policy E5	Complies	Landscape & Settlement Character
RBLP Policy T3	Complies	Access & Highway Layout
RBLP Policy H11	Complies	Open Space Provision in Residential Developments in the Urban Area
RBLP Policy TCR3	Complies	Town Centre Uses
RBLP Policy LR1	Complies	Open Space Standards

- Planning Policy Statement 1 – Sustainable Development & Climate Change
- Planning Policy Statement 3 – Housing
- Planning Policy Statement 4 – Planning For Sustainable Economic Growth
- Planning Policy Statement 5 – Planning & The Historic Environment
- Planning Policy Statement 9 – Biodiversity & Geological Conservation
- Planning Policy Statement 23 – Planning & Pollution Control

Consideration;

Principle;

As indicated above the site is located within the Rugby Urban Area bordered by residential properties, a care home and local shops with there being other local facilities within the immediate locality. The provisions of Local Plan Policy S1 details that developments should be directed toward the Rugby Urban Area with the 1st priority site being previously developed land and the 2nd priority site being green field sites. In this instance given the current use as paddock and grass land the site constitutes a greenfield site which, given its location in the urban area and in the 2nd priority location of 5, the proposal complies with the requirements of policy S1 meaning that the principle of the development of the site is acceptable and in-line with policy requirements.

C2 Use;

The Town & Country (Use Classes) Order 1987 (as amended) states that a Class C2 use (Residential Institutions) defines care as being 'personal care

for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in Class C2 also includes the personal care of children and medical care and treatment'. Both the nursing home and dementia care units fall squarely into this class. In respect of the extra care units this definition specifically states old age and the applicant is prepared to accept a condition in respect of the extra care units that they only be occupied where at least 1 of the occupants of each unit be at least 55 years of age at the date of occupation and will purchase a basic minimum care package of 1 ½ hours per week from the on-site care provider.

Restricting the minimum age to 55 years in respect of the extra care units, requiring occupants to sign up to a minimum care package and the fact that the units will be leasehold will clearly discourage those individuals who are not elderly and in need of care. In addition the availability of care at higher levels than the 1 ½ hours a week to cater for the need of residents in addition to those in the nursing and dementia homes are further factors that weigh in favour of the proposed development falling within Class C2.

Need:

Policy TCR3 states Class C2 development should be located within Rugby Town Centre unless it can be demonstrated that there is a need for the development which cannot be met from suitable alternative sites or buildings within the town centre; and that the proposal is within an edge of town centre location; and the site would be capable of being made genuinely accessible by a choice of means of transport.

The Royal Town Planning Institute's Good Practice Paper on Extra Care Housing indicates that between 2006 and 2031 there will be approximately a 67% increase in the number of individuals over the age of 75 living in the United Kingdom. The applicant has provided evidence that there is a need for the development through extracts from the West Midlands C2 Housing Market Area: Strategic Housing Market Assessment which states that Rugby has an above average elderly population compared to the regional and national average. The relatively older population profile of the Borough combined with demographic trends towards an ageing population has potential implications for future accommodation. For example, an increased need for specialised accommodation for older people that if unmet could result in an under occupancy of larger dwellings creating a potential blockage in the market that may force younger families to leave the area. Para 69 of PPS3 states that Local Planning Authorities need to have regard to ensuring developments do cater for specific groups, such as older people.

Details submitted by the applicant in respect of need has highlighted that there is currently a shortfall in the number of units available of this nature and that taking account of Warwickshire County Council review of its care homes as well as anticipated increase in life expectancy serve to show that a need exists.

In light of the above points and given that the site is in an edge of town location within the defined Rugby Urban Area that is well served by bus routes, the proposal is considered to comply with the requirements of policy TCR3 and is acceptable in this location.

Extra Care Housing & Continuing Care Retirement Community Concept:

There is undoubtedly a demand for the availability of accommodation for the elderly, however, not all forms of sheltered housing meet the needs of older people. The RTPI Good Practice paper referred to above states that many older people now survive longer with a disabling illness and the chance for individuals to avoid residential care and live in specially designed housing so they can retain a sense of independence and dignity. Recent planning appeal decisions have reiterated this and highlighted that extra care provision can enable the elderly to maintain as long as possible an independent life and care can be more effectively delivered.

Extra care housing is understood to be a significant growth area and is described as purpose-built accommodation in which varying amounts of care and support can be offered and where some services are shared, but generally do not contain extensive communal facilities such as function rooms, laundries, restaurants, shops, health and fitness rooms.

A Continuing Care Retirement Community (CCRC) is a relatively new concept in the United Kingdom and is being promoted as a response to the limitations of traditional sheltered housing and care home models. The Elderly Accommodation Counsel considers that whilst such facilities are becoming an increasingly popular concept there is a lack of any single clear definition and significantly vary in size, but often include a number of recreation facilities and sometimes a care home. However, the Department of Health considers that they are all embracing comprehensive alternatives to both sheltered housing and residential care, providing for a wide range of needs and individual circumstances. Whilst the age range of CCRCs is understood to be varied they are typically occupied by people in their 70s and 80s on entry. They aim to cater for a whole range of needs and individual circumstances by promoting independence and choice with self-contained accommodation with access to on-site care and support enabling primary health, care and support services to come direct to the individual when required so they don't have to move. A regular service fee is applicable which covers maintenance, communal services, minimal support and care package which can be enhanced by an additional charge. It is the ability for older people to live within a community that links together to enable those individuals to live long into old age with choices that can adapt to their requirements.

The properties themselves are designed so they can be adapted internally for future occupiers and meet the requirements of Lifetime Homes, the Joseph Rowntree Foundation standard. This includes reinforced partition walls in the bathroom so they can support the weight of assisted equipment, as well as the ability to add in hoist tracks and lifts.

Warwickshire County Council Adult, Health & Community Care Services have stated that owing to the growth in the number and needs of older people in Warwickshire they are committed to a 'whole market' approach to increase care accommodation capacity across the county.

Access:

Other than the principle of the proposed development access is the sole item being considered as part of this application with all other matters (appearance, layout, scale and layout) being reserved for consideration at a later point should outline planning permission with access be given.

It is proposed that vehicular access to and from the site be via the existing access point on Ivy Grange. Access onto Ivy Grange is from the traffic light

controlled junction of Bilton Road, Main Street, Bawnmore Road and Ivy Grange. In respect of this access point and arrangement to and from the site the Highway Authority has no objections subject to conditions being attached to any permission.

Ecology:

Given the amount of trees and hedges etc on the site as well as the vacant grass / scrub land nature of the site an Extended Phase 1 Habitat Survey was submitted as part of the application which was assessed by the Warwickshire County Council Ecology Team as the Councils ecological advisors.

Whilst the Warwickshire Wildlife Trust have detailed that further surveys should be provided the WCC Ecology Unit, as the Councils formal advisors on ecological matter, has commented that the survey and its findings are acceptable and whilst some further information is required it is limited in scope and can be provided by way of conditions attached to any permission. As such it is therefore considered that the proposal would not have any adverse or detrimental impacts on ecology on the site or area.

Trees:

Within the site there are a number of trees and areas of hedging etc. A Tree Survey dated November 2010 was submitted in December 2010 that details trees on the site, their value then subsequently trees that should be retained / lost and for those trees to be retained how they should be protected.

This has been assessed by the Tree Officer who now has no objections to the proposal subject to conditions given that the survey has been done in-line with British Standards and appropriately details the number, type and value of trees etc on the site.

Indicative Plans:

The indicative plans submitted with the application showed a suggested layout with road running east to west access off Ivy Grange, two 3-storey blocks with the nursing home in the 1st and the dementia care unit in the 2nd opposite Ivy Grange and various areas of parking and open space dispersed between the 52 extra and close care houses / apartments, dentists surgery and 4 private houses. It was considered that based on the original indicative plans that the proposal represented an over-development of the site out of keeping with the character and appearance of the area as well as detrimental to amenity through reliance on land in neighbouring sites for outlook and light.

Following discussions the current amended plans have been provided that show a 55-bed nursing home and a 40-bed dementia care home both in 2 ½ to 3 storey buildings as well as 36 close care units in the form of 2-storey houses, cottages and apartments. With regards to the nursing home and dementia care buildings their re-positioning from that originally sought as well as re-orientation and altered layout either side of the public footpath are such that, subject to the details shown on the current amended plans, would be capable of support at the reserved matters stage. This is also due to their appearance being shown in a manner reflective of the buildings in Ivy Grange

whilst also relating to and fitting in with buildings to the rear of the site on Dewar Close.

In terms of the extra care units, the removal of the close care units and reduction in the number of extra care units has resulted in their location being spread more appropriately within the site creating an improved design and layout taking account of the road, footpaths, cycle route, parking etc as well as the nursing and dementia units. Their positioning within the site is more in keeping with surrounding residential dwellings whilst their indicative height (maximum of 2-storey) and the location of openings are such that the amenities of surrounding and neighbouring sites are capable of protection.

Discussions with the applicant have highlighted that the road, footpaths and cycle routes within the site will all be constructed to an adoptable standard and that this, together with the provision of the cycle route through the site from Lawford Lane to Beech Drive, is a requirement of the County Council as part owners of the site. These are all shown on the initially submitted indicative plans and the latest amended plans.

Existing dwellings at 306, 308 and 310 Bilton Road currently have a license agreement with Warwickshire County Council over the eastern section of the site from Beech Drive to the rear of their dwellings in order to provide rear access and parking. The amended plans indicate the provision of an access with parking and turning area from Beech Drive to the rear of the dwellings with associated wall and landscaped screening in order to allow this provision to maintain so preventing loss of off-road parking provision for these dwellings. Such a provision is supported given that they will retain off-road parking provision so preventing parking on the road which, it is considered, would lead to highway safety concerns.

As Members may be aware there have been recent changes to Planning Policy Guidance Note 13, Transport, which removes maximum parking standards that have been in place for a while but will only become effective when current maximum standards are reviewed. As such the current maximum standards contained in Appendix 3 of the Local Plan and used in connection with policy T5 will remain in place until reviewed.

With this in mind the revised indicative plans indicate a total parking provision of 61 spaces with 4 of these being for the existing dwellings at 306, 308 and 310 Bilton Road who, as detailed above, have a licence agreement with Warwickshire County Council for access over part of the site for access and parking purposes. As such a total of 57 spaces are available for the proposed development which would be in-line with the current maximum standards.

Contributions:

With regards to contributions, Warwickshire County Council library services have requested a contribution of £3,999 towards improved library facilities within the area based on the reduced numbers of units proposed in the scheme.

In addition to this a contribution of £32,677 is sought for open space purposes comprising £21,044 for natural and semi-natural green spaces with the remaining £11,633 being towards children and young people space. In terms of this requirement the calculations show that a contribution of £23,265 should be provided to go towards children and young peoples space however given that the extra care units, to which the contributions relate, can only be occupied where one of the occupiers is over 55 years of age and where they are purchasing a care package it is considered that a reduced figure is acceptable. The basis for a request toward children and young peoples open space is that many grandparents play an active role in providing childcare with recent government statistics estimating that approximately one in four families rely on grandparents on a regular basis. Therefore, whilst the end user of the proposed development will be older people, with at least one individual over the age of 55 (in the case of the extra care units), they could still have many years of independent living ahead of them and look after their grandchildren on a regular basis.

Objections:

As has been detailed above, a large number of letters of objection have been received in respect of the application on the various documents and plans, including amended plans, submitted on the application. Whilst a number of the reasons for objection have been dealt with above the following are considered in respect of those not already addressed.

As indicated above the Highway Authority is satisfied that the proposed access is satisfactory and that the indicative layout would not impact on either highway or pedestrian safety. Whilst siting is not being considered as part of this application the amended indicative plans provided show that the proposed buildings could be positioned in locations that would not impact on neighbouring amenity or be out of keeping with the area. Although the land is currently green space that adjacent property owners may have used as a factor in purchasing their properties its original purpose was to provide a by-pass through this section of Bilton and properties are not entitled to a view across land outside their ownership. In terms of the current access and licence arrangement for 306, 308 and 310 Bilton Road the amended indicative plans make provision for this to remain although the County Council could review this arrangement at any time. There is no evidence to show that the proposal would have any long term impacts on the area and whilst there are a number of nursing homes within the locality it is not considered that there is an over-supply. There is a Conservation Area nearby however the indicative positioning of the buildings on the amended plans are such that it is considered that the proposal will not impact on its character, appearance or historic quality. Given that the applications only seeks permission for the principle and access all of the other matters will be considered at reserved matters should permission be granted so concerns over loss of light, privacy etc cannot be fully established although the amended indicative plans are considered such that these would not be impacted upon. Property prices are not a materials consideration.

With regards to comments stating that as sections of the land were historically obtained by Warwickshire County Council through Compulsory Purchase Orders in order to provide the then proposed Bilton By-pass being returned to owners / properties through sale given that the by-pass will not be provided due to the construction of the Western Relief Road, this would be a civil matter between owners and the County Council.

Recommendation;

Recommend that subject to the completion of a Section 106 legal agreement to secure financial contributions for open space and library contributions, the application be approved subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R09/0681/MAJP

DATE VALID

27/07/2009

ADDRESS OF DEVELOPMENT

LAND BETWEEN LAWFORD LANE -
AND BEECH DRIVE
BEECH DRIVE
BILTON
RUGBY
CV227XE

APPLICANT/AGENT

Framptons
Oriol House
42 North Bar
Banbury
Oxfordshire
OX16 0TH
On behalf of Court (warwickshire) Ltd

APPLICATION DESCRIPTION

Outline planning permission with access for the development of the site for residential care purposes comprising 36 extra care units, a 55-bed nursing home with incidental amenity and service facilities, a 40-bed dementia care home, and associated infrastructure including car parking, cycle paths and landscaping (amended).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON

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

CONDITION 2:

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

REASON:

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

CONDITION 3:

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

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

REASON:

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

CONDITION 4;

Other than the dementia care unit, each unit of the residential accommodation hereby approved all of which fall within Use Class C2 of the Town & Country (Use Classes) Order 2010 (amended) shall be occupied by at least one person who has attained the age of 55 years and is in need of personal care by reason of old age, infirmity or disablement with those occupying the Extra Care Units being in receipt of at least 1 1/2 hours of care per week from a registered care provider.

REASON:

To ensure the units are occupied by those requiring personal care by reason of old age, infirmity or disablement in accordance with the information submitted as part of the application on which this decision has been based.

CONDITION 5:

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:

Amended plans numbered 905010/10 L, 905010/12 G, 905010/15 G, 905010/19 D, 905010/30 A and 487 Rev B all received by the Local Planning Authority on 6th December 2010.

Arboricultural & Planning Integration Report dated November 2010 received by the Local Planning Authority on 6th November 2010.

Foul Water & Surface Water Design Statement, Minor Revision dated 8th March 2010 received by the Local Planning Authority on 14th April 2010.

Extended Phase 1 Habitat Survey dated 1st June 2009 by Cotswold Wildlife Surveys received by the Local Planning Authority on 27th July 2009.

Phase 1 Desk Study by Cotswold Geotech received by the Local Planning Authority on 16th November 2009.

Document containing Environmental Flood Report in Part A, Foul & Surface Water Statement in Part B and the Site Investigation Ground Report & Historical Maps in Part C submitted as part of the application and received by the Local Planning Authority on 27th July 2009.

REASON:

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

CONDITION 6:

The landscaping scheme, as shall be approved as a reserved matter, shall be implemented no later than the first planting season following first occupation of any part 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 7:

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

REASON:

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

CONDITION 8:

Full details of the siting, design and materials of the proposed bin and cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details before the development is first occupied.

REASON:

In the interest of visual and residential amenity.

CONDITION 9:

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

REASON:

In the interest of visual amenity.

CONDITION 10:

Tree protection and proposed tree works shall be undertaken in accordance with the specific Arboricultural report / tree protection plan relating to the approved design details. All measures contained within the Arboricultural report / tree protection plan shall be implemented prior to the development phase to the satisfaction of the Local Planning Authority.

Reason: To ensure the satisfactory protection of and works to trees to be retained.

CONDITION 11;

No works or development shall take place until a specification of all proposed tree planting has been submitted to and approved in writing by the Local Planning

Authority. The trees and landscaping plan shall be planted no later than the first planting season following completion of the development. If within a period of 5 years from the date of planting any tree is removed, uprooted, destroyed or dies (or becomes in the opinion of the Local Planning Authority seriously damaged or defective) another tree of the same species and size originally planted shall be planted at the same place unless variations have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity

CONDITION 12:

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

REASON:

To ensure the proposed development of the site.

CONDITION 13:

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

REASON:

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

CONDITION 14;

The access to and from the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.

Reason: In the interests of highway safety.

CONDITION 15;

The access to the site for vehicles shall not be used until it has been provided with (not less than) a 6 metre kerbed radiused turnouts on each side.

Reason: In the interests of highway safety.

CONDITION 16;

The development shall not be commenced until an access for vehicles has been provided to the site not less than 5.5 metres in width at any point as measured from the near edge of the public highway carriageway.

Reason: In the interests of highway safety.

CONDITION 17;

The emergency access leading onto Lawford Lane shall not be less than 3.4 metres at any point.

Reason: In the interests of amenity and in order to ensure access in the case of emergency.

CONDITION 18;

Development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Full details of attenuation of surface water on site to the 1 in 100 year flood event standard plus an allowance of 30% for climate change using soakaways as proposed in the Foul Water & Surface Water Design Statement and drawing No. 905010.10/H.
2. At the detailed design phase, details must also be provided to confirm that surface water will not leave the proposed site in the 100 year + 30% climate change allowance event. If the system surcharges, the location of any surcharging should be identified as should any resultant overland flood flow routes. Any excess surface water must be routed away from any proposed or existing properties. If above ground flooding is to occur, detail must be provided of where this will go and prove that the development or adjacent property will not be flooded as a result.
3. Details of how the entire surface water scheme shall be maintained and managed after completion

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

CONDITION 19;

A full noise survey and assessment to include details of any resultant proposed work, to be carried out by a competent consultant, shall be submitted in writing as part of the reserved matters application to the and for the approval by the Local Planning Authority. Any agreed work shall then be implemented as part of the development in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection of amenities for occupants of the proposed units given the proximity of the site to the Bilton Social Club which has the potential to impact.

CONDITION 20;

Prior to the development commencing, details of the design, construction, installation and operation of any refrigeration and / or air handling plant to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of amenities.

CONDITION 21;

Deliveries to the Nursing Home and Dementia Care Home shall not be made to the site between the hours of 18.00pm and 08.00am Monday to Saturday and not at all on Sundays. Only emergency deliveries shall take place between the hours of 18.00pm and 08.00am Monday to Saturday and on Sundays with a record being kept

detailing any such emergency delivery that shall be made available for the Local Planning Authority to view.

Reason: In the interests of amenity.

CONDITION 22;

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

Reason: In the interests of fire safety.

CONDITION 23;

The development hereby permitted (including any demolition) shall not commence until a further bat survey of the site to include any suitable trees, preferably during May to August, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

CONDITION 24;

No work shall start until adequate measures have been taken to protect existing trees during development. A barrier, such as wire fence, should be erected adjacent to the trees before work starts and retained until the development has been completed. This fenced area should include an adequate buffer zone between the development and retained hedgerow / edge of the tree canopy. There shall be no access or storage of materials within this buffer zone.

Reason: To ensure the satisfactory protection or trees to be retained.

CONDITION 25:

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the 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.

CONDITION 26:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

Part 1. Site Characterisation

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

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

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

Part 2. Submission of Remediation Scheme

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

Part 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

Part 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

REASON;

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

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

S1, GP1, GP2, GP3, E5, T3, H11, TCR3 and LR1
Planning Policy Statement 1, Sustainable Development & Climate Change
Planning Policy Statement 3, Housing
Planning Policy Statement 4, Planning For Sustainable Economic Growth
Planning Policy Statement 5, Planning & The Historic Environment
Planning Policy Statement 9, Biodiversity & Geological Conservation
Planning Policy Statement 23, Planning & Pollution Control

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

REASON FOR APPROVAL:

The use of the application site for the approved development as amended would represent an effective, efficient use of the site for an identified need within the Borough and based on the indicative amended plans submitted the development is considered capable of being provided without adverse or detrimental impact on the immediate and wider area in accordance with policies S1, GP1, GP2, GP3, E5, T3, H11, TCR3 and LR18 of the Rugby Borough Local Plan 2006 as well as PPS1, PPS3, PPS4, PPS5 and PPS23.

INFORMATIVE 1;

The applicant / agent / developer is advised that Public Footpath RB21 which crosses the site shall not be obstructed prior to, during or following the construction of any approval.

INFORMATIVE 2;

Badgers and their sets (communal place of rest) are protected under the 1992 Badgers Act making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to the development and if evidence of badger activity is found (such as foraging routes, snuffle holes, latrines or established sets), then work must stop immediately whilst Warwickshire Museum Ecology Unit or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches that can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136.

INFORMATIVE 3;

Conditions 14 to 17 (highway conditions) above require works to be carried out within the limits of the public highway. The applicant / developer(s) must enter into a Minor Highway Works Agreement made under the provisions of Section 278 of the Highway Act 1980 for the purposes of completing the works. The applicant(s) / developer(s) should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority but they should be considered as drawings indicating the principles of the works on which

more detailed drawings should be based for the purposes of completing a Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Development Group, Warwickshire County Council, Environment & Economy Directorate, Shire Hall, Warwick, CV34 4SX.

INFORMATIVE 4;

In accordance with the 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 & 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. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days notice will be required. For works lasting longer than 10 days, three months notice is required.

INFORMATIVE 5;

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

Monday to Friday 7.30am - 18.00pm

Saturday 8.30am to 1300pm

No works on Sundays or Bank Holidays.

The applicant / developer is advised that work done outside of these hours may result in action being taken under the appropriate legislation in order to stop any adverse impacts on neighbouring / surrounding amenity where they raise issues.

INFORMATIVE 6;

The applicant / developer is advised that the extractor fans and ducting serving the kitchen area should be fitted with suitable degreasers and deodorisers. Also, all waste drains serving kitchen areas should be provided with grease traps and detritus traps prior to discharge into the sewer.

INFORMATIVE 7;

The applicant / agent is advised that it is the opinion of the Local Planning Authority that the indicative details shown on the approved plans in respect of the matters to be considered by way of reserved matters submission(s) would be capable of support at reserved matters stage.

INFORMATIVE 8;

This application is subject to a Section 106 legal agreement.

Reference number: R10/0383

Site address: Wolvey House Farm, Wolds Lane, Wolvey

Description: Conversion of Barns to 5 Residential Dwellings including the demolition of existing barn to be replaced with a new garage block.

Case Officer Name & Number: Owain Williams 01788 533789

Site Description

The site comprises a group of single and two storey red brick and slate/tile barns which are located on Wolvey House Farm which is sited within the Green Belt and to the east of the main rural village of Wolvey.

The farm is located on Wolds Lane which is a country lane of variable widths which terminates in a farm yard.

The farm buildings which form the site are at present redundant and sit to the south of the farm house. There are 4 barns which are grouped together and laid out parallel to each other. These barns vary in heights and form courtyards between the buildings due to their positioning. There are two other barns positioned in isolation to the South East and South of the other buildings to which one is an open ended Dutch Barn. The barn closest to the highway fronts the road and runs adjacent with the road for its entirety.

There are two entrances to the farm, one which serves the main farm house and the other for agricultural vehicles to access the barns and surrounding land, both of these exit out onto Wolds Lane.

There are two dwellings located opposite the farm which are positioned side on to the road. As you continue along Wolds Lane there are a couple of other dwellings before you reach the farm yard at the end.

Proposal Description

The proposal at Wolvey House Farm is to convert the five unused barns into five residential dwellings and also demolish the existing open ended Dutch barn and replace it with a garage block to serve the occupiers of the newly created properties.

The existing barns benefit from having many original openings and features to them and it is proposed throughout the development where possible to utilise these openings. It is proposed in certain areas to create new openings and the majority are mainly to be inserted into the elevations of Barns 4 and 5. Amended plans have been received. Modifications indicate the removal and reduction of some of the new openings to ensure that the irregularity of the barns and stables are retained.

The dwellings to be created from this conversion will consist of three, 3 bedroom properties, one 4 bedroom property and one 2 bedroom property.

The proposed new garage block which is to replace the existing open ended Dutch Barn will be a gable ended building which will stand at a maximum height of 4.6

metres. The garage block will consist of 5 garages all with hardstanding areas to the front which would give a total of two spaces per dwelling.

The existing farm access serving the site will be utilised for the development which would leave the farm house access free from traffic for the owners of the farm.

This application has been brought forward before committee on the request of Councillor Warwick and due to significant community interest.

Relevant Site History

None

Technical Consultation Responses

Building Control	No objections
Environmental Services	No objections subject to conditions
WCC Highways	No objections subject to conditions
WCC Ecology	No objections subject to conditions
WCC Archaeology	No objections subject to condition

Third Party Responses

Neighbour (21) – Objection	Inadequate lighting and no footpath on Wolds Lane so dangerous for pedestrians with the increase in traffic; the lane is too narrow; the development would be an incursion into the Green Belt; detrimental impact on the nature of the village; affect the precious rural character; totally inappropriate for Wolvey environment; more traffic would put more pressure on the dangerous junction of the Square and Wolds Lane; the character of Wolds Lane will change; increased traffic will spoil our pleasure of rural Wolvey; not enough room for two cars to pass on the sharp bend before the church graveyard; increase danger on the road; the farm made a positive contribution to the life of the village and was a viable operation; residential use is inappropriate in the Green Belt; traffic assessment is sketchy and has not provided a full time and motion study of the traffic in the lane; large delivery lorries visit properties regularly as most residents have septic tanks and need heating oil deliveries; no overall objection to scheme but the size of development is too much; the agricultural traffic has not been displaced; suggestion that the grass verges can be used for vehicle passing is nonsense and shows little concern for our village; modern garage block would look out of place as well as interrupting the current views of the Anker Valley; development would have detrimental effect on the rural character of the village and will destroy this green belt area; there are barn owls flying
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in the area and concerned development may affect their habitat

Parish Council – Objects

Value the open spaces and the Green Belt around the village; Strong desire to retain the rural identity of the village; seek to protect the farming community; any change of use from the farms agricultural heritage would be a significant and damaging change to the character and rural quality of the area; Wolds Lane is unsuitable for any further increase in traffic volumes and would affect the amenities enjoyed along the lane; whilst residential use would be preferable to commercial use, there is no valid reason for a change of use for these buildings; was a successful and productive farm and was integral part of the community as contributed to the Wolvey Summer Festival; the barns could be easily revived to their original use and cannot be accurately described as redundant; change of use from current agricultural status will have a long term impact on the future management of the surrounding land, its ecology and the biodiversity; there are errors with the transport assessment as it underestimates the number of trips per day from the development, not right to class grass verges as part of the highway, dispute the speed levels of the lane, the visibility splays of the site are inadequate, parking allocation is inadequate and the new build garage block is inappropriate in the Green Belt; there have been regular sightings of barn owls which is not picked up in the surveys and more should be done.

Relevant Local Plan Policies and Guidance

GP1	Complies	Appearance and Design of Development
GP3	Complies	Protection of Amenity
E2	Complies	Green Belt
E5	Complies	Landscape and Settlement Character
E6	Complies	Biodiversity
T3	Complies	Highway and Access Layout
T5	Complies	Parking Facilities

PPS1 – Delivering Sustainable Development

PPG2 – Green Belt

Assessment of Proposals

The determining issues to take into account in this case are the principle of the development within the Green Belt, the impact on the appearance and integrity of the barns, the impact on the neighbouring and surrounding amenity and the impact on highway safety.

Planning Policy Guidance 2, Green Belt states that with suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of the

land, especially by assisting farmers in diversifying their enterprises or the alternative to reuses maybe a building that is left vacant and prone to vandalism and dereliction. The policy continues to state that the re-use of the buildings inside a Green Belt is not inappropriate development providing; it does not have a materially greater impact than the present use on the openness of the Green Belt; strict control is exercised over the extension of re-used buildings; the buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction and that the form bulk and general design of the buildings are in keeping with their surroundings. Taking into consideration the conversion of the vacant/redundant barns/stables at Wolvey House Farm in context with the above policy guidance the principle would be acceptable as the buildings to be converted are all of substantial construction and capable of conversion without major works and would not impact on the openness of the Green Belt any more than that of the existing. In relation to the Parish Council's comments that the farm was a viable operation and the buildings should be retained in agricultural use, PPG2 states "that it should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes and that evidence that the building is not redundant in its present use is not by itself sufficient ground for refusing permission for proposed new use". In terms of offering the buildings to a commercial use as a preference to a residential use in this case would not be suitable due to the location of the buildings on the narrow country lane and that the increased traffic related with any use with commercial activity would be detrimental to highway safety. The applicant has demonstrated through a transport assessment that the introduction of 5 residential dwellings would not increase the level of traffic any more than which existed from the substandard access when the premises was in agricultural use and therefore it would not adversely impact on highway safety, Warwickshire County Council Highway Department have concurred with this and do not object. Taking into account the above it is considered that the proposed conversion of the barns would comply with policy E2 of the Local Plan and also the guidance contained in PPG2.

Policy GP1 of the Local Plan states that planning permission will only be granted for development, which safeguards or creates an attractive, interesting and, where appropriate, a varied and diverse environment. Related to this policy E5 states that all development proposals should respect and, where possible enhance, the quality and character of the area. It continues to state proposals that would damage or destroy features which contribute to the distinctiveness of the local area and are valued by the community will not be permitted. The Parish Council have indicated in their comments that the farm buildings do hold significance to the character of the village and that any conversion or change would be detrimental to the area. The proposed conversion of the barns will not result in any extensions or increase in the size of the barns and will involve only external alterations such as new openings and fenestration details which would safeguard the integrity of the barns whilst bringing the buildings back into use. The introduction of the garage block would be the main alteration to the existing layout however the garage will replace an existing open ended Dutch barn. The new garage block will be a quarter of the size of the existing Dutch Barn, so by replacing this large structure the openness and character of the Green Belt would be retained. The materials to be used for the garage block will be in keeping with that of the existing buildings therefore appearing in keeping with the area. Further to this another existing barn is to be removed to the east of the buildings and the land to which the barn sits would form a lawned garden so creating openness to the area. As the buildings are being converted with minimal alteration the appearance of the buildings when viewed from the public domain would remain unaltered therefore resulting in minimal impact on the character and appearance of the surrounding area.

Policy GP3 of the Local Plan states that planning permission will not be granted for development if there would be an unacceptable adverse impact on amenity in an area, including the amenities of persons occupying other premises, or the development itself. The only properties to be affected by the conversion would be the farm house of Wolvey House Farm and also the two dwellings located opposite the farm. The barns and stables are positioned as so that there would be no overlooking or loss of privacy created from the conversion of the buildings although first floors are being created. The main issue that has been raised by objectors to the scheme is in relation to the traffic that will be generated and the impact it would have upon the narrow country lane and the amenities currently enjoyed upon it. As already stated above the applicant has undertaken a transport assessment which indicates the traffic generated from the new residential access would be less than that of the existing agricultural use on the site, however the additional trips along the lane are "extra over" the existing traffic levels on the road. Although there would be increased traffic, in this case it is the opinion of the highway officer that the estimated additional vehicles of say 20 in a 16 hour day would not be material and therefore would have minimal impact on the safety of the highway. Taking this into account it is considered that the number of vehicle movements on the lane would not be significant enough to impact on the amenities of the residents opposite and also those who use the lane to walk, cycle and other leisure activities therefore the development would comply with policy GP3 of the Local Plan.

Policy E6 of the Local plan states that 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 where necessary supporting habitats. As part of the submission an ecological survey was undertaken with the results that there was no evidence of bats and a small number of nesting birds. The survey continues explain that care and consideration should be taken when undertaking any work to the buildings. The Ecologist at Warwickshire County Council has examined the survey undertaken by the applicants and found that the findings were adequate and could be supported albeit through condition and notes to applicant. Taking this into account it is considered that the proposed development would comply with policy E6 of the Local Plan.

The existing access to be utilised for the entrance of the site according to Warwickshire County Council highway department does not comply with current standards however as there will not be intensification in use of the access there are no grounds for objection. The removal or pruning of the hedgeline would improve and maintain the current situation but is not a concern of the highway department. The argument regarding the width of the road and the amount of traffic generated from the use impacting on the amenities of the area has been examined above and although there is to be an increase in the traffic it is considered not to be significant and therefore would have minimal impact on highway safety. The amount of parking spaces provided within and in front of the garage block would equate to two parking spaces per dwelling. In relation to the parking standards within the Local Plan the parking provided would match that of the maximum spaces stated. Taking the above into account it is considered the proposed conversion of the Barns would comply with policies T3 and T5 of the Local Plan.

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

APPLICATION NUMBER

R10/0383

DATE VALID

26/11/2010

ADDRESS OF DEVELOPMENT

WOLVEY HOUSE FARM
WOLDS LANE
HINCKLEY
LE10 3LL

APPLICANT/AGENT

John Clarke
Howkins & Harrison
7-11 Albert Street
Rugby
Warwickshire
CV21 2RX
On behalf of Mrs D Wadland & Mrs C
Bostock

APPLICATION DESCRIPTION

Conversion of Barns to 5 Residential Dwellings including the demolition of existing barn to be replaced with new garage block

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

Notwithstanding any indication given on the approved drawings, full details of the design, materials and finishes of all windows, including the reveal depths as well as the type and size of the proposed rooflights, and external doors shall be submitted to and approved in writing by the Local Planning Authority before any development commences. Development shall not be carried out other than in accordance with the approved details and the approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior written permission of the Local Planning Authority.

REASON:

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

CONDITION: 3

Full details (including elevations) of the proposed wall, fence and gates, shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Details agreed in accordance with this condition shall be carried out prior to the date on which the development is first occupied.

REASON:

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

CONDITION: 4

No part of the development hereby permitted shall be commenced until a scheme for the provision of three suitable nest cups for barn swallows to be erected within buildings onsite, or an adjacent site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the nesting cups shall be installed and maintained in perpetuity.

REASON:

To ensure that protected species are not harmed by the development

CONDITION: 5

No part of the development hereby permitted shall be commenced until a scheme for the provision of two suitable terrace nest boxes for house sparrows to be erected on buildings within the site has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity.

REASON:

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

CONDITION: 6

The development hereby permitted shall not commence until details of all external light fittings have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.

REASON:

To ensure the satisfactory appearance of the site.

CONDITION: 7

Prior to any development commencing full details of the proposed sewage treatment package plant(s) for the entirety of the proposed development or each of the 5 properties should be submitted to and approved by the Local Planning Authority. The applicant is advised to follow guidance contained in DETR Circular 03/99/ WO 10/99

'Planning requirements in respect of the non use of non-mains sewerage incorporating septic tanks in new developments'.

REASON:

To ensure satisfactory functioning of the development

CONDITION: 8

No development shall commence unless and until a contaminated land assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and measures to avoid risk (to the site users, buildings and environment) when the site is developed. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION: 9

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

REASON:

In the interest of health and safety.

CONDITION: 10

The vehicular access to the site shall not be used until it has been constructed to include the following requirements all of which are specified in 'Transport and Roads for Developments. The Warwickshire Guide 2001 (published by Warwickshire County Council).

a) Gates and barriers shall open into the site and shall not be placed within the vehicular access any closer than 5.5 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 55 metres to the right on egress and 35 metres to the left on egress. No structure, erection tree or shrubs exceeding 0.9 metres in height shall be placed, allowed to grow or be maintained within the visibility splays so defined

REASON:

In the interests of highway safety

CONDITION: 11

No development shall commence on site until a photographic record of the building has first been obtained in accordance with a brief to be first agreed in writing by the District Planning Authority in consultation with the Warwickshire Museum. The record so obtained shall be deposited with the Museum prior to work commencing.

REASON:

In the interests of archaeology

CONDITION: 12

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: 13

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: 14

This permission relates to the following plans and documents received by the Council on 26th November 2010. Plan nos. 14198-1, 14198-2, 14198-3, 14198-4, 14198-5, 14198-6, 14198-7 and the Protected Species Survey, Structural Survey and Transport Assessment and plans received on 6th January 2011. Plan nos 1026-01B, 1026-02B and 1026-03A

REASON:

To define the permission

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

GP1, GP3, E2, E5, E6, T3 and T5 of the Local Plan

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

REASON FOR APPROVAL:

The proposed conversion of the barns would retain the integrity of the barns with minimal alterations and no extensions made and whilst the garage block is a new addition it would replace an existing large Dutch barn therefore not impacting on the openness of the Green Belt complying with policies GP1, E2 and E5 of the Local Plan and also the guidance contained in PPG2. It is considered that the proposed conversion of the barns and the additional traffic involved would not be a material increase to affect the highway safety, the amenities enjoyed along it and the existing visibility splays therefore complying with policies GP3 and T3 of the Local Plan.

INFORMATIVE: 1

The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the buildings to be affected. All roofing material is to be removed carefully by hand. Preliminary building works are to be carried out in either March/April or September/October so as to prevent disturbing a possible maternity roost or hibernating bats. Should bats be found during this operation, then work must cease immediately while Natural England and WCC Ecology Unit are consulted for further advice. In addition to this the qualified bat worker shall submit a brief report to the local planning authority within 1 month following completion of the supervised works to summarise the findings

INFORMATIVE: 2

Bat populations have declined dramatically in recent years due to loss of roost sites as a result of development and loss of flight lines and foraging areas. Consequently bats are now afforded European protected species status. Consideration should be given to the provision of suitable bat boxes within the new build in order to increase opportunities for wildlife. Further advice and information can be obtained from the Bat Conservation Trust at <http://www.bats.org.uk/pages/encouragingbats.html>.

INFORMATIVE: 3

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

INFORMATIVE: 4

Badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while Warwickshire Museum Ecology Unit or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter,

leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136

INFORMATIVE: 5

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction it is requested that the following condition be attached.

Work on site must not occur outside the following hours: -

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

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

NO WORK ON SUNDAYS & BANK HOLIDAYS.

INFORMATIVE: 6

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

INFORMATIVE: 7

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.

Report prepared by: Owain Williams 6/01/11

Reference number: R10/2197

Case Officer: Chris Davies 01788 533627

Site address: Land off Orchard Close, Wolvey

Description: Submission of reserved matters against outline planning permission reference R08/0698/OPS, for erection of 3no. detached dormer bungalows with associated access, parking and works.

History:

R08/0698/OPS Outline Application for erection of 4 no. dwellings and
Approved 03/07/08

Since outline planning permission was granted one of the land owners has pulled out, hence the reserved matters application is only for 3no. dwellings.

Proposal:

Following outline planning approval for residential development on the site, the applicants seek reserved matters approval for the erection of 3no. detached bungalows and associated works. These reserved matters relate to:-

- Appearance
- Landscaping
- Layout
- Scale

The site has been reduced in size from that approved at the outline stage, following the withdrawal of one of the land owners, but still lies within the site previously considered. The number of dwellings proposed has been reduced to reflect the reduction in site area, but the access to the site remains as originally proposed.

Other relevant information:

This application is brought before the Committee for consideration at the request of Councillor Leigh Hunt.

The site lies at the head of a small residential cul-de-sac (Orchard Close), with access off the existing turning head between No.'s 2 and 3 Orchard Close, facing straight down Orchard Close towards the junction with Fern Hill Way.

Orchard Close comprises 5no. detached dormer bungalows of slightly varying styles, and is flanked at the junction with Fern Hill Way by two storey dwellings (No.'s 3 and 5 Fern Hill Way). No.'s 2 and 3 Orchard Close flank the vehicular access to the site.

The site backs on to a former commercial garage site (3 Coventry Road), and incorporates part of the rear gardens of Grassfield and No.5 Coventry Road. This site is the subject of an unrelated planning application for residential development.

The former garage site also has a detached bungalow on it which shares a boundary with the proposal site.

Technical Responses:

WCC Highways -	No objection	subject to the inclusion of standard conditions relating to access, verge crossing and construction traffic.
WCC Archaeology -	No objection	Condition required re submitting programme of archaeological works prior to commencement of development.
Environmental Health -	No objection	Requested condition re hours of operation during construction (informative to be used as no condition attached to original outline)
Landscaping Officer -	No objection	Recommended suitable tree species to include.
Tree Officer -	No objection	Details provided on landscaping scheme are sufficient to meet tree provision requirements.

Parish/Ward Responses

Parish Council -	Objections	Verbally notified of their concerns at the residential development of the site.
Ward -	Objections	Councillor Leigh Hunt represented the ward and raised concerns of Parish Council and residents when requesting that the application be put before the Committee.

Neighbour Responses

Individual comments (1) -	Observation	Concerned over possible impact on levels of privacy and traffic generation.
Petition/group submission - (21 names)	Objections	Materially different from outline proposals in terms of site size, layout, access and impact Loss of amenity to properties on Orchard Close Traffic and parking issues and associated noise Visually out of keeping with character of Orchard Close.

Planning Policy:

RBLP	GP1	Appearance and Design	Complies
RBLP	GP2	Landscaping	Complies
RBLP	GP3	Protection of Amenity	Complies
RBLP	GP16	Parish Plan	Complies
RBLP	T3	Access and Highway Layout	Complies
RBLP	T5	Parking Facilities	Complies
PPS3:		Housing	

Considerations:

The key considerations in determining this reserved matters application relate to a) the appearance and design of the development, b) landscaping, c) the impact of the proposed bungalows on neighbouring residential amenity, and d) the potential impact of the new proposed layout on the adjacent highway, including provision of parking facilities for the new properties.

Appearance and Design

Although the Wolvey Parish Plan (published in 2008) is a material consideration, the document does not refer to the reserved matters pertaining to this application (appearance, landscaping, layout and scale) in sufficient detail, and gives only general indications of preferred. By default, the proposed details therefore comply with Policy GP16 of the Rugby Borough Local Plan 2006, which seeks to ensure that Parish Plans form a material part of planning considerations.

Given that Orchard Close is a short and very straight cul-de-sac, and that the proposal site opens straight out at the end of it, the development would have a significant visual impact on the streetscenes of both Orchard Close and Fern Hill Way.

The dormer bungalows have been designed to respect the scale and character of the existing dwellings on Orchard Close whilst introducing some more individual features (such as the half-hip roof design on Plot 1). This gives the development the appearance of being a developmental extension of Orchard Close, with the terminus leading to a private drive arrangement serving the three properties. As well as being sympathetic to the setting, this also creates a sympathetic contribution to the streetscene of Fern Hill Way when viewed from the junction with Orchard Close.

The bungalows themselves are well spaced with proportionately appropriate amenity and garden space allocated to each one. This avoids an over-intensification of development on the site and creates a visually pleasing micro-streetscene that compliments Orchard Close itself.

The use of contrasting materials further establishes this micro-streetscene, whilst allowing the original character of Orchard Close to remain clearly evident.

The proposed use therefore complies with Policy GP1 of the Rugby Borough Local Plan 2006, which seeks to ensure that development is in keeping with its surroundings, and guidance set out in PPS3: Housing.

Landscaping

Following a recommendation from Neil Collett (Landscaping Officer) regarding appropriate tree species to include in the landscaping scheme, the agent submitted an amended site location plan detailing trees by species rather than just location.

These trees are species of varying size and appearance and will add visual interest and relief within the site and the wider streetscene of Orchard Close.

The proposed landscaping scheme therefore complies with Policy GP2 of the Rugby Borough Local Plan 2006, which seeks to ensure that sufficient and appropriate planting and landscaping schemes are included within developments of this nature.

Amenity

Each proposed bungalow has an enclosed rear garden proportional to the property's size, providing occupants with privacy and external space.

The fact that the proposed properties are orientated at 90° to the ones on Orchard Close should avoid detrimental loss of privacy to main habitable rooms in adjacent properties. The orientation also plays a significant role in overcoming loss of privacy due to direct overlooking, with the primary views from the front of properties being of the frontages of dwellings on Orchard Close and Fern Hill Way. Rear windows face towards the rear of properties on Coventry Road (being as they are built on former garden land belonging to these properties). These properties retain gardens of 12m minimum length, setting the rear elevations of the proposed bungalows some 18m from the rear elevations of the Coventry Road properties, thus sufficiently far apart to avoid loss of privacy from this vantage point.

Each property is also served by off road parking facilities sufficient to meet current standards (see below).

Overall the scheme is sympathetic to the amenities of both neighbouring residents and potential occupiers, and the proposals therefore comply with Policy GP3 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect residential amenity, and guidance set out in PPS3: Housing.

Highway and Parking Issues

The proposed layout of the site affords each property 2no. designated parking spaces. Given that each property only has 2no. bedrooms this should be sufficient to meet occupants' requirements.

Whilst parking on the roadside is not an ideal option, there is sufficient space in the locality to allow this on occasion should the need arise without causing significant disruption.

Conditions were placed on the outline approval to ensure that the access and parking provision were of a suitable standard prior to occupation of the properties, thus ensuring compliance with current standards.

The proposed use therefore complies with Policies T3 and T5 of the Rugby Borough Local Plan 2006, which seek to ensure that sufficient parking provision is made in order to avoid adverse impact on the operation and safety of adjacent highways.

Recommendation:

Approve subject to appropriate conditions.

Report prepared by: C Davies 17/01/11

DRAFT DECISION

APPLICATION NUMBER

R10/2197

DATE VALID

02/12/2010

ADDRESS OF DEVELOPMENT

Land off Orchard Close
Wolvey
Hinckley

APPLICANT/AGENT

Michael Ramus
Michael Ramus Architects
76 Priory Road
Kenilworth
Warwickshire
CV8 1LQ
On behalf of , James O'Flanagan Ltd

APPLICATION DESCRIPTION

Submission of reserved matters against outline planning permission reference R08/0698/OPS, for erection of 3no. detached dormer bungalows with associated access, parking and works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 14:

The development shall not be carried out other than in accordance with plan numbers 02 Revision A, 03 Revision A and S2788/01 (received by the Council on 30 November 2010) and amended plan number 01 Revision B (received by the Council on 14 December 2010).

REASON:

For the avoidance of doubt.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

GP1, GP2, GP3, T3 and T5

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

REASON FOR APPROVAL:

The proposed development will be in keeping with the surrounding area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policies GP1, GP3, and H8 of the Rugby Borough Local Plan 2006. The access arrangements and parking provision comply with current standards, in accordance with policies T3 and T5 of the Rugby Borough Local Plan 2006.

INFORMATIVE 6:

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

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

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

NO WORK ON SUNDAYS & BANK HOLIDAYS.

NOTE TO APPLICANTS:

The applicants' attention is directed towards Condition 12 of Outline Planning Permission reference R08/0698/OPS, which requires the implementation of a programme of archaeological works prior to commencing development.

Reference Number: R10/1522

Site Address: The Barn, Back Lane, Birdingbury, Rugby, CV23 8EN

Description: Installation of solar panels to the rear facing roof slopes of two curtilage buildings.

Case Officer Name and Number: Matt McConville – Tel: 01788 533763

The application is being reported to the Committee at the request of Councillor Hazelton.

Site Description:

The site lies towards the north east edge of the Birdingbury settlement in an area predominantly characterised by generous detached dwellings set around the historic lane. There are four listed buildings within the surrounding locality one of which is the application property. Brook Farm House directly to the south of the site and the Old Butchers building within its curtilage are also listed as is Davenport Cottage which is sited further to the south on the opposite side of Back Lane. The plot is access off a private drive leading to 3 modern dwellings that were built on the site of a large steel framed agricultural unit that was previously part of the Brook Farm's yard.

The dwelling known as The Barn comprises a Grade II Listed agricultural barn which abuts Back Lane. The unit has a modern single storey wing projecting to the east away from the lane and a workshop which projects south from the end of the single storey element creating a C shaped grouping of buildings. The barn element is the only listed section.

In 1999 consent was given for the use of the workshop for crafts and storage and included changes to the rear facing elevation and part re-roofing. This work was carried out. Planning permission was then granted for the conversion of the barn to a residential property in 2003 which included the conversion of the workshop to the rear. The approved work was completed with the exception of the alterations to the workshop.

A public right of way runs along the private access drive to the north of the site.

Proposed Description:

The application proposes the erection of eighteen solar panels spread over the roofs of two buildings within the curtilage. Twelve would be sited on the rear roof slope of the workshop building and eight would be placed on an outbuilding sited on the south east edge of the plot. The panels have a width of approximately 0.8 metres, a length of 1.58 metres and a depth of 0.35 metres. They would be fastened to the rafters of the building and sit above the roof tiles.

Relevant Planning History:

R99/0069/00874/P – Use of building as craft workshop and ancillary storage. Retention of porch to yard and new front elevation to workshop and part re-roofing. Erection of new roof over workshop – Approved – 17.03.99

R03/0929/0874/P & Ro3/0932/0874/LB – Proposed conversion of barn to single dwelling, replacement of single storey extension and erection of garage - Approved – 04.12.03

Technical Consultations:

WCC Ecology: No objections subject to the implementation of a condition.

Third Party Consultations:

Two letters of representation have been received – The letters object to the proposal on the following grounds:

The number of panels proposed is excessive – the panels will dominate and virtually cover the roofs of the buildings – it will harm the character of the local environment – no explanation as to why panels are required - will impact on the surrounding properties particularly the cluster of Listed Buildings - will set a dangerous precedent for other more visible roofs.

Relevant Local Plan Policies:

National Guidance:

PPS5 Planning for the Historic Environment:

Saved Policies of the Rugby Borough Council Local Plan;

GP1 – Appearance and Design of Development

GP3 – Protection of Amenity

GP4 – Energy Conservation

Assessment of Proposals:

Policy Background:

PPS5 encourages Planning Departments to support the adaption of heritage assets to allow enhanced energy efficiency, improved resilience to the effects of a changing climate as well as allowing greater use of renewable energy and the sustainable use of water. It states that where conflict between climate change objectives and the conservation of a heritage asset is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in this PPS and national planning policy on climate change. The guidance promotes the use of energy saving techniques on heritage assets provided it would not impact upon its historical or visual character or conflict with local policies and guidance. The saved Local Plan Policies indicate that development will not be acceptable if it would impact negatively on the character of an area, the residential amenities of nearby residents or create highways dangers.

Impact on the character and appearance of the surrounding area:

The proposed solar panels would be sited on the south east facing rear roof slopes of the workshop and a wooden barn which is positioned on the south

edge of curtilage bordering open countryside. The siting of the panels on the rear facing roof slopes of buildings within the rear garden would limit any visual intrusion.

The panels on the rear of the workshop would be partially visible from the highway / public footpath to the north of the site. This section of the property is set back from the highway boundary and orientated at 90 degrees to the road. This relationship means that the main visible element of the panels would be the side profile. It is not considered that the limited additional bulk and appearance of the panels from such a limited vantage point would unduly harm the visual amenities of the area.

Whilst the panels will be visible from the open countryside to the north their limited profile and relationship to the roof of the buildings will limit any undue impact. It is not considered that the increased prominence of the panels above that of the existing roof tiles on the two roof slopes would create a feature that would harm the character and openness of the adjacent countryside.

Impact on the setting of the Listed Building

The workshop is a wooden structure that creates a court yard between the main listed barn and the rear garden and screens much of the listed building from views from the countryside to the south. Whilst it is generally considered that solar panels are not an acceptable feature on listed buildings when they would be visible, it is considered that in this instance the panels would be on the separate workshop which has been altered in the past and would not be directly visually linked with the listed building. As the impact of the panels is reversible and they would not impact on the fabric of the listed element it is not considered that the proposal would unduly harm the historic fabric, character or setting of the Listed Building.

The outbuilding to the east is sufficiently separated from the Listed Building to avoid any undue impact on its setting.

Impact on the residential amenities of neighbouring properties.

The panels would be partially visible from the rear of the 3 dwellings which abut the north east boundary. These dwellings are orientated at 90 degrees to the application property. Whilst the panels would be more prominent than the existing roof tiles, they would not cause any undue loss to the amenities to surrounding residents through the creation of an over-prominent feature or through loss of privacy.

Ecological Implications:

The County Council's Ecology Section has did not object to the proposal subject to the implementation of a condition which requires a suitably qualified bat worker to be present on site during the works. Given the sites relationship to the open countryside and the nature of the works it is considered that this is a reasonable request.

Conclusion:

The improvement of the energy efficiency of heritage assets such as the application property through the use of renewable energy products such as solar panels is something that is encouraged by Government Guidance contained within PPS5. The guidance promotes the use of such products when the proposal would respect the character or setting of the asset, and complies with other national guidance and local policies.

In the opinion of the Local Planning Authority the proposed development would be in-keeping with the character of the area and would not unduly impact upon the setting of the listed building, the residential amenities of neighbouring properties or highways safety. It is therefore considered that the proposed development would comply with the guidance contained PPS5 as well as Saved Policies GP1, GP3 and GP4 of the Rugby Borough Local Plan.

Recommendation

Approve subject to conditions

DRAFT DECISION

APPLICATION NUMBER

R10/1522

DATE VALID

01/11/2010

ADDRESS OF DEVELOPMENT

THE BARN
BACK LANE
BIRDINGBURY
RUGBY
CV23 8EN

APPLICANT/AGENT

Mr Chris Barney
The Barn Brook Farm
Back Lane
Rugby
Warwickshire
CV23 8EN

APPLICATION DESCRIPTION

Installation of Solar Panels to roof slopes of two curtilage buildings

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:
Proposed Photo Voltaic Panels (amendment A showing 12 panels on Bulding A)
Proposed Photo Voltaic Panels Side elevations

Notwithstanding the details on the Site Layout Plan. No More than 12 panels shall be placed on the workshop roof slope.

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 development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building to be affected. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England and WCC Ecology Unit are consulted for further advice. In addition to this the qualified bat worker shall submit a brief report to the local planning authority within 1 month following completion of the supervised works to summarise the findings.

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

REASON FOR APPROVAL:

In the opinion of the Local Planning Authority the proposed development would be in-keeping with the character of the area and would not unduly impact upon the setting of the listed building, the residential amenities of neighbouring properties or highways safety. It is therefore considered that the proposed development would comply with the guidance contained PPS5 as well as Saved Policies GP1, GP3 and GP4 of the Rugby Borough Local Plan.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:National Guidance:

PPS5 Planning for the Historic Environment:

Saved Policies of the Rugby Borough Council Local Plan:

GP1 - Appearance and Design of Development

GP3 - Protection of Amenity

GP4 - Energy Conservation

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

INFORMATIVE 1:

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

Reference Number: R10/1458

Site Address: The Barn, Back Lane, Birdingbury, Rugby, CV23 8EN

Description: Installation of solar panels to the rear facing roof slopes of two curtilage buildings.

Case Officer Name and Number: Matt McConville – Tel: 01788 533763

The application is being reported to the Committee at the request of Councillor Hazelton.

Site Description:

The site lies towards the north east edge of the Birdingbury settlement in an area predominantly characterised by generous detached dwellings set around the historic lane. There are four listed buildings within the surrounding locality one of which is the application property. Brook Farm House directly to the south of the site and the Old Butchers building within its curtilage are also listed as is Davenport Cottage which is sited further to the south on the opposite side of Back Lane. The plot is accessed off a private drive leading to 3 modern dwellings that were built on the site of a large steel framed agricultural unit that was previously part of the Brook Farm's yard.

The dwelling known as The Barn comprises a Grade II Listed agricultural barn which abuts Back Lane. The unit has a modern single storey wing projecting to the east away from the lane and a workshop which projects south from the end of the single storey element creating a C shaped grouping of buildings. The barn element is the only listed section.

In 1999 consent was given for the use of the workshop for crafts and storage and included changes to the rear facing elevation and part re-roofing. This work was carried out. Planning permission was then granted for the conversion of the barn to a residential property in 2003, which included conversion of the workshop to the rear. The approved work was completed with the exception of the alteration of the workshop.

A public right of way runs along the private access drive to the north of the site.

Proposed Description:

The application for Listed Building Consent proposes the erection of eighteen solar panels spread over the roofs of two buildings within the curtilage. Twelve would be sited on the rear roof slope of the workshop and eight would be placed on an outbuilding sited on the south east edge of the plot. The panels have a width of approximately 0.8 metres, a length of 1.58 metres and a depth of 0.35 metres. They would be fastened to the rafters of the building and sit above the roof tiles.

Relevant Planning History:

R99/0069/00874/P – Use of building as craft workshop and ancillary storage. Retention of porch to yard and new front elevation to workshop and part re-roofing. Erection of new roof over workshop – Approved – 17.03.99

R03/0929/0874/P & R03/0932/0874/LB – Proposed conversion of barn to single dwelling, replacement of single storey extension and erection of garage - Approved – 04.12.03

Third Party Consultations:

Two letters of representation have been received – The letters object to the proposal on the following grounds:

The number of panels proposed is excessive – the panels will dominate and virtually cover the roofs of the buildings – it will harm the character of the local environment – no explanation as to why panels are required - will impact on the surrounding properties particularly the cluster of Listed Buildings - will set a dangerous precedent for other more visible roofs.

Relevant Local Plan Policies:

National Guidance:

PPS5 Planning for the Historic Environment:

Assessment of Proposals:

Policy Background:

PPS5 encourages Planning Departments to support the adaption of heritage assets to allow enhanced energy efficiency, improved resilience to the effects of a changing climate as well as allowing greater use of renewable energy and the sustainable use of water. It states that where conflict between climate change objectives and the conservation of a heritage asset is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in this PPS and national planning policy on climate change.

Impact on the setting of the Listed Building

The workshop is a wooden structure that creates a court yard between the main listed barn and the rear garden and screens much of the listed building from views from the countryside to the south. Whilst it is generally considered that solar panels are not an acceptable feature on listed buildings when they would be visible, it is considered that in this instance the panels would be on the separate workshop which has been altered in the past and would not be directly visually linked with the listed building. As the impact of the panels is reversible and they would not impact on the fabric of the listed element it is not considered that the proposal would unduly harm the historic fabric, character or setting of the Listed Building.

The outbuilding to the east is sufficiently separated from the Listed Building to avoid any undue impact on its setting.

Conclusion:

The improvement of the energy efficiency of heritage assets such as the application property through the use of renewable energy products such as solar panels is something that is encouraged by Government Guidance contained within PPS5.

In the opinion of the Local Planning Authority the proposed development would not unduly impact upon the historic fabric or setting of the listed building. It is therefore considered that the proposed development would comply with the guidance contained PPS5.

Recommendation

Listed Building Consent be granted subject to conditions.

DRAFT DECISION

APPLICATION NUMBER

R10/1458

DATE VALID

01/11/2010

ADDRESS OF DEVELOPMENT

THE BARN
BACK LANE
BIRDINGBURY
RUGBY
CV23 8EN

APPLICANT/AGENT

Mr Chris Barney
The Barn
Back Lane
Rugby
Warwickshire
CV23 8EN

APPLICATION DESCRIPTION

Installation of Solar Panels on the roof slopes of two curtilage buildings

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:
Proposed Photo Voltaic Panels (amendment A showing 12 panels on Bulding A)
Proposed Photo Voltaic Panels Side elevations

Notwithstanding the details on the Site Layout Plan. No more than 12 panels shall be placed on the workshop roof slope.

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 development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building to be affected. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England and WCC Ecology Unit are consulted for further advice. In addition to this the qualified bat worker shall submit a brief report to the local planning authority within 1 month following completion of the supervised works to summarise the findings.

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

REASON FOR APPROVAL:

In the opinion of the Local Planning Authority the proposed development would not unduly impact upon the historic fabric or setting of the listed building. It is therefore considered that the proposed development would comply with the guidance contained PPS5.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

PPS5 Planning for the Historic Environment

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

INFORMATIVE 1:

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

Reference number: R10/2085

Site address: 180 Wood Street, Rugby, CV21 2TS

Description: Change of use from B2 general industrial use to D2 use class for use as a martial arts centre.

Case Officer Name & Number: Debra Harrison 01788 533 402

Technical Consultations:

Highways – no objection
Environmental Services – no objection
Economic Development – no objection

Neighbour Consultation:

Neighbour consultation letters sent – No objections
Two site notices were also erected.

Planning History:

This site has a lengthy site history dating back to 1974. The following lists the most recent and pertinent applications dating from 1994.

R94/0800/2203/P	Use of existing building for purposes within Class B2 (General Industrial Use) of the Town and Country Planning (Use Classes) Order 1987.	Approved	18/11/1994
R95/0090/2203/P	Erection of replacement boundary wall and provision of cladding to all elevations of buildings.	Approved	05/04/1995
R96/0511/2203/P	Erection of single storey extension to existing factory building.	Approved	30/08/1996
R06/0735/MAJP	Demolition of existing building and erection of 23 No. 1 and 2 bedroom apartments with vehicular and pedestrian access and parking.	Withdrawn	
R07/0702/PLN	Subdivision of the existing industrial unit to form 3 No. units together with associated works, provision of an additional vehicular access, and improvements to the existing parking provision.	Approved	30/05/2007

Site Description:

The application site comprises part of No. 180 Wood Street, which is an industrial building located just outside the boundary of the town centre and is located within the High Access Parking Zone.

The area of the building, which this application is concerned with has been vacant for a number of years. The eastern section of No. 180 Wood Street is currently occupied by Wood Street Auto Centre, a car repair and tyre sales unit.

To the west of the site is a vacant industrial building and to the south of the site is St Phillip's District Church and the Church Hall which are both vacant.

Vehicular access to the application site can be gained from Wood Street and there is a parking area to the front and rear of the property.

Proposal:

This application seeks the change of use of part of No. 180 Wood Street from a B2 General Industrial Unit to a D2 unit for use as a Martial Arts Centre.

No external changes are proposed as part of this application with only minor internal changes in the form of the erection a partition wall proposed.

No changes are proposed to the site access and parking is proposed to the rear and front of the building, with access to the site being gained from the eastern end of the site.

Planning Policies:

RBLP GP1	Appearance and Design	Complies
RBLP GP3	Protection of amenity	Complies
RBLP T3	Access and highway layout	Complies
RBLP T5	Parking Facilities	Complies
RBLP ED6	Retention of other employment land	Conflicts
RBLP TCR3	Town centre uses	Complies
RBLP TCR7	Local shops and community services in urban and rural areas	Complies

Key Considerations:

The key considerations in the determination of this application are the acceptability of the principle of the change of use of this site, the impact the change of use of this site may have on the amenity of neighbouring properties and parking and access to the site.

The proposed change of use of the property will not result in any external changes to the building therefore this application complied with policy GP1.

Principle of the change of use

Policy ED6 states that the loss of buildings that were last in employment uses would not be permitted except where the applicant can demonstrate that there is no reasonable prospect of employment use continuing, resuming or being attracted; or continued use for employment purposes would cause demonstrable harm to the environment or local amenity.

Marketing evidence is to follow at a later date to support this application.

The application site is located outside the town centre boundary, by approximately 260m. Policy TCR3 states that outside the defined the town centre a D2 use amongst others is permissible where it is specifically permitted by other policies within the Local Plan 2006 or where they comply with the following:

1. The developer can demonstrate there is a need for the development that cannot be met from suitable alternative sites or buildings within the town centre; and,
2. The proposal is within an edge of town centre location; and,

3. The proposal would be capable of being made genuinely accessible by a choice of means of transport as well as by car. The development should be easily and safely accessible by pedestrians, cyclists, those with impaired mobility and those using public transport.

The applicant has applied for the change of use of this unit as there are no D2 units available for use in Rugby town centre. The applicants business is currently located on Newbold Road and the lease on the current premises ends in March 2011 and they would be on a rolling lease from that point on. A permanent and larger site is required to provide a base for G Force Martial Arts as the membership of the centre has increased significantly over the past 18 months.

As demonstrated by the evidence provided by the applicant there are no suitable alternative sites within Rugby to accommodate this use. The applicant has visited a number of sites, all within the B2 General Industrial use class as no units are available with a D2 use class. The applicants business is currently located at No. 5 Newbold Road, which has a gross internal floorspace of approximately 185 sq m and requires any new premises to have an internal floorspace area of approximately 280 sq m, however no premises of this size have been found to be available, as detailed below and an application for the change of use of No. 180 Wood Street has been submitted, which provides approximately 240 sq m.

Of the properties viewed by the applicant each was unsuitable on the basis of size. Nine properties are listed by the applicant as sites viewed as potential new locations, four of these were too small with a floorspace of between 164 sq m to 203 sq m and four more were too big with the the floorspaces ranging between 504 sq m to 1858 sq m. One other unit presented in the property information list provided to the Council had a suitable amount of floorspace available, however this unit is located within the Webb Ellis Industrial Park and the location of the Wood Street unit is preferable as a potential D2 unit as it is not located within an industrial park.

The site is located within 260m of the town centre boundary and within the High Access Parking Zone and is easily accessible by rail, car, cycle and foot.

The proposed D2 use is a community use and policy TCR7 states that the development of new services to meet the needs of local communities will be permitted providing the following criteria area met:

1. They are located within settlements and are close to existing residential areas or are developed as an integral part of a planned new development; and,
2. They are readily accessible by a choice of means of transport, including by foot and cycle; and,
3. The nature and the scale of the development would be commensurate with its function to provide facilities for the local resident population; and,
4. The development would not adversely affect the vitality and viability of an existing or planned retail centre.

This change of use is located just outside the defined town centre boundary and is located amongst a cluster of general industrial units but also within a highly residential area, which is easily accessible by train, foot cycle or car. As previously mentioned the proposed change of use is required to accommodate an existing business and community service which provides private leisure facilities for the local population. The change of use of the unit would not affect the vitality and viability of an existing or planned retail centre. Thus this change of use proposal is also in compliance with Local Plan policy TCR7.

On the basis of the nature of the proposed use and the information supplied, although the proposal conflicts with policy ED6 it is considered that the principle of the proposed change of use is acceptable in this instance as it is in compliance with policies TCR3 and TCR7.

Potential impact on amenity

Policy GP3 is concerned with the protection of the amenity in an area, including protecting amenities of people occupying premises, or the surrounding development in terms of:

1. Overlooking; or,
2. Loss of privacy; or,
3. Loss of sunlight/daylight; or,
4. Disturbance from traffic; or,
5. Excessive illumination; or,
6. Noise or dust; or,
7. Fumes and smells.

The change of use of the application site to accommodate a D2 Martial Arts Centre will not affect the amenity of surrounding properties.

The proposed use of a martial arts centre will not affect the amenity of surrounding properties as the use is located within an existing building which is not within close proximity to neighbouring building and will not result in any overlooking to adjacent properties or the loss of sunlight/daylight.

The proposed use will not generate disturbance from traffic for neighbouring properties as the traffic movements to and from the site will only be generated by visitors to and from the site, with classes averaging 10 to 15 students per session. On site parking will be provided, utilising existing parking to the rear and front of the application site, providing approximately 14 to 16 car parking spaces. The proposed change of use will not result in excessive illumination, noise, dust or fumes and smells.

The proposed change of use will not affect the amenity of neighbouring properties and is in compliance with policy GP3.

Parking

Policy T3 states that planning permission will only be granted for development incorporating a satisfactory highway layout. Access to the application site is gained from the existing eastern end of the greater site of No. 180 Wood Street.

Policy T5 requires satisfactory parking facilities to be provided based on the Councils parking standards. Car parking standards within the High Access Zone allow for a maximum of 0.5 spaces per 3 staff and 0.5 spaces per 30m² training area. On this basis the maximum number of spaces permitted is four. The site utilises existing space for car parking spaces and provides enough space for approximately fourteen vehicles.

Policy T4 requires cycling facilities to be incorporated into a development. Based on the floorspace of the training area Minimum cycle standards within the Local Plan 2006 require a D2 use of this type to provide three long stay cycle spaces for staff

and seven short stay cycle spaces for visitors to the centre. Secure cycle parking will be available on the ground floor of the premises, within the centres office and under the stairwell. Although the space available will not provide the level of cycle parking spaces required by the Local Plan it is considered that the level of provision, which would be available will be adequate to serve the centre.

Summary

This proposed change of use is a departure from the Adopted Local Plan 2006 and seeks to change the use of a building within a B2 General Use to a D2 brings back into use a vacant building. Although this change of use conflicts with policy ED6 it does comply with policies TCR3 and TCR7 and is considered to be a suitable use in this location.

The proposed change of use will not affect the amenity of neighbouring properties and is in compliance with policy GP3.

This application provides exceeds the maximum parking standards and provides approximately 14 to 16 car parking spaces. As the car parking is provided on existing hardstanding it is not considered to be an issue that the maximum car parking standards will be exceeded. Cycle parking will be provided within the centre. The site also has adequate existing access to and from the site and County Highways have no objections to this application. This site is considered to comply with policies T3, T4 and T5.

The change of use of this site to be used as a D2 Martial Arts Centre is considered to be acceptable in this location and is recommended for approval.

Recommendation:

Approve

Report prepared by: Debra Harrison

Draft Decision Notice

APPLICATION NUMBER

R10/2085

DATE APPLICATION VALID

07/12/2010

ADDRESS OF DEVELOPMENT

180 WOOD STREET
RUGBY
CV21 2TS

APPLICANT/AGENT

Mr Gordan Burcham
G Force Martial Arts
119 Winfield Street
Rugby
Warwickshire
CV21 3SH

APPLICATION DESCRIPTION

Change of use from B2 general industrial use to D2 use class for use as a martial arts centre.

CONDITIONS, REASON FOR APPROVAL & 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 plans ground floor plan and first floor plan received by the Council on 07/12/2010.

REASON:

For the avoidance of doubt.

CONDITION 3:

The premises shall be used for a martial arts centre within the D2 use and for no other purposes including any other purpose in Class D2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification.

REASON:

In the interests of the amenities of the locality.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

GP1, GP3, T3, T5, ED6, TCR3, TCR7

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

REASON FOR APPROVAL:

This proposed change of use to form a D2 Martial Arts Centre is a departure from the Adopted Rugby Borough Local Plan 2006. Although the change of use conflicts with policy ED6 it does comply with policies TCR3 and TCR7 and is considered to be a suitable use in this location.

The proposed change of use will not affect the amenity of neighbouring properties and is in compliance with policy GP3 of the Adopted Rugby Borough Local Plan 2006.

The application provides adequate car parking facilities and cycle parking provision and complies with policies T4 and T5 of the Adopted Rugby Borough Local Plan 2006. The application site also benefits from a satisfactory existing access point and County Highways have no objections to this application. This site is considered to comply with policy T3.

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 Warwickshire County Council's Rugby Area Team Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

INFORMATIVE 2:

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

INFORMATIVE 3:

Any obvious hydrocarbon staining on the external walls and/or hardstanding should be removed.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	2 nd February 2011
Report Title	Planning Appeals Update
Ward Relevance	All
Prior Consultation	None
Reporting Director	Head of Planning & 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	This report relates to the following priority(ies): 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
Statutory/Policy Background	The Planning Appeals procedure which came into effect on 6th April 2009
Summary	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01.10.2010 to 31.12.2010
Risk Management Implications	There are no risk management implications arising from this report.

<i>Financial Implications</i>	Increases 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 & 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 - 2nd February 2011

Planning Appeals Update

Report of the Head of Planning & 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 October – 31st December 2010) a total of 5 appeals were determined of which 1 was withdrawn, the remaining 4 were dismissed.

A schedule of the appeal cases for this period is attached for information (see Appendix A).

1.2 Appeals outstanding / in progress

As at 31st December 2010 there were 7 planning appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
 Date Of Meeting: 2nd February 2011
 Subject Matter: Planning Appeals
 Originating Department: Head of Planning & 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)



APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1ST OCTOBER 2010 - 31ST DECEMBER 2010

Application Ref No.	Location	Description	Appeal Decision	Planning Inspectorate Appeal Ref No. Decision Type
R09/1050/TA Richard Redford	Junction of Hillmorton Road and Shenstone Avenue, Hillmorton Rugby	Prior Approval for siting of a 13.8m high pole with a 480mm GRP shroud, together with 2 no. equipment cabinets	Dismissed 25.10.2010	APP/E3715/A/10/2133543/NWF Officer rec. – Refusal Committee dec. – Refusal
R10/0121 Karen McCulloch	Site at Oak Tree Farm, Freeboard Lane, Ryton On Dunsmore, Coventry, CV8 3EQ	Extension to existing annexe to provide a study/ancillary accommodation to the main house.	Dismissed 27.10.2010	APP/E3715/D/10/2135586 Officer rec. – Refusal Committee dec. – Refusal
ENF/2010/0114 ENF/2010/0114 Nathan Lowde	Cherry Tree Farm (formerly known as Boundary Farm) Nethercote Rugby CV23 8AS	Without planning permission the importation and formation of an access to a residential property over agricultural land Without planning permission the erection of a 2.5m. fence	Dismissed 03.12.2010 Dismissed 03.12.2010	APP/E3715/C/10/2134719 APP/E3715/C/10/2134723 Costs awarded <u>TO</u> Rugby Borough Council

<p>R09/0862/PACA CD</p>			<p>Dismissed 24.12.2010</p>	<p>APP/E3715/E/10/2129304/WF Delegated – Refusal</p>
<p>R09/0122/PLN Richard Holt</p>		<p>Erection of a building and use as an abattoir, cold store and meat processing plant with associated offices, formation of a yard area, provision of parking facilities, formation of a vehicular access and roadway, and associated works.</p>	<p>Withdrawn 20.10.2010</p>	<p>APP/E3715/A/10/2136198/NWF. Officer rec. – Refusal Committee dec. – Refusal</p>

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31st December 2010

Application Ref No.	Location	Description	Appeal Type	Planning Inspectorate Appeal Ref No. Decision Type
R09/0826/PLN NL	Land at Smeaton Paddocks, Smeaton Lane, Stretton on the Fosse, CV23 OPS	Use of land for purposes associated with use as a private gypsy caravan site for one gypsy family including the retention of 2 no. mobile homes, area of hardstanding and formation of a vehicular access (retrospective)	Hearing Planning/ Enforcement Appeal	APP/E3715/A/10/2126698 – Planning APP/E3715/A/10/2126698 Enforcement Delegated – Refusal
NL	Cadmea 11 Park Cottage, Cathiron Lane, Harborough Magna	Change of use of the Boat House and workshop to residential use	Enforcement Written reps	APP/E3715/C/10/2137109
NL	Fields Farm, Lower Green, Woolscott	Change of use of land and building to Haulage Depot	Enforcement Public Inquiry	APP/E3715/C/10/2135712
NL	White House, Oxford Road, Princethorpe	Without Planning Permission the erection of a first floor rear extension	Enforcement Written reps	APP/E3715/C/10/2137641
NL	Fosse Farm, Fosse Way, Stretton on Dunsmore	Erection of farm office	Enforcement Written Reps	APP/E3715/C/10/2137344 and APP/E3715/C/10/2137430

NL	Canal View, Cathiron Lane, Harborough Magna	Without planning permission change of use of land to from agricultural to residential caravan site and the unauthorised importation and laying of material to form a hard-standing	Enforcement Public Inquiry	APP/E3715/C/10/2140644
R10/0849 KMcC	Land to the rear of Willow House, Haswell Close, Rugby	Outline application for erection of single dwelling, including details of access (via Willow Lane) & layout and detached garages to serve proposed dwelling & Willow House.	Written reps	APP/E3715/A/10/2142268/WF

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	2 nd February 2011
Report Title	Delegated Decisions – 21 st December 2010 to 20 th January 2011
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Maureen Buckland x 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 Deputy Chief Executive 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 – 2nd February 2011

Delegated Decisions –21st December 2010 to 20th January 2011

Report of the Head of Planning and Culture

Recommendation

The report be noted

1. BACKGROUND

Decisions taken by the Head of Planning and Culture in exercise of powers delegated to her during the above period are set out in the Appendix attached

Name of Meeting: Planning Committee
Date Of Meeting: 2nd February 2011
Subject Matter: Delegated Decisions – 21st December 2011 to 20th January 2011
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 DIRECTOR OF TECHNICAL SERVICES UNDER
DELEGATED POWERS FROM 21.12.2010 TO 20.01.2011

A. APPLICATIONS – DELEGATED

**Applications
Refused**

<i>R10/1598 Refused 23.12.2010</i>	51 Norton Leys Rugby	Provision of pitched roof to existing garage
<i>R10/1615 Refused 23.12.2010</i>	Fosse Farm Fosse Way Stretton on Dunsmore Rugby	Retention of existing building for use as a multi-purpose agricultural and general farm building
<i>R10/1008 Refused 05.01.2011</i>	Ashurst Farm Wood Lane Coventry	Waiver of Condition 3 of Planning Permission R02/0253/19895/P dated 17/06/2003 to allow the dwelling house to be occupied by persons not connected to the farrier business (re-submission of R09/0403/WAI) refused on 11/08/2009
<i>R10/0412 Refused 13.01.2011</i>	Wrens Nest Coventry Road Cawston Rugby	Two storey extension to rear, single storey extension (linking existing house with rear outbuildings), alteration to roof of existing sun lounge
<i>R10/1957 Refused 17.01.2011</i>	Stretton Fields Farm Hydes Lane Stretton Baskerville	Temporary permission for a mobile home in connection with equestrian purposes for a period of 4 years

**Applications
Approved**

<i>R10/0529 Approved 21.12.2010</i>	Land adjacent to 22 Paradise Street Rugby	Erection of a detached dwelling (Resubmission of a previously approved planning permission ref. no. R07/1614/PLN granted 24.10.2007)
<i>R10/2060 Approved 21.12.20120</i>	4 School Lane Stretton on Dunsmore Rugby	Erection of a single storey side extension (resubmission)
<i>R10/1525 Approved 21.12.2010</i>	108 Monks Road Coventry	Provision of tiled roof to garage (retrospective)
<i>R10/2177 Approved 22.12.2010</i>	20 Wordsworth Road Rugby	Erection of a single storey side extension (including demolition of the existing garage)
<i>R10/2179 Approved 23.12.2010</i>	9 Field View Cawston Rugby	Conversion of part of garage to living accommodation (Retrospective)

<i>R10/2153 Approved 23.12.2010</i>	Land to the rear of 263-273b Hillmorton Road Rugby	Planning permission for the construction of 6 detached dwellings and external alterations to No. 273a and 273b Hillmorton Road (Re-submission of outline planning approval R07/2052/OPS)
<i>R10/2190 Approved 31.12.2010</i>	63 Clifton Road Rugby	Installation of sun tubes to front and rear elevation of dwelling
<i>R10/2096 Approved 04.01.2011</i>	27/28 Rokeby Court Orson Leys Rugby	Installation of solar panels to the roof of apartment block
<i>R10/2116 Approved 04.01.2011</i>	3 The Locks Hillmorton Rugby	Alterations to existing stables to create ancillary residential accommodation
<i>R10/2138 Approved 04.01.2011</i>	The Dell Fosse Way Princethorpe	Substitution of house type against previously approved residential dwelling under permission reference no. R09/0321/PLN
<i>R10/2141 Approved 04.01.2011</i>	1 Wolds Lane Hinckley	Single storey rear extension
<i>R10/2162 Approved 04.01.2011</i>	2 Fellows Way Hillmorton Rugby	Erection of a single storey extension incorporating an integral replacement garage (resubmission).
<i>R10/2198 Approved 04.01.2011</i>	4 Oakdale Court Coventry	Erection of a rear conservatory
<i>R10/2240 Approved 04.01.2011</i>	9 Eastlands Road Rugby	Detached garage
<i>R10/2250 Approved 04.01.2011</i>	Field opposite Marton Glebe Farm Stockton Road Rugby	Erection of a stable block with associated stores, concrete apron and creation of an access road
<i>R10/1908 Approved 05.01.2011</i>	Barberry Cottage 1 Lower Street Willoughby Rugby	Demolition of existing conservatory and single storey rear extension and erection of a two storey rear extension and a replacement garage and porch
<i>R10/1713 Approved 05.01.2011</i>	41 Clifton Road (Land to the rear) Rugby	Two storey building containing 4 no. one-bedroom flats and demolition of existing boundary wall (Amended plans)
<i>R10/2262 Approved 05.01.2011</i>	41 Rugby Road Dunchurch Rugby	Erection of a first floor rear extension and raising the roof to convert loft into habitable living area (Amendment to a previously approved planning permission Ref. No. 600 to include dormer window to rear roof slope and an additional window in the side elevation)

<i>R10/2114 Approved 05.01.2011</i>	Stretton Fields Farm Hydes Lane Stretton Baskerville	Retrospective planning permission for construction of manege
<i>R10/2139 Approved 05.01.2011</i>	Water Tower Farm Barby Road Rugby	Proposed toilet and shower block
<i>R10/2285 Approved 06.01.2011</i>	Field to the west of Barn Meadow Farm Fiddlers Field Calcutt Lane Rugby	Planning permission to retain manege
<i>R10/2243 Approved 07.01.2011</i>	West Lodge Brinklow Road Coventry	Planning permission to retain a stable block without complying with Condition 2 of R10/1629
<i>R10/1631 Approved 10.01.2011</i>	47 The Crescent Rugby	Proposed triple garage
<i>R10/2305 Approved 11.01.2011</i>	46 Bromwich Road Hillmorton Rugby	Erection of a two storey side extension
<i>R10/1013 Approved 11.01.2011</i>	Royal British Legion Club 35 Heath Lane Rugby	Demolition of existing club, the erection of 4 detached dwellings and creation of new vehicular access
<i>R10/2154 Approved 11.01.2011</i>	The Manor House Southam Road Rugby	Proposed extensions and alterations to the main dwelling house and annex
<i>R10/2288 Approved 12.01.2011</i>	43 Rugby Road Clifton upon Dunsmore Rugby	Erection of a rear conservatory
<i>R10/2220 Approved 12.01.2011</i>	1 Florin Place Hillmorton Rugby	Conversion and retention of part of existing triple bay garage to ancillary residential accommodation for a dependant
<i>R10/0949 Approved 12.01.2011</i>	Lemon Groundworks Supplies Units 1 and 2 Hunters Lane Rugby	Demolition of various structures, erection of a workshop, overcladding and extension of the existing gantry crane. (Re-submission and amendment of a previously approved planning permission Ref. No. R05/1502/6877/PLN granted 3 rd April 2006)
<i>R10/1306 Approved 12.01.2011</i>	David Smith Packaging Boughton Leigh House Brownsover Road Brownsover Rugby	Erection of 5 dwellings with associated landscaping and highway works
<i>R10/2055 Approved 12.01.2011</i>	Village Hall The Square Wolvey	Installation of solar PV panels on South facing roof

<i>R10/2260</i> <i>Approved</i> <i>13.01.2011</i>	Uplands Birdingbury Road Rugby	Rebuild existing side extension and erection of an attached double garage with roof terrace above
<i>R10/1801</i> <i>Approved</i> <i>14.01.2011</i>	1-2 St. Matthews Street Rugby	Change of use of second floor flat of no. 1 - 2 St. Matthews Street to form three no. self contained apartments
<i>R10/0042</i> <i>Approved</i> <i>17.01.2011</i>	184 Dunchurch Road Rugby	Retention of gated entrance
<i>R10/1174</i> <i>Approved</i> <i>17.01.2011</i>	286 Bilton Road Rugby	The erection of a two storey side extension and single storey front and rear extensions
<i>R10/1347</i> <i>Approved</i> <i>17.01.2011</i>	42 North Road Clifton upon Dunsmore Rugby	New dwelling at rear of 42 North Road for a Local Housing Need
<i>R10/1959</i> <i>Approved</i> <i>20.01.2011</i>	The Bryants Brandon Lane Coventry	Alterations and extension to existing bungalow

Listed Building Consents

<i>R10/0229</i> <i>Approved</i> <i>04.01.2011</i>	Elmhurst 42 Hillmorton Road Rugby	Listed Building Consent for retention of replacement windows and associated internal and external alterations
<i>R10/2160</i> <i>Approved</i> <i>05.01.2011</i>	Stretton Lodge Main Street Stretton under Fosse Rugby	Retrospective consent for internal alterations to the kitchen flue
<i>R10/2155</i> <i>Approved</i> <i>11.01.2011</i>	The Manor House Southam Road Kites Hardwick Rugby	Listed Building Consent for the extension and alteration of the Main Dwelling House and Annex
<i>R10/2273</i> <i>Approved</i> <i>13.01.2011</i>	23 Leicester Road Wolvey Heath Wolvey	Listed Building Consent for re-roofing of building
<i>R10/2297</i> <i>Approved</i> <i>14.01.2011</i>	Flat 5 9 Bilton Road Rugby	Listed Building Consent to brick up existing door and removal of fire escape to rear

Advertisement Consents

<i>R10/2316</i> <i>Approved</i> <i>14.01.2011</i>	New Retail Unit Adjoining Unit C Junction One Retail Park Leicester Road Rugby	Advertisement Consent to display 2 internally illuminated fascia signs
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Certificate of Lawful Use or Development

<i>R10/2257 Approved 04.01.2011</i>	Burton Farm Burton Lane Burton Hastings	Certificate of Lawfulness for continued use of an agricultural building and office for residential purposes
<i>R10/2255 Approved 11.01.2011</i>	Rugby Garden Centre Straight Mile Bourton on Dunsmore Rugby	Certificate of Lawful Development for an existing use at the Garden Centre for the sale of items not utilised or grown, or used in the normal household garden such as items as described within the letter dated 6th January 2011 from Gregory Gray Associates Ref GCG/10/696 and Section 8 of the submitted application form dated 06/12/10 sold within the areas labelled as A, B, C and D as shown on drawing GG/RGC/02 Rev A.

Agricultural Determinations

<i>R10/2329 Prior approval is NOT required 06.01.2011</i>	Land adjacent to Manor Farm Work Units Sawbridge Road Willoughby	Determination as to whether prior approval is required for erection of machinery/fodder store.
<i>R11/0090 Prior approval is NOT required 19.01.2011</i>	Gibraltar House Farm Gibraltar Lane Leamington Hastings Rugby	Application for prior notification for the erection of a clear open span agricultural building to store crops

Approval of Details/ Materials

<i>R07/0600/MAJP Approval of details 21.12.2010</i>	Land at Plowman Street Rugby	Discharge of Conditions 2 & 4 – Landscaping and Boundary Treatment; Condition 5 – Materials; Condition 6 – Bin store detail; Condition 7 – External appearance; Condition 9 – Footway crossing; Condition 11 – Contamination; Condition 12 – Fire Hydrants; Condition 13 – Cycle store:
<i>R09/0255/PLN Approval of details 30.12.2010</i>	Ansty House Farm Main Road Ansty	Discharge of Conditions 2 & 3 – Materials; Condition 6 – Ecology; Condition 13 – Landscaping; Condition 15 – Boundaries:
<i>R08/1437/DET Approval of details 17.01.2011</i>	Adkinson Avenue Redevelopment Adkinson Avenue Dunchurch Rugby	Discharge of Condition 4 – changes to plan 07401/50 dated 26/11/2010 ; Condition 11 – Additional highway parking spaces ; Condition 14 – Environmental Assessment ; Condition 15 – Foul and surface water disposal ; Condition 16 – Noise Impact Assessment ; Condition 17 – Fire Hydrant
<i>R09/0255/PLN Approval of details 17.01.2011</i>	Ansty House Farm Main Road Ansty	Discharge of Condition 7 (part) - Archaeology

R10/1259
Approval of details
20.01.2011

Land to the rear of
Cambridge Court
Cambridge Street
Rugby

Discharge of Condition 11 - Contaminated
Land Phase I Desk Study Assessment

***Withdrawn/
De-registered***

R10/2051
Withdrawn
16.12.2010

Wood Farm Brewing Co.
Ltd.,
Wood Farm
Coalpit Lane
Willey

Creation of new vehicular access

R10/02286
Withdrawn
05.01.2011

66 Rugby Road
Binley Woods
Coventry

Erection of a porch, side and rear extension,
new pitched roof with three dormers to front
elevation and two dormers to rear elevation.

R10/2322
Withdrawn
17.01.2011

Conifer House
Church Hill
Stretton on Dunsmore

Erection of a first floor extension to form a link
corridor