

26<sup>th</sup> June 2015

## **PLANNING COMMITTEE - 8<sup>TH</sup> JULY 2015**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 8<sup>th</sup> July 2015 in the Council Chamber, Town Hall, Rugby.

### **Site Visit**

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

4.00pm      Newbold Farm, Main Street, Newbold

Adam Norburn  
Executive Director

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

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

## **A G E N D A**

### **PART 1 – PUBLIC BUSINESS**

1. Minutes.  
To confirm the minutes of the meeting held on 17<sup>th</sup> June 2015.
2. Apologies.  
To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.

5. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.

6. Delegated Decisions – 21<sup>st</sup> May – 10<sup>th</sup> June 2015.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2015/16 – 4) are attached.

### **Membership of the Committee:-**

Councillors Ms Robbins (Chairman), Mrs Avis, H Avis, Butlin, Cade, Gillias, Miss Lawrence, Lewis, Sandison, Mrs Simpson-Vince, Srivastava and Ms Watson-Merret.

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic and Scrutiny Services Officer (01788 533524 or e-mail [claire.waleczek@rugby.gov.uk](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic and Scrutiny Services Officer named above.*

*The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website ([www.rugby.gov.uk/speakingatplanning](http://www.rugby.gov.uk/speakingatplanning)).*

**Planning Committee – 8<sup>th</sup> July 2015**

**Report of the Head of Planning and Recreation**

**Applications for Consideration**

Planning applications for consideration by the Committee are set out as below.

- Applications recommended for refusal with the reason(s) for refusal (pink pages)
- Applications recommended for approval with suggested conditions (yellow pages)

**Recommendation**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for refusal

There are no applications to be considered which are recommended for refusal.

### Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R15/0967	27 York Street, New Bilton, CV21 2BL Two storey side and single storey rear extension (previously approved under R15/0226) and a change of use from Use Class C4 (4 bedroom House of Multiple Occupation (HMO)) to a Use Class Sui Generis (7 Bedroom Large HMO).	3
2	R14/2369	Newbold Farm, Main Street, Newbold, Rugby Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. dwelling houses with associated garages and car parking.	11
3	R14/1465	28A Hillmorton Road Rugby Warwickshire CV22 5AA Demolition of existing dwelling and garages and erection of a pair of semi-detached dwellings to provide masters' houses for Rugby School.	26
4	R14/2236	Site C, Former Peugeot Works, Oxford Road, Ryton on Dunsmore Outline planning application for redevelopment of 13.65ha of the southern part of the former Peugeot Works site for Class B2 (general industry) & Class B8 (warehouse, storage & distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels.	39
5	R15/1091	The Old Police House, 28 Coventry Road, Pailton, Rugby, CV23 0QB Removal of existing garden shed/store and erection of a timber clad garage/store, ancillary to the dwelling, incorporating photo voltaic panels to roof elevation.	76
6	R15/1128	Rugby Borough Council Car Park, Railway Terrace, Rugby Temporary change of use of the car park area to provide a Rugby Village/Fanzone in conjunction with the Rugby World Cup 2015 events between 11 <sup>th</sup> September and 6 <sup>th</sup> November 2015 including associated facilities, temporary structures and alterations and event branding.	82

**Reference number:** R15/0967

**Site address:** 27 York Street, New Bilton, CV21 2BL

**Description:** Two storey side and single storey rear extension (previously approved under R15/0226) and a change of use from Use Class C4 (4 bedroom House of Multiple Occupation (HMO)) to a Use Class Sui Generis (7 Bedroom Large HMO)

**Case Officer Name & Number:** Paul Varnish – 01788 533771

This application has been called in by the New Bilton Ward Councillors Mistry and Birkett due to concerns raised by local residents.

### **Site Description**

The application site is a traditional semi-detached dwelling within the Rugby Town Centre Area. The property is set back slightly from the road and has white rendering to the front and side and the original redbrick to the rear. There is currently provision for one off road parking space, which will remain if the property is extended. There is no vehicle access from Edward Street, which prevents the road being used as a cut-through and serves the purpose of reducing traffic flow. The property is within a High Access Zone with good accessibility to public transport.

To the rear of the dwelling there is a garden with a circa 1.8 metre high close boarded fencing on the rear boundary. To the side boundary at 25 York Street there is a 1.8 metre close boarded fence, with a small rear extension that sits directly behind it.

At number 35, Wards Engineering Works, adjacent to the highway there is a single storey rough cast rendered building with a pitched roof, that adjoins to a two storey rough cast rendered building that is also part of the Engineering Works. There are no windows in either the single storey or two storey side elevation. Towards the rear of the Works there is a red brick external wall, circa 2.5 metres high, which forms part of the actual Works building and is adjacent to the application site's garden area.

### **Proposal Description**

This application is seeking planning permission for a two storey side and single storey rear extension (previously approved under R15/0226) and the change of use of a property from a four bed House of Multiple Occupation (HMO) to a seven bed large HMO. The proposal can be viewed in two parts, the first being the two storey side and single storey rear extension, which will increase the number of bedrooms from four to a total number of seven and the second being the material change of use from a Class C4 HMO, which is a shared house that is occupied by between 3 and 6 unrelated individuals who share basic amenities, to a large HMO, which is more than 6 people sharing, and is considered to be a use class sui generis, (of their own kind). It is recognised that the change of use is only possible if the property is enlarged to include a further 3 bedrooms.

### **Relevant Planning History**

R15/0226 - Erection of a two storey side and single storey rear/side extension - Approved - 04/03/2015

### **Technical Consultation Responses**

Rugby Borough Council Environmental Health Department – No Objection – Subject to conditions and informatives – 04/06/2015

Rugby Borough Council Housing Department - The proposed change of use for increased bedroom spaces will assist in meeting the strategic housing need for accommodation within the borough – Received 18/05/2015.

Warwickshire County Council Ecology – previous comments from R15/0226 – 11/02/2015

Warwickshire County Council Highways – No Objection - 27/05/2015

### **Third Party Responses**

County Councillors – Cllr O'Rourke – Support of Cllrs Mistry and Birkett.

Councillors – Cllr Avis – Concern with traffic, parking problems and whether the proposal conforms to Parking Policy T5. Young tenants playing loud music. Loss of family homes and the impact on the community because of short term tenants - 08/06/2015

Cllr Mistry and Cllr Birkett – Concern regarding parking, access for car users, refuse collection, emergency service etc. Anti-social behaviour problems.

Neighbours – 6 Neighbours: Gross overdevelopment. Many properties within the street have become rental properties with multiple tenants. The issue of parking, the car parking space at the property not being used, cars been parked illegally and access for delivery vehicles, refuse collection etc. The current or previous residents at the property have had noisy parties, instances of drunkenness and violent incidents where the police have been called.

### **Relevant Planning Policies and Guidance**

#### Core Strategy

CS1 Development Strategy - Complies

CS16 Sustainable Design - Complies

#### Saved Local Plan Policies

T5 Parking Facilities - Complies

#### National Policy

National Planning Policy Framework (NPPF)

#### Guidance

Sustainable Design and Construction SPD

#### Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and parking.

#### Impact on the qualities, character and amenity of the area

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

The proposed two storey side extension is of a scale and design that is considered to be sympathetic and will appear subservient to the main dwelling. This will include: a lower roof ridge height; the extension being set back circa 3.5 metres from the main dwelling's principle elevation and the side elevation being 0.75 metres from the neighbouring properties boundary. The proposed materials will be of a similar style and type and will include brickwork, tiles and rendering, which will match the original dwelling and give the property a more uniformed appearance. The extension will be visible from the streetscene, but is not considered to be over prominent or obtrusive and therefore visually acceptable.

The single storey rear extension is not visible from the highway and will therefore have no real visible impact on the streetscene.

#### Impact upon the amenity of neighbouring properties

In terms of the impact on the neighbouring properties, the proposal is considered to be acceptable. The neighbouring property Wards Engineering Works has no side facing windows within their two storey or single storey side extension and therefore it is considered that the proposal will have a minimal adverse impact in terms of loss sunlight/daylight or loss of privacy or overlooking.

The proposed single storey rear extension is of a similar height to Number 25's single storey extension, but will project a further circa 1.5 metres out. The Supplementary Planning Document residential guideline for checking the impact of a single storey proposal is to apply a 45 degree line from the mid-point of the neighbour's single storey rear window. The 45 degree line has been applied from number 25 and the proposal does not conflict with this line. Therefore, it is considered that it will not be overbearing or affect the neighbour's daylight.

#### Change of use from Use Class C4 (4 bedroom House of Multiple Occupation (HMO)) to a Use Class Sui Generis (7 Bedroom Large HMO)

##### Principle of Development

The site is located within the Urban Area of Rugby as identified in the settlement hierarchy contained within Policy CS1. The policy states that the urban area outside of the town centre is the primary focus for new residential development and meeting strategic growth targets and therefore the proposed change of use from a C4 dwelling to a large house of multiple occupation (sui generis use), is considered acceptable in principle. Furthermore, the Rugby Borough Council Private Rented Accommodation Officer recognised that the change of use and subsequent increase in bedroom spaces would assist the Council in meeting the strategic housing need for accommodation within the Borough.

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

In terms of intensification of the property, the dwelling is currently being used as a four bed HMO, which can accommodate up to six people. The property will include a further three bedrooms. Under housing legislation, only four of the rooms can be used as double rooms and three of the rooms are for single occupation, this would equate to a maximum of eleven people being able to reside at the property. However, due to the provision of kitchen and bathroom facilities being only suitable for ten people, the maximum number of residents would be set at ten. This could equate to an increase of approximately four people, based on the current and proposed property being occupied to the maximum number of people. However, if all the available rooms, in the current and proposed property, were only occupied by one person this would see an increase of only three people.

In terms of the loss of residential properties to rental properties, the Environmental Health Team has confirmed that there are other HMOs within the vicinity of the property, but no other known HMOs registered within York Street.

Taking into account that the number of people who could accommodate the property at any one time is only approximate and is based on the maximum number in occupancy, with the likelihood of this number being in residence unlikely as four of the rooms are shared double rooms and that the property is the only known HMO within the street, the proposal is not considered to be an over intensification of the property or an over intensification of HMOs within the street.

The Rugby Borough Council Environmental Health Team consider the proposal to be of an acceptable standard and had no objection to the proposal, subject to the applicant complying with the Council's standards of Amenities for a house of multiple occupation. EH has requested further information regarding any potential contaminative risk caused by Wards Engineering, which will require a condition being satisfied prior to the commencement of the development. Although a number of concerns were raised by neighbours in terms of antisocial behaviour, it has been confirmed by the Council Environmental Health Team that there have been no recorded incidences of anti-social behaviour at the property.

It is therefore considered that the proposal complies with policy CS1 and CS16.

#### Impact on parking and highway safety

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

The Planning Obligations SPD states that any development not listed within the document will be judged on an individual basis. As a large HMO is considered to be *Sui Generis* (of their own kind) the SPD advises that it needs to be judged on its own merit and according to the suitability of the location. Within the guidance, it can be considered that a Large HMO is most similar to a dwelling apartment. The SPD advises that for a dwelling apartment with more than 3 bedrooms that lies within a high access zone; only one parking space is required. As the property lies within the High Access Zone and has provision for one parking space, it is considered to be an acceptable location. Furthermore, York Street is not within a 'residents only parking zone' and there is no restriction for off road parking. Taking into account the issue of parking and the guidance within the SPD a revised scheme was requested to include the provision of a cycle stand.

In terms of highway safety, WCC Highways have been consulted and consider that although there are issues in regards to the provision of parking in terms of being '*general competition for (parking) space in the vicinity*', they consider this an amenity issue and not one in terms of highway safety, and therefore have no objection.

It is therefore considered that the proposal does not warrant a refusal on the grounds of having insufficient off road parking and complies with policy T5.

Warwickshire County Council Ecology have raised no objection to the application subject to the attachment of bat and nesting bird informatives and as such, it is considered that the impact of the development on biodiversity is acceptable according with the contents of Saved Local Plan Policy E6.



Recommendation:

Grant Permission subject to conditions

**DRAFT DECISION**

**APPLICATION NUMBER**

R15/0967

**DATE VALID**

14/05/2015

**ADDRESS OF DEVELOPMENT**

27 YORK STREET  
NEW BILTON  
RUGBY  
CV21 2BL

**APPLICANT/AGENT**

Michael Park  
Mnm Design Limited  
2 Field View  
Cawston  
Rugby  
Warwickshire  
CV22 7FE  
On behalf of Mr Brian Williams

**APPLICATION DESCRIPTION**

Two storey side and single storey rear extension (previously approved under R15/0226) and a change of use from Use Class C4 (4 bedroom House of Multiple Occupation (HMO)) to a Use Class Sui Generis (7 Bedroom Large HMO)

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development shall not be carried out other than in accordance with the amended plans 27York/2 and 27York/3 received by the Local Planning Authority on the 21st May 2015 and amended plan 27York/1 received on the 11th June 2015.

REASON:

For the avoidance of doubt.

CONDITION 3:

The facing materials to be used on the external walls and roof shall be of the same type, colour and texture as those used on the existing building and as specified within the application form received by the Local Planning Authority on the 21st May 2015.

REASON:

To ensure a satisfactory external appearance.

CONDITION 4:

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

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

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

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

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

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

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

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

**REASON:**

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

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

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

**INFORMATIVE 2:**

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

**INFORMATIVE 3.**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

#### INFORMATIVE 4:

##### Permitted Construction Times

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 to Friday                                 7.30 a.m. to 18.00 p.m.

Saturday   8.30 a.m. to 13.00 p.m.

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

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

#### INFORMATIVE 5:

##### Advisory notes to Applicant

The applicant should comply with the Council's Standards of Amenities for houses in multiple occupation. This document is available on the Council's website.

The applicant is required to comply with Parts 1, 2 and 7 of the Housing Act 2004, as applicable.

The applicant will be required to extend the existing fire safety measures to adhere to current guidance for houses in multiple occupation. Further advice should be sought from Housing Enforcement within Environmental Services.

For further information contact Housing Enforcement on (01788) 533863.

**Reference number: R14/2369**

**Site address: Newbold Farm, Main Street, Newbold, Rugby**

**Description: Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. dwelling houses with associated garages and car parking.**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Description of development**

The proposed application seeks the conversion and extension to the existing barn buildings to form 7 dwelling houses, as previously approved under ref: R08/0787/MAJP. In respect to the new-build element of the scheme, as oppose to the 9 new dwelling houses proposed under the previous scheme, the proposed application seeks to erect 6 new dwelling houses, which includes 4 large, four bedroom, detached properties located to the north-east part of the application site (plot 10-13). Previously approved within this location, included 2 blocks of semi-detached properties, and a block of 3 terraced properties (totalling 7 dwellings). Plots 8 and 9 form the remainder of the new development on site, which will be semi-detached in a barn style 'L-Shaped' arrangement, positioned to the east of the site.

The application is to be determined by members of the planning committee at the request of Cllr Andy Cole and subject to a site visit at the request of Cllr Edwards.

### **Description of site**

The application site is located on the north side of Main Street, on the edge of the Rugby Urban Area. This application relates to a range of disused farm buildings, a field and a garden area. There are currently a range of buildings at Newbold Farm, some brick built and some more modern metal clad buildings. The buildings, particularly the metal barns are in a poor state of repair. The application site is set at a higher level than the road and as such the traditional brick built barns are prominent in the street scene when approaching Rugby along the B4112 (Main Street).

There are residential properties adjacent to the site. There are bungalows on the opposite side of Main Street that face the site. To the west of the site, properties in Manor House Close are adjacent to the parts of the site that are currently used as a field and garden area. These properties are at a lower level than the site.

On site, some works have been undertaken pursuant of planning permission granted under ref: R08/0787/MAJP, which includes access improvement works and some site works. It is therefore considered that this permission is extant.

### **Third Party Comments**

Neighbours no comments received

Ward Members

Cllr Andy Cole

No longer supports first time buyers and single people/families starting on the housing ladder. It is difficult enough to get major developers to provide "affordable" housing as it is.

Cllr Claire Edwards

No against building on the site but consider that the access into the site is very dangerous and if possible the developers should fund to support a traffic management scheme.

### Technical Consultation Responses

Severn Trent	no objection subject to conditions relating to submission of drainage plans
WCC Rights of Way	no objection subject to advisory notes
Canal and River Trust	no comments to make
Environmental Services	no objection subject to conditions relating to further contamination mediation works, glazing and ventilation together with informatives
RBC Tree Officer	no objection subject to a condition relating to tree protection
WCC Highways	no objection subject to conditions relating to the proposed access works and other works to the highway
WCC Fire and Rescue Service	no objection subject to conditions requiring to submission of the scheme for the provision of adequate water supplies and fire hydrants
WCC Archaeology	no objection subject to condition requesting the submission of a programme of archaeological works
WCC Ecology	no objection subject to conditions relating to great crested newt mitigation measures

### Relevant Planning History

R08/0038/MAJP

Erection of 9 dwellings, conversion of barns to 7 dwellings. Refused,  
March 2008.

R08/0787/MAJP

#### **Permission extant**

Erection of 9no. dwellings and conversion of existing barns to provide a further 7no. Dwellings together with associated garaging and parking facilities  
Approved 17.November.2009

### Relevant planning policies/guidance

#### Core Strategy

CS1	Development Hierarchy
CS10	Development Contribution
CS16	Sustainable Design

## Saved Local Plan Policies

E6 Biodiversity

### National Policy

National Planning Policy Framework (NPPF)

Part 7 – Requiring good design

#### **Assessment**

##### Principle

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference. CS1 states “It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy.” The application site is located within the Rugby Urban Area where policy CS1 seeks to direct new residential and employment development, outside of the town centre. It is therefore considered that the proposed development complies with policy CS1.

##### Visual Amenity

Part 7 of the NPPF emphasises the importance of good quality design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The proposals retain the existing brick built barns and stable buildings, although some elevational changes are proposed to add windows, rooflights and vents where necessary. Two of the proposed new dwellings (plots 8 & 9) will be located close to the existing barns and are designed to reflect the character of these. The fenestration detailing of the proposed four detached properties reflect the adjoining barn conversions and are considered rural in appearance.

The proposals do include the rear gardens of some properties facing towards Main Street, the property boundaries will be set back from the highway and a landscaped strip will be retained in this area, this is considered acceptable. Conditions would be appropriate to ensure that a suitable wall is provided on these rear boundaries and that the boundary treatments are not altered in the future without the need for planning permission. It is therefore considered that the proposed development would not have an adverse impact upon the character and appearance of the area. The proposed development is therefore in accordance with policy CS16 and the core principles of the NPPF which seeks to secure a good standard of design.

The proposals include a landscaped central courtyard area and other areas of landscaping on the site boundaries and throughout the site in general, these are the same as approved on the previous application.

It is considered that the proposed development would create an attractive form of residential development which seeks to retain existing building on site whilst also creating new dwelling that take on a rural appearance. The proposed development is therefore in accordance with policy CS16 and the core principles of the NPPF which seeks to secure a good standard of design.

## Residential Amenity

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

There are existing residential properties adjacent to the site, on Manor House Close and Main Street, and the impact of the proposals on these properties must be assessed. Policy CS16 seeks to ensure that development does not have a materially harmful impact upon the amenities of neighbouring properties.

The houses on the other side of Main Street will be at least 30m from the converted buildings and it is considered that this level of separation would not lead to overlooking or loss of privacy.

The new dwellings in the north east corner of the site will be constructed on land that is currently a field, at a higher level than the neighbouring dwellings. Although the outlook will change and the existing views will be lost the views from individual properties are not protected by planning regulations. The new properties would not directly face numbers 7, 8 and 9 Manor House Close and due to the orientation of the proposed and existing properties it is not considered that there will be a loss of privacy or light to an unacceptable level. First floor windows are proposed within the side elevation of Plot 10 which would serve a bathroom and en-suite, and it will be conditioned that they are obscure glazed.

Number 4 Manor House will be located adjacent to plots 8 and 9 which are new properties. The buildings are proposed in a single storey L-shape and the closest part of the building will be around 7m from the boundary, this part of the building will not have any windows directly facing the boundary, the closest rear facing windows will be around 12.5m from the boundary. These new single storey buildings would be at a higher level than the rear garden of number 4. It is considered, taking into consideration the distance of this building to No. 4 Manor House, existing vegetation along the boundary, and the fact that the proposed development would be single storey, and the extant planning permission on site, it is not considered that the proposed building would have a significant impact upon this neighbouring property in terms of loss of light, privacy and sense of enclosure.

The proposal is therefore accordance with policy CS16 and the core principles of the NPPF which seek to secure a good standard of amenity for existing and future occupiers of land and buildings.

## Developers Contribution

Policy CS10 seeks to ensure that where it is necessary to mitigate against the impact of a development proposal; planning permission will only be granted when a legal agreement, or planning obligation is entered into with the Council, in line with the requirements of Circular 05/2005 and the Community Infrastructure Levy Regulations 2010.

It should be noted that as part of the previous permission, which was assessed under the then Local Plan 2006, 4 rented affordable housing units were being provided. Taking into consideration the size of the development now provided, under the provisions as contained with the Council's Planning Obligation SPD and Core Strategy together with the National Planning Practice Guidance – Planning Obligations, it is considered that the development does not have to provide affordable housing units. Whilst the National Planning Practice Guidance (NPPG) does state that new dwellings over the threshold of 10 dwellings, is not exempt from affordable housing, and the size of the application is over 0.5ha which is the threshold set within policy CS19 of the Core Strategy, the NPPG does allow for vacant building credit. Vacant building credit as defined by the NPPG is where a development which involves the redevelopment or reuse of a vacant building is proposed, affordable housing contributions will only apply to an increase in floorspace. It is the considered opinion of the LPA, given the number of new development proposed, together with the area



of land in which the new dwellings are sited upon, which is less than 0.5ha, an affordable housing contribution is not being sought.

Contributions would be sought and have been agreed with the applicant for off-site financial contributions towards play and open space and education. These contributions would be secured via a Section 106 agreement.

#### Access and parking

From the information provided in support of the historic application, the Highway Authority is satisfied that the traffic generation in respect of the site will have no material impact upon the adjacent highway network; and the proposed improvements would be of positive benefit to all highway users.

In response to Cllr Edwards comments about funding for a traffic management scheme, the County Highway Engineer has advised that in this case it **would not be reasonable** to expect the developer to fund the traffic management scheme **as the development won't** add to the existing problem (which according to accident records is at the tight bend) & by securing the improved visibility splay to the junction with Little Lawford Lane the developer will have **already contributed to highway safety** in the vicinity of the site.

For the purposes of assessing car parking standards the site is located within an area designated within the Core Strategy as an area of low access. In respect to the 4 new detached, four bedroom dwelling house, as set out within the Council's Planning Obligation SPD a minimum of 3 car parking spaces needs to be provided. As shown on the submitted plans 3 car parking spaces (including integral garage) will be provided, in accordance with the Council's minimum standards. The remaining residential units proposed on site would all be three bedroom properties. A minimum of 2 car parking spaces would be provided to serve each unit, in accordance with the Council's minimum standards as set out within the Council's SPD.

#### Ecology

Saved Local Plan Policy E6 seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. The applicant has undertaken an Amphibian Surveys Report which identifies a small population of Great Crest Newts and Smooth Newt on the development site and neighbouring habitats. WCC Ecology have examined this report and conclude that subject to condition relating to Great Crested Newt mitigation the proposal would not have an adverse impact upon protected species/habitats in accordance with saved policy E6.

#### **Recommendation**

Approval subject to conditions and S106 agreement relating to education and open space

#### **APPLICATION NUMBER**

R14/2369

#### **DATE VALID**

18/12/2014

#### **ADDRESS OF DEVELOPMENT**

NEWBOLD FARM  
MAIN STREET  
NEWBOLD  
RUGBY  
CV21 1HW

#### **APPLICANT/AGENT**

Mr David Granger  
David Granger Architectural Design  
The Old Dairy  
Mill Street  
Ashby De La Zouch  
LE65 1WN  
On behalf of Allesley Investments Ltd, c/o  
Mather Jamie

## **APPLICATION DESCRIPTION**

Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. Dwelling houses with associated garages and car parking.

## **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

### **CONDITION: 1**

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

### **REASON:**

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

### **CONDITION: 2**

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Application form dated 17/12/2014

Planning Application Sporting Statement

Transport Assessment dated October 2014

Site Location Plan edged red

Proposed Plans & Elevations Drg. No. 2

Detailed Planning Proposal Sheet 1 of 5 Drg. No. 03.1761.96

Detailed Planning Proposal Sheet 7 of 9 Drg. No. 03.1761.26B

Unit 1 Sheet 1 of 3 Drg. No. 03.1761.54 A

Unit 1 Sheet 2 of 3 Drg. No. 03.1761.55 A

Unit 2 Sheet 1 of 3 Drg. No. 03.1761.57 A

Unit 2 Sheet 2 of 3 Drg. No. 03.1761.58 A

Unit 3 Sheet 1 of 2 Drg. No. 03.1761.60 A

Unit 3 Sheet 2 of 2 Drg. No. 03.1761.61 A

Unit 4 Sheet 1 of 2 Drg. No. 03.1761.62 A

Unit 4 Sheet 2 of 2 Drg. No. 03.1761.63 A

Units 5 & 6 Sheet 1 of 3 Drg. No. 03.1761.64 A

Units 5 & 6 Sheet 2 of 3 Drg. No. 03.1761.65 A

Unit 7 Sheet 1 of 3 Drg. No. 0.31761.67

Unit 7 Sheet 2 of 3 Drg. No. 03.1761.68

Plot 10 Sheet 2 of 5 Drg. No. 03.1761.97

Plot 11 Sheet 3 of 5 Drg. No. 03.1761.98

Plot 12 Sheet 4 of 5 Drg. No. 03.1761.99

Plot 13 Sheet 5 of 5 Drg. No. 03.1761.100

Phase 1 Site Appraisal Ref: GRM/P5145/D.1

Phase 2 Site Appraisal Ref: GRM/P5145/F.1

Noise Assessment ref: S524/487/009 dated 29th April 2010

**REASON:**

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

**CONDITION: 3**

Before any development is commenced a comprehensive scheme detailing both hard and soft landscaping and tree planting shall be submitted to and approved by the Local Planning Authority. This scheme shall include planting plans with written specifications, a schedule of plants noting species, plant sizes, numbers and density; together with an implementation programme.

**REASON:**

In the interests of the visual amenities of the locality.

**CONDITION: 4**

Trees and shrubs approved in accordance with condition 3 above shall be planted no later than the first planting season following the date on which the development is first brought into use/occupied), and trees and shrubs so planted shall be properly maintained for the five years following planting; any failures being replaced during the following planting season.

**REASON:**

In the interests of the visual amenities of the locality.

**CONDITION: 5**

All tree protection measures and tree pruning/removal works identified within the arboricultural survey, relating to the approved design details (including the erection of protective fencing to create construction exclusion zones around the retained trees on the eastern boundary) should be implemented prior to the construction phase and to the satisfaction and written approval of the LPA. Protective measures should remain in place until the completion of all construction works. Construction exclusion zones should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them. All tree works should be carried as per BS3998:2010 (Tree work – recommendations). No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA.

**REASON:**

In the interests of the visual amenities of the locality and future health and amenity value of the trees.

**CONDITION: 6**

Full details of the treatment of the site boundaries shall be submitted to and approved by the LPA 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 brought into use/occupied.

**REASON:**

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

**CONDITION: 7**

Full details of the design, materials and finishes of all windows, including the type and size of the proposed rooflights, the external doors and timber panels shall be submitted to and approved in writing by the Local Planning Authority before any development commences. The approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior permission of the Local Planning Authority.

**REASON:**

To ensure a satisfactory external appearance.

**CONDITION: 8**

No new windows or openings shall be formed in plots 1-13 unless otherwise agreed in writing by the Council.

**REASON:**

In the interests of visual and residential amenity.

**CONDITION: 9**

The proposed first floor windows to be formed within the east side elevation of Plot 10 shall not be glazed or reglazed other than with obscure glass.

**REASON:**

In the interest of residential amenity.

**CONDITION: 10**

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

**REASON:**

In the interests of visual amenity and the character of the locality.

**CONDITION: 11**

Details of the position, height, type and the location of all sources of external lighting, shall be submitted to and approved by the Local Planning Authority before the development is commenced and shall be erected to the satisfaction of the Local Planning Authority before the development is occupied.

**REASON:**

In the interests of the visual amenities of the locality.

**CONDITION 12:**

The proposed finished ground floor levels of all buildings and the finished levels of all roads and vehicle parking areas shall be agreed with the Local Planning Authority before work on the site commences. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

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

**CONDITION 13:**

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 Roads for Developments - The Warwickshire Guide 2001 (published by Warwickshire County Council).

A) A width of 5.0 metres with 6m. Kerb radius, a gradient not steeper than 1 in 15 and hard surfaced in a sealed material for a minimum distance of 7.5 metres from the near edge of the highway carriageway.

B) Visibility splays for vehicles having been provided with an 'x' distance of 4.5 metres and 'y' distances of 33 metres to the left on egress and 90 metres to the right on as measured from the centre of the access; and a forward visibility splay for right turning traffic (into the development) of 90 metres. No structure, erection, trees or shrubs exceeding 0.9 metres in height shall be placed, allowed to grow or be maintained within the visibility splays so defined.

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

**REASON:**

To ensure the details of the development are satisfactory to the Local Planning Authority and in the the interests of public and highway safety.

**CONDITION 14:**

Before development commences the applicant shall enter into an agreement with the Highway Authority, for the stretch of land on the northwest side of Main Street (required for visibility splays), as indicated on application plans to be dedicated as public highway and for the widened stretch of footway adjacent to the site to be dedicated as public highway.

**REASON:**

In the interests of highway safety

**CONDITION 15:**

Vehicular access to the site from the highway (Main Street - B4112) shall not be made other than at a position as indicated on the approved plan.

**REASON:**

In the interests of public and highway safety.

**CONDITION 16;**

The development hereby permitted shall not be occupied until all parts of existing accesses to Main Street (B4112), not included in the proposed means of access, have been permanently closed and the highway features (including the verge and kerblines) have been re-instated in accordance with details approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:**

In the interests of public and highway safety.

**CONDITION 17:**

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

**REASON:**

In the interests of public and highway safety.

**CONDITION 18:**

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

**REASON:**

In the interests of public and highway safety.

**CONDITION 19:**

The development hereby permitted shall not be commenced until the required visibility splays have been provided including the area of land to the northwest of the site being cleared to provide the necessary visibility splays, in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:**

In the interests of public and highways safety.

**CONDITION 20:**

No new dwelling shall be occupied until pedestrian and vehicular access has been provided to the satisfaction of the Local Planning Authority

**REASON:**

In the interests of public and highway safety

**CONDITION 21:**

During the construction period no vehicles calling at the site or being in the control of the developer /occupier or contractors employed by the developer / occupier shall be loaded, unloaded or parked on the highway (Main Street- B4112). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

**REASON:**

In the interests of public and highway safety

**CONDITION 22:**

The accommodation for car parking shown upon the approved plans shall be provided before the development is occupied and shall be retained permanently for the accommodation of vehicles belonging to the occupiers of the dwelling and shall not be used for any other purpose.

**REASON:**

In the interests of public and highway safety.

**CONDITION 23:**

The proposed further investigation works as set out within Section 11 of the Phase 2 Site Appraisal Ref: GRM/P5145/F.1 shall be submitted to and approved by the Local Planning Authority prior to commencement of development.

**REASON:**

To identify contamination which may pose a risk to the environment or harm to human health.

**CONDITION 24:**

Before the development is commenced full details of the means of foul and surface water disposal shall be submitted to and approved by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

In accordance with the requirement of the Severn Trent Water Authority

**CONDITION 25:**

No development shall take place until the applicant, or their agents 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. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interests of archaeology.

**CONDITION 26:**

Full particulars including details of the colour finish and texture of the materials to be used on all external surfaces of the existing and proposed buildings, together with samples of the facing bricks and roof tiles, shall be submitted to and approved by the Local Planning Authority before any development is commenced. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

To ensure a satisfactory external appearance.

**CONDITION 27:**

On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:2014. The assessment should consider a windows open scenario for natural ventilation purposes. Details of any mitigation (if required) such as acoustic double glazing/ventilation such as trickle ventilation will need to be approved by the Local Planning Authority.

**REASON**

In the interest of the amenities of proposed occupiers.

**CONDITION 28:**

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

**REASON:**

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

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

Bats and barn owls may be present in the buildings. These are protected species and should they be found or evidence suggesting their occupation be found contact shall be immediately made with the Warwickshire County Council Ecology Unit at Warwickshire Museums on 01926 418060 before continuing with work.



The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand in the presence of a suitably licensed Ecologist. If mature trees are likely to be affected by the development (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing.

**INFORMATIVE 2:**

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

**INFORMATIVE 3:**

Public footpath RB10 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction.

If it is necessary to temporarily close public footpath RB10 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this.

Any disturbance or alteration to the surface of public footpath RB10 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public footpath.

**INFORMATIVE 4:**

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, telephone 01926 412515, Fax :01788 533644, 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 5:**

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

**INFORMATIVE 7:**

Unauthorised signs are not permitted within the limits of any public highway. To discuss the provision of PERMANENT signs in relation to a development a developer must apply in writing to Katrina Pedlar, Traffic Projects Group, Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX

**INFORMATIVE 8:**

Unauthorised signs are not permitted within the limits of any public highway. To secure the authorisation of TEMPORARY signs in relation to a new development a developer must apply to Warwickshire County Council's Rugby Area Team - te. 01926 412515, Fax: 01788 533644

**INFORMATIVE 9:**

Postal addresses for new properties are arranged through Rugby Borough Council, Transportation Services Section (tel. 01788 533786, Fax: 01788 533728).

**INFORMATIVE 10:**

The applicant should note that works to relocate the lamp column (which will be at his own expense) will take a minimum of 8-12 weeks from the date of receipt or order by Warwickshire County Council's Street Lighting Section Tel. 01926 736544

**INFORMATIVE: 11**

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

**INFORMATIVE: 12**

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

**INFORMATIVE: 13**

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

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

Saturday 8.30 a.m. – 13.00 p.m.

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

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

**INFORMATIVE: 14**

As the works are due to demolition and construction they would come under HSE for enforcement purposes. However, there are a number of issues with the submitted report. The report relates to surveys undertaken on 14.10.10, so the condition of the asbestos products may have deteriorated. Due to this the scoring given, may be incorrect at this current time. Legislation has also changed, now being covered by the Control of Asbestos Regs 2012. This includes the notification of non- licensed work. An assessment should be made to whether any of the proposed works fall into this category.

The company carrying out the assessment was a licensed contractor until 5.12.14 but is not now on the HSE licensed contractors list. This may be because they are only carrying out surveys and not taking any asbestos out (ie licensed work).

**Reference Number:** R14/1465

**Site Address:** 28A Hillmorton Road Rugby Warwickshire CV22 5AA

**Description:** Demolition of existing dwelling and garages and erection of a pair of semi-detached dwellings to provide masters' houses for Rugby School.

**Case Officer:** Greg Vigars – 01788 533621

### **The Site and its Location**

The site forms part of the Rugby School Estate and is situated within the designated Rugby School Conservation Area.

It is located to the rear of large, 3 storey and primarily residential properties fronting Hillmorton Road, several of which are Grade II listed buildings. These properties have long rear gardens of varying width with depths ranging between 30m and 40m.

The site is served by an unmade shared private access way extending from Hillmorton Road between No. 26 and No.28. This access way has a length of 57.5m, average width of 3.8m and is in poor condition. The surface has been eroded and is peppered with potholes. For a length of 12.7m back from the Hillmorton Road highway carriageway, the access has been widened in the past to 5.7m to enable vehicles entering and exiting the access way to pass each other. The Hillmorton Road footway at this point is approximately 1.8m wide.

The access way not only serves the application site but also provides vehicular access to some 14No. other properties, the majority of which front onto Hillmorton Road and have their on-site parking to the rear. There are two dwellings set immediately to the east of the site, No. 28b owned by Rugby School and a private dwelling (converted coach house) located at the end of the shared access way.

Nos. 28 and 30 Hillmorton Road comprises the Diamond House Hotel which, in addition to frontage parking on the Hotel forecourt with direct access to Hillmorton Road, has separate garaging and a hotel car park area to the rear. Immediately to the rear of the block of garages is a large mature chestnut tree which is the subject of a Tree Preservation Order. Other trees within the immediate locality also have a degree of protection being located within the Conservation Area.

To the south, south-west of the site are Rugby School tennis courts and playing fields.

In addition to the access way, the site comprises the curtilage of the existing dwelling (28a) and incorporates part of the shared drive which runs around the south side of the dwelling to serve the adjacent curtilage of the dwelling No. 28b.

The existing property is a vacant two storey, 'L' shaped dwelling which is in a poor state of repair. It has white rendered external walls and a pitched slate roof. Its eastern elevation abuts the rear access way and the rear garden area is enclosed by a 2m high brick wall on this side. The remainder of the rear garden, which is unkempt and overgrown, is enclosed by 1.8m high close boarded fencing.

Within the area opposite the front of the dwelling, there was formerly a pair of old pre-cast concrete garages which, due to their dangerous and dilapidated state, have recently been demolished. The concrete base of these garages still remains. This area contains existing trees and shrubbery adjacent to the western and northern boundaries. An old holly tree is located immediately adjacent to the concrete base of the former garages.

The southern site boundary is defined by 2m high palisade security fencing and the frontage of a two storey, hipped roof building owned and used by Rugby School, known as 'The Batley Building'.

### **Relevant Planning History**

#### **a. The Site**

R12/0717 Demolition of existing dwelling and erection of 2 No. new dwellings to provide masters houses for Rugby School - WITHDRAWN (15.11.2012) to enable applicants time to overcome design concerns and highway issues

#### **b. Neighbouring Property**

R11/1741 The Coach House R/o 34 Hillmorton Road Conversion of outbuilding from ancillary office to separate dwelling - REFUSED (10.02.2012) on highway grounds / impact on historic character and local amenities. \ ALLOWED on Appeal (27.09.2012)

### **The Existing Dwelling**

The submitted application includes a Structural Report on the existing dwelling.

With regard to the extent of accommodation and condition of the existing dwelling, in brief, the Structural Report finds as follows:

The property is a two storey house with a pitched roof and is 'L' shaped on plan. It is constructed in load-bearing brickwork walls coated with painted render. Ground and first floors are generally constructed in timber, although some of the rear floors appear to be concrete bearing on the ground. The age of the property is uncertain, but thought to be Edwardian or possibly Victorian. The house consists of two distinct parts forming the 'L', the slightly taller west facing part and the long, possibly later, part extending along the north side. The roofs of the two parts are distinct with a gable end to the west part abutting the southern eave of the north part necessitating an 'internal' gutter.

The ground floor layout consists of an open porch to the front door on the west elevation, opening into a small hall with lounge to the right and a toilet to the rear. To the left is an opening into the north part and a larger hall with stairs to a cellar and to the first floor. The hall opens into a dining room, then a kitchen, small rear lobby, utility room and store. There is a fireplace and chimney breast in both the lounge and the dining room. There is a further chimney located at the west elevation of the larger hall but no fireplace evident at either ground or first floors. The cellar extends under the dining room, but not to the full extent of the room.

The external walls are solid brickwork, about 240mm thick, and are exterior rendered and finished with plaster on the internal face. There is evidence of a recent installation of a chemical injection damp course and the lower part of the render has been reinstated but not painted.

The cellar is not finished as a habitable space but as storage and is not heated or waterproofed.

At first floor level, the staircase rises to a large landing at first floor level. Three steps rise through an opening in the 280mm thick (including plaster finishes) south wall into a lobby within the west part of the building. A door in the east wall opens into a toilet and this room has a lower plaster board ceiling than the lobby. A loft hatch gives access to a void above the ceiling with a further loft hatch visible in the timber boarded original ceiling at higher

level. A large master bedroom is located to the south and there is a further step at the threshold to this room. Within the northern part of the building there is a bathroom off the landing and a corridor giving access into bedrooms 2 and 3. Bedroom 4 is at the east end of the building and is accessed through bedroom 3. The roof to this part has a raised tie forming a ceiling with sloping edges to the north and south sides.

In conclusion, the Structural Report states:

There appears to be extensive damp penetration through the rendered external walls that has the potential to cause deterioration of structural elements such as timber joist bearings and masonry mortar. This will require specialist investigation and repair to eliminate the moisture ingress. At this time however, there is little direct evidence of serious structural defects in the property.

Above the stairs to the cellar, a timber bearer supporting the first floor stairs is very damp and there is some mould growth. This will need remedial work to limit damp and replacement or treating of the timber to arrest the decay.

The floor of bedroom 3 exhibits more movement and vibration than would be expected and should be investigated with a view to strengthening. This could entail remedial work at bearings, the introduction of solid timber blocking between joists, possible insertion of additional joists and possible replacement of floorboards with a ply deck glued and screwed to the joists.

Consideration should be given to reinforcing the floor joists over the dining room and below the bathroom to bedroom 2 wall, and at the same time levelling the floor in the two rooms.

The bearings of all joists spanning into the external walls should be investigated and repaired if evidence of deterioration due to damp is found.

Repairs would appear to be necessary in local areas to the roof covering and chimney flashings.

It is understood that repairs have been made in the past to the building and considering the extent of potential repairs and improvements now required, we would suggest that demolition and replacement could be the most cost effective solution.

### **The Proposal**

The proposal seeks full planning permission for the demolition of the existing dwelling and garages and erection of a pair of semi-detached dwellings to provide masters houses for Rugby School.

The application is accompanied by a Design and Access Statement together with the Structural Report on the existing dwelling as referred to above.

The applicant's agent states that Masters' houses are an integral component of the Rugby School culture in maintaining the supportive community based atmosphere of the school with staff and students living within the same area.

The scheme has been designed such that each of the proposed dwellings will provide the following accommodation: Study, Guest WC, Kitchen, Living & Dining area, 3 bedrooms with an ensuite for the master bedroom and a Family Bathroom

In replacing the existing dwelling with a pair of new dwellings, the accompanying Design and Access Statement acknowledges the design challenges posed by the existing site constraints. Key factors include:

- Access to 28b, the hotel carpark, workshop and storage facilities for Rugby School has created an island site with a number of different groups of people coming in close proximity to the houses. This creates a safety and privacy issue.
- The main entrance to the existing house is on the access road with very little buffer space.
- The impact of an additional dwelling to 28b will need to be addressed.
- To the benefit of the scheme the long elevation of the site is south facing.

The final design and amended layout is as a result of discussions with officers following withdrawal of the previous scheme which had particular design issues.

With regard to layout, the location of the proposed 2 storey semi-detached dwellings has been dictated by the position and footprint of the existing dwelling. The new dwellings will be staggered to give individual visual definition to the front of each house. The existing old double garage concrete base and adjacent holly tree are to be removed from the frontage area which has been redesigned to accommodate four on-site car parking spaces together with enclosed wheelie bin storage. Additional planting is to be introduced adjacent to the southern site boundary and the area is to be enclosed with 1.2m high, dark stained, double sided, close boarded fencing. This frontage area is proposed to be block paved.

The rear gardens of the new dwellings will be enclosed with 2.1 m high close boarded fencing on the south side with a similar height brick wall along the rear.

The whole of the length of the existing unmade access way serving the site will be made good and properly surfaced with tarmac.

With regard to the dwellings themselves, the Design and Access Statement sets out the design approach and their key features.

At ground floor level, to achieve a sense of arrival, and safety for the occupants, an entry courtyard has been created. The courtyard offers privacy for the study and security.

Upon entry, the study is located to the front of the house offering the opportunity for student / parent visits to be controlled without the need to enter the private zone of the house. The guest toilet is also found here.

The wide corridor offers a wall of continuous storage that would accommodate both every day and long term needs. A light well has been left next to the stairs to offer natural light in the heart of the plan from the roof lights above.

The kitchen offers a simple layout with high level glazing to offer natural light and ventilation, whilst maintaining privacy from the access roads. A sliding partition offers a direct connection to the living space.

The rear living and dining area stretches across the full width of the house with a separate dining area that links with the garden and defines a patio area. The storage element from the hall extends into the living space

At first floor level, three bedrooms have been arranged around the family bathroom and the ensuite to the master bedroom. The bathrooms have been located above the kitchen to offer the benefit of stacked services. The landing will be naturally lit from three roof lights offering borrowed light opportunities to the bedrooms and the ground floor through the light well. The roof lights offer the ability to naturally ventilate the house.

The master suite includes a storage facility that helps define spaces in the room. The projection of this area creates a covered space to the front door.

The remaining two bedrooms accommodate a double and single bed with outlooks over the garden towards the rear.

The elevations have responded to the palette of materials found within the immediate context and the wider character of the Rugby School Conservation area. The simple brick ground floor elevations have been articulated with recessed panels of timber and glazing, that integrate the lightweight rendered upper storey with the brick plinth.

A key feature of the design is the entry courtyard which offers a sense of arrival and privacy to the occupants from the surrounding access roads. A small seated area has also been created in this space.

The stepped plans with gabled elevations have created a varied elevational treatment that is responsive to its context in a contemporary yet respectful manner.

The expression of each house as an individual component via the pitched gable elevation offers a recognisable residential appearance.

The scale and massing of the houses are in keeping with the existing property on the site and by incorporating the stepped plan the overall massing has been reduced with the elevational modelling.

The interlocking nature of the brick, timber and render offers interest to the houses from all aspects of the design.

The gardens longest elevation has a southern aspect. An intimate entry area to the garden is framed by the single storey dining area and the oversailing projection of the upper storey securing high levels of privacy for the occupants.

The new properties will be designed to comply to current Building Regulations and as such will offer a more inclusive experience for disabled users and visitors than the existing house.

In support of the proposals, the applicant's agent states:

The proposed redevelopment of 28a Hillmorton Road into 2 Master's Houses offers a number of benefits. The proposals represent a sustainable development at a number of levels:

Economically, the existing building is in such a poor state of repair, and despite Rugby School expending considerable amounts of money to control fundamental issues of damp amongst other building fabric issues with the problems remain. The tipping point of removing the old building and building two houses has arrived and assists the school overcome its current housing shortage for its keyworkers.



Functionally, the layout of the current house is ill considered and does not meet the needs of modern living.

Environmentally, the proposed houses will perform significantly better in energy consumption and by increasing the site density the design represents a more efficient use of Residential Brownfield Land.

The proposals represent a highly sustainable development that would be in accordance to the National Planning Policy Framework.

The proposed houses will assist in the delivery of the world class educational service offered by Rugby School creating a positive economic benefit to the local economy.

The houses proposed are for Key Workers of the school and therefore offer a social dimension to the benefit achieved with the development.

The proposals represent a huge improvement on the quality of design and are noted as a key component of achieving a sustainable development. The proposals would improve the environment and have responded to the local character and history

The design of the houses respects the current scale and palette of materials found in the immediate context and the wider Rugby School Conservation Area whilst maintaining a contemporary approach

### Technical Consultations

WCC Highways	objection	increase in turning movements considered to be detrimental to highway safety.
WCC Ecology	no objections	subject to condition ( <i>following receipt of pre-determinative Bat Survey</i> )
RBC Trees	no objections	subject to condition
RBC Building Control:	no objections	agree with conclusions of structural report.

### Third Parties

Neighbours (2)	objections	houses are of an unsympathetic/inappropriate modern design, adverse impact on visual amenities, the proposed tarmac surface treatment of the access way is considered inadequate as a long term solution – needs to be properly repaired.
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### Relevant Planning Policies

Rugby Borough Council – Saved Local plan Policies 2006

GP2	complies	Landscaping
GP5	complies	Renewable Energy
E6	complies	Biodiversity
T5	complies	Parking Facilities

#### Rugby Borough Council Core Strategy 2011

CS1	complies	Development Strategy
CS16	complies	Sustainable Design
CS17	complies	Reducing Carbon Emissions

#### National Planning Policy Framework 2011 (NPPF)

#### Sustainable Design and Construction SPD – Feb 2012

#### Planning Obligations SPD – March 2012

### **Determining Considerations**

In planning terms, the key considerations in this case relate to the principle of development, design and appearance, impact on amenities of neighbouring properties, impact on the visual amenities of the locality, character of the Conservation Area and the setting of existing listed buildings and biodiversity, provision of on-site car parking accommodation, access and issues relating to highway safety.

#### Principle of Development

The development proposed is acceptable in principle. Core Strategy Policy CS1 requires that the location and scale of development must comply with the defined settlement hierarchy and that the most sustainable locations are considered ahead of those further down the hierarchy. The site is an established residential plot within a highly sustainable location located close to the town centre. The proposal therefore does not conflict with strategic policy CS1.

#### Design, Appearance and Impact on Amenities.

The proposed development seeks to provide sustainable, up to date residential accommodation for masters employed by Rugby School. As a consequence the form and function of each dwelling has dictated a more contemporary design. The design approach is set out in the submitted Design and Access Statement as explained above. It has regard to its setting, design features of existing properties in the area and the relationship to neighbouring properties. Furthermore, the layout and orientation of the houses has guided the design to maximise their energy efficiency. The sustainable performance of the houses will be far superior to that of the existing house.

It is considered that given the location, the site can accommodate a modern designed pair of dwellings of the size and scale proposed. The external materials would be visually sympathetic to those used within the locality and the dwellings themselves would be reasonably related to existing neighbouring properties such that they would not have an undue adverse effect on their amenities. There is no direct glazing overlooking neighbouring

properties with sufficient distance between all buildings to ensure amenity is not compromised to any existing properties.

In this respect therefore, the proposals accord with Policy CS 16 of the adopted Core Strategy and Section 7 of the National Planning Policy Framework which seek to ensure that all development demonstrates high quality, inclusive and sustainable design of a scale that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated and that would safeguard the amenities of existing and future neighbouring occupiers.

The contemporary, more energy efficient design also accords with the aims and objectives of Saved Local Plan Policy GP56 and Core Strategy Policy CS17 which seek to ensure that no material harm would result in relation to residential amenity and the environment and that all development is of a standard that complies with up to date Building Regulations.

#### Visual Amenities, Impact on Character of the Conservation Area and Setting of existing Listed Buildings

The design approach adopted has had full regard to the character and visual amenities of the immediate locality which has influenced the scale, form, siting, design and landscaping of the scheme.. Development should not detract from but enhance the character of the Conservation Area. The proposals will upgrade and improve the quality of the built environment in this location and will have a positive impact on its visual amenities. Though of a contemporary design, it is considered that the building will enhance this part of the Rugby School Conservation Area.

The proposed development therefore accords with relevant adopted planning policies CS16, saved Local Plan policy GP2, and Section 7 of the National Planning Policy Framework which seek to ensure the historic environment is conserved and enhanced and includes appropriate hard and soft landscaping.

#### Biodiversity

Local Plan saved Policy E6 seeks to safeguard, maintain and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern.

Following consultation on the application, WCC Ecology submitted a holding objection requiring that the applicants submit a pre-determinative bat survey to establish whether the existing building was providing a roost for bats.

The applicants carried out the required survey and WCC Ecology was further consulted on the findings.

As a result the County Council have confirmed that they now have no objection to the development subject to the imposition of a condition to ensure demolition works are carried out in a precautionary manner.

#### Parking Facilities, Access and Highway Safety.

With regard to on-site parking accommodation, the site lies within the High Access Zone as defined in the Council's adopted parking standards which requires that, for 3 bed dwellings, 1 parking space per unit is provided. The proposed scheme includes 2 spaces per dwelling on site which associated vehicle manoeuvring space. Given the location of the site set at the end of a long private access way it is considered that this is acceptable and accords with saved Local Plan Policy T5.

The key issue in this case relates to access and highway safety.

The existing shared private access way serving the site is in a poor state of repair. As part of the scheme, the applicants are proposing to resurface with tarmac the length of the access way running from the frontage of the dwellings through to Hillmorton Road. This in itself would be a positive improvement.

In terms of highway safety, WCC Highways has raised objection to the proposal on the following grounds:

'Whilst the traffic increase using the access may be argued as being limited, the Highway Authority is of the view that given the high volume of traffic using Hillmorton Road at this point, any increase in turning movements would increase the likelihood of conflict, and thereby the likelihood of accidents occurring. This is considered to be detrimental to highway safety.

In respect of the existing access the County Highways Engineer states that at 2.4metre set back, visibility in either direction is substantially restricted by cars parked on the nearby carriageway. This means that emerging vehicles will be forced to "nose out" into the carriageway to determine whether it is safe to proceed. Some vehicles are often parked part on-part off the footway. In practice this means that less than 15metres of visibility can be available in either direction without the vehicle "nosing" out into the carriageway.

However, in striving to reach a balanced planning judgement, it should be borne in mind that the recent appeal against a refusal of planning permission for conversion of 'The Coach House' to a separate dwelling served off the same access way, (as cited in the 'Relevant Planning History above) was allowed in the face of the same objection raised by WCC Highways.

In allowing the appeal, the Inspector within the appeal decision and with regard to highway safety acknowledges that .....

*" The appeal site is served by an existing shared alleyway type access, which extends to Hillmorton Road. The County Highways officer recognises that the access onto Hillmorton Road is substandard by virtue of visibility and a lack of sufficient turning area. During my site visit, I noted that the shared access was used by a number of properties, including a hotel and a row of garages. As such, it was evident that a significant number of vehicles already use the substandard access."*

And concludes.....

*"I find that the proposed development would not lead to any significant highway safety issues. In this regard, I also note the County Highways officer's comment that the Manual for Streets states that 'parking in visibility splays in built up areas is quite common, yet does not appear to create significant problems in practice.' This statement appears to tally with the evidence before me with regard to the junction between the alleyway and Hillmorton Road and lends support to my findings"*

In the light of this, officers had further discussions with WCC Highways officers requesting that they review their position. The outcome is that they are not prepared to withdraw their objection and are happy to defend their position on appeal.

In planning terms, clearly a judgement has to be made as to whether, on balance, the objection raised by the Highway Authority is sufficient to warrant refusing the proposed development. The submitted scheme introduces only one more dwelling to be served off an access way that already is used by several residential properties, a hotel and Rugby School.

Bearing this in mind and having regard to the appeal decision and the Inspectors' findings, it is considered on balance that there are not strong grounds to resist the proposed development on highway grounds.

In all other respects, the proposals comply with relevant adopted planning policies and therefore, subject to appropriate conditions, it is recommended that planning permission be granted.

**Recommendation:**

APPROVE subject to conditions and informatives

**DRAFT DECISION**

**APPLICATION NUMBER**

R14/1465

**DATE VALID**

11/07/2014

**ADDRESS OF DEVELOPMENT**

28A Hillmorton Road  
Rugby  
CV22 5AA

**APPLICANT/AGENT**

Mr Kofi Bio  
Flow Workshop  
Custard Factory  
Gibb Street  
Birmingham  
B9 4AA  
On behalf of Mrs JUDY ROBINSON, RUGBY  
SCHOOL

**APPLICATION DESCRIPTION**

Demolition of existing dwelling and garages and erection of a pair of semi-detached dwellings to provide masters' houses for Rugby School..

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

CONDITION 1:

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

REASON:

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

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- Application Form dated 04/07/2014
- Plan No. 100 Rev A - Amended Site Location Plan dated 22/11/14
- Plan No. 106 Rev B - Amended Proposed Site Plan dated 05/01/2015
- Plan No. 103 Rev A - Proposed Floor Plans dated 12/01/2014

- Plan No. 104 Rev B - Proposed Elevations dated 22/11/2014
- Design & Access Statement Ref 1106 - DAS - rev A dated June 2014
- Structural Report Ref P8073.mf.Rep.01 - rev.02 dated January 2012
- Bat Survey ref 2014/283 dated February 2015

REASON:

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

CONDITION 3:

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

REASON:

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

CONDITION 4:

No development shall commence unless and until samples of the block paviors proposed for the surface treatment of the car parking spaces and and vehicle manoeuvring area, together with construction specification/section and details of the proposed tarmac resurfacing of the existing access way have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 5:

The accommodation for car parking, the resurfacing works to the access way, and the bin store shown on the approved plan shall be carried out/provided before the occupation of the development hereby permitted. The parking accommodation shall be retained permanently for the accommodation of vehicles of persons working in or calling at the properties and shall not be used for any other purpose.

REASON:

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

CONDITION 6:

Notwithstanding any information indicated on the approved drawings, full details, including elevations, of the proposed walls and fences 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 7:

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

REASON:

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

CONDITION 8:

No works or development shall take place until an arboricultural method statement/tree protection plan (BS5837:2012 - Trees in relation to demolition and construction :Recommendations) for the protection of retained trees has been agreed in writing with the Local Planning Authority. This scheme shall include:- a) a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area of every retained tree on site and on neighbouring ground in relation to the approved plans and particulars. This should show details and positions of all Tree Protection Barriers. The position of trees to be removed shall be indicated on this plan. B) a schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. C) the details of any changes in levels or the position of any proposed excavations within the Root Protection Area of any retained tree.

REASON:

In the interest of visual amenity

CONDITION 9:

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 clay tiled roof of the single-storey annex to be demolished. All roofing material is to be removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecology Services are consulted for further advice. Bats and their 'roost' sites are fully protected under

the Wildlife and Countryside Act 1981(as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) making them a European Protected Species.

REASON:

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

CONDITION 10:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B and C of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity and to protect the character and appearance of the Conservation Area..

CONDITION 11:

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

REASON: In the interests of the amenities of the area and public and highway safety.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE A:

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, 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 B:

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



**Reference number:** R14/2236

**Site address:**

Site C, Former Peugeot Works, Oxford Road, Ryton on Dunsmore

**Description :**

Outline planning application for redevelopment of 13.65ha of the southern part of the former Peugeot Works site for Class B2 (general industry) & Class B8 (warehouse, storage & distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels.

**Case Officer Name & Number:**

Richard Holt 01788 533687

**Description of Site:**

The application site, known as Site C, lies within the designated West Midlands Green Belt and forms part of the former Peugeot Works complex and therefore the majority of the site is allocated as a Strategically Significant Employment & Major Development Site in the Green Belt in the Rugby Borough Core Strategy 2011. To the north and north-east is Ryton on Dunsmore village whilst to the south is the A423, Oxford Road, with fields beyond. Immediately to the north-west is a public footpath connecting Oxford Road to Ryton on Dunsmore village with the site of the former Peugeot Works now known as Site B beyond currently being developed for employment purposes. To the south-west is the A423, Oxford Road, with various properties and the industrial site of Stonemarket and Millboard (Elmdene at Ryton Lodge). To the south-east is an area of woodland and shrubs known as The Dell, which is in the ownership of the applicant but does not lie within the application site boundary for the current proposal, with Ryton Nurseries beyond.

Site C was used in conjunction with the general industrial use of Sites A & B to manufacture cars and was primarily used to store cars. This use has ceased and the buildings associated with that use have been demolished. Site C has generally remained in the same state since the closure of the Peugeot factory, although some of the former vehicle parking areas are less well defined and part of the site has been used for Heavy Goods Vehicles (HGVs) and trailer storage on a short term basis.

The majority of the site is set below Oxford Road by approximately 3 metres. There is an access point located at the north-western corner of the site on to Oxford Road and there is a ramp that sweeps down into the site from the access. Part of the site is surfaced entirely in tarmac whilst another significant section is surfaced in a combination of gravel and tarmac. The edges of the site are surrounded by vegetation and there are several bodies of water predominately along the south-western portion. The site is surrounded by metal palisade fencing.

A triangular area of densely vegetated land at the northern most corner of the site, adjoining the primary school, is also within the ownership of the applicant but outside the application site boundary for the current proposal.

**Description of Proposals:**

This is an outline planning application for 13.65ha of the southern part of the former Peugeot Works site for up to 48,750 square metres for Class B8 (storage & distribution uses) and Class B2 (general industry use) together with ancillary offices, gatehouses, car parking,

associated road infrastructure (including access onto the A423 Oxford Road) and structural landscaping, including importation of approximately 115,000 cubic metres of material to raise ground levels. Matters relating to appearance, landscaping, layout and scale will be considered at the reserved matters stage with only access being considered at this stage.

A revised Development Parameters plan has now been submitted with the proposal which indicates that the central portion of the site will be the Core Development Zone for the buildings. This will be surrounded by an outer development area for parking and circulation encompassed by a landscaped area towards the periphery of the site, including structural landscaped buffers.

For the purposes of this current application the footpath corridor remains within the application site boundary but the Dell Nature Reserve and a triangular portion of land currently well vegetated adjacent to the school, lies outside the application site boundary. However, all these areas of land remain in the ownership of the applicant.

It is understood that owing to the high water table the impact of yard levels and the potential need for loading docks was not fully considered under the last submission by the applicant. Therefore, to prevent the areas flooding from shallow ground water approximately 115,000 cubic metres of material to raise the existing ground level within the main central part of the site up to a finished floor level by approximately 2 metres. Within the Core Development Area the buildings are intended to have a maximum clear internal height of 12.5 metres and 15 metres to the ridge.

The Ecological report submitted with the application confirms that one small section of The Dell ecosite, a potential Local Wildlife Site, to the immediate south-east of the application site, would be lost to the development and that the previously approved Ecological Management Plan is still relevant.

The public footpaths running along two sides of the site will be subject to landscape enhancements to provide more attractive pedestrian links into and around the proposed development.

The applicant's agent envisages that the proposed development could support at least 700 jobs and it is understood the site would operate 24 hours a day, 7 days a week.

A design and access statement was submitted with the application, which raised various points including:

- 1) Outline planning permission previously granted on site for up to 40,000 sqm of Class B8/Class & B1c/B2 uses;
- 2) Site located within an emerging logistics park which is part operational;
- 3) Good access to existing road network, including motorways;
- 4) Site served by public transport and will incorporate a Green Travel Plan;
- 5) Public footpath links to village adjacent to site;
- 6) Majority of site hard landscaped – linked to former uses;
- 7) Site allocated as Strategically Significant Employment & Major Development Site in the Green Belt;
- 8) Opportunities to improve biodiversity across site will be sought;
- 9) Buildings will achieve minimum BREEAM rating of Very Good;
- 10) 1, 2 or 3 Good quality buildings of sustainable design consistent with neighbouring employment site;
- 11) Maximum ridge heights of 15 metres;
- 12) Maintain and strengthened landscape belts; &
- 13) Proposal will incorporate various crime prevention attributes.

The applicant's agent has also submitted a Planning Statement, Earthworks Analysis Plan, Ecological Appraisal, Noise Assessment, Air Quality Assessment, Flood Risk Assessment, Drainage Philosophy Statement, Preliminary Environmental & Geotechnical Risk Assessment, Transport Assessment, Road Safety Audit, Heritage Statement and a Landscape & Visual Impact Assessment.

**Relevant Planning History:**

The application site has an extensive planning history over many years with its origins in car manufacturing dating back to 1945. In 2007 the site was split into three separate areas known as A, B & C. The recent site histories relating to Sites A, B & C most relevant in the consideration of this application are detailed below.

Site A:

Full application for redevelopment of Northern part of site for storage & distribution (Class B8) with ancillary offices and associated vehicle maintenance unit & fuelling & washing facility, security lodge, vehicle parking, landscaping & emergency access.  
Approved 30/04/2008

Outline application for 13.39HA of the northern part of the former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicle parking and landscaping with access from existing roundabout.  
Approved 05/09/2012

Approval of reserved matters for a sortation facility (Class B8) relating to appearance, landscaping, layout and scale against outline application (R12/0600) for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.  
Approved 23/12/2013

Site B:

Outline planning permission for redevelopment of 25.93 HA for storage and distribution (Class B8) and General Industry (Class B2) (With up to 30% B2) up to a total maximum of 120770m<sup>2</sup> including new access on to Oxford Road (A423).  
Approved 18/04/2008

Erection of an enclosed and covered structure to provide acoustic screening to external storage area (Unit 1).  
Approved 07/01/2009

Approval of reserved matters for Unit 1 relating to layout, height, width, length, external appearance and landscaping against outline planning permission R07/2010/OPS for storage, distribution and general industry.  
Approved 07/01/2009

Approval of reserved matters for Units 2 and 3 relating to layout, height, width, length, external appearance and landscaping against outline planning permission R07/2010/OPS for storage, distribution and general industry.  
Approved 18/02/2009

Renewal of outline planning permission (R07/2010/OPS) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping].  
Approved 12/12/2011

Renewal of extant planning permission R08/1454/MAJP for the erection of an enclosed and covered structure to provide acoustic screening to external storage area.  
Approved 26/03/2012

Approval of reserved matters for the internal site road layout against outline planning permission R10/1972 for storage, distribution and general industry.  
Approved 07/08/2012

Approval of reserved matters for Units 3&4/Plot 3 relating to layout, appearance, landscaping and scale (Application D) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93HA for storage and distribution (Class B8) and general industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping].  
Approved 20/05/2013

Approval of reserved matters for Unit/Plot 3 relating to layout, appearance, landscaping and scale (Application C) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping].  
Approved 11/06/2013

Approval of reserved matters for Unit/Plot 1 relating to layout, appearance, landscaping and scale (Application B) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping].  
Approved 12/06/2013

Approval of reserved matters for Unit DC5/Plot 1 relating to layout, appearance, landscaping and scale (Application E) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping] & Condition 5 of R10/1972 (associated with Plot 1 - Unit DC5).  
Approved 28/08/2013

Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas, gatehouse and sprinkler tanks (Application F), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping] & Condition 5 of R10/1972 (associated with Unit DC1).

Approved 30/04/2014

Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas and sprinkler tank (Application H), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m<sup>2</sup>, including new access on to Oxford Road(A423).

Approved 13/02/2015

#### Sites A & B:

Outline planning application for the use of land for Class B2 (General Industry) & Class B8 (Storage, Warehouse & Distribution) employment purposes together with ancillary offices, gatehouses, car parking and associated road infrastructure and landscaping, including access.

Approved 17/02/2015

Application for Reserved Matters for Unit DC7 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas, gatehouse, sprinkler tanks and pump house (Application K), against outline planning permission R14/0217 (for the use of land for Class B2 (General Industry) & Class B8 (Storage, Warehouse & Distribution) employment purposes together with ancillary offices, gatehouses, car parking and associated road infrastructure and landscaping, including access).

Pending

#### Site C:

Use of land for the parking and storage of heavy goods vehicles and trailers with alterations to access and formation of access ramp into the site, plus ancillary development.

Approved 16/11/2012

Retention of re-surfaced existing maintenance and emergency access route.

Approved 07/03/2013

Outline planning application for redevelopment of 16.69ha of the southern part of the former Peugeot Works site for up to 40,000 square metres for Class B8 (storage & distribution) and B1c/B2 (light & general industry) with up to 20% B1c/B2, including vehicle parking and landscaping; vehicle access from the A423 Oxford Road; importation of c50,000 cubic metres of material to raise ground levels; retention of areas of nature conservation, biodiversity enhancements and improvements to public footpaths.

Approved 18/12/2013

**Technical Consultations:**

NATS (National Air Traffic)	No safeguarding objection
Coventry Airport	No objection, subject to informatives
Environment Agency informatives	No objection, subject to conditions & informatives
Severn Trent Water	No objection, subject to a condition
Natural England	No objection
Warwickshire Wildlife Trust sought	Observations – additional mitigation measures
Warwickshire County Council – Ecology informatives	No objection, subject to conditions & informatives
Warwickshire Police	No objection, subject to informatives
Warwickshire Fire & Rescue	No objection, subject to a condition
Highways England	No objection, subject to an informative
Warwickshire County Council – Highways	Objects to original plans/documents –additional information sought. No objection to revised plans subject to conditions & informatives.
Warwickshire County Council – Paths informatives	No objection, subject to a condition & informatives
Warwickshire County Council – Flooding	No objection, subject to conditions
Warwickshire County Council - Archaeology	Await further comments
The Ramblers	No objection, subject to informative
RBC – Environmental Services informatives	No objection, subject to conditions & informatives
RBC Tree Officer	No objection, subject to conditions
Coventry City Council	No comments

**Third Party Consultations:**Original Plans:

Neighbour (6)	Objection	Additional traffic and extra major access will create a health & safety hazard;  Access needs to be via existing tunnel under right of way or with a new bridge over it and out on to Oxford Road utilising new roundabout;  Dangerous increase of traffic on Leamington Road already used as a cut-through and proposal will only add to local concerns;
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Visibility splays to residential properties nearby should be improved as part of highway works;

Grave concern at formation of new access opposite existing access to an industrial use;

Traffic lights between new roundabout and Leamington Road is ludicrous and will result in more accidents;

Too many buildings already been built on Former Peugeot Works site deviating from original plans;

Proposed buildings too high adjacent residential properties;

Loss of light and change character of area;

Loss of rural setting;

Formation of another huge eyesore already seen from Bagshaw Close;

Insufficient information re number of units and layout;

Importation of additional earth not necessary as existing ground is sound;

Increasing ground levels will make buildings more prominent;

Raising ground will mean base floor will have to be heavy rolled increasing surround noise level;

Concerned with impact of noise and disturbance, especially as building levels being raised;

Development of site will prejudice and be highly detrimental to delivering 100% affordable housing on adjacent previously safeguarded housing site;

Unaware of previously approved application;

Previous illustrative layout depicted two buildings with significant separation between them resulting avoiding a total overwhelming sense of oppressiveness – over 300m of continuous 12.5 wall;

Increase in floorspace results in overwhelming negative impact on adjacent Warren Fields site;

Loss of outlook, overshadowing, potential noise & light disturbance of 24/7 operations;

Proposed buildings 8 metres from site boundary rather than 40 metres;

Noise assessment inadequate and incomplete – assumes no residential development on adjacent site;

Landscape plans misleading as cross-sections only show parts where it is deepest;

In conflict with NPPF;

Layout needs to be considered at this stage / controlled with minimum of 2 buildings;

Separation distances need to be no worse than previously approved;

Suitable acoustic mitigation measures undertaken to enable adjacent land to be used for residential;

Traffic modelling data unclear and no data collected for Ryton Lodge industrial site;

No traffic count data for junction, visibility splays or tracking has been included;

Inadequate signalling arrangements proposed, especially for Ryton Lodge access;

Visibility splays potentially across 3<sup>rd</sup> party land;

No provision for pedestrians, cyclists or a maintenance vehicle lay-by;

Independent safety audit required;

Travel Plan required;

Neighbour (1) Support

Welcome new signalised junction arrangement – will be a significant improvement and a traffic calming measure;

Signalised junction will make safer egress for HGVs at Stonemarket Works;

Area been subject to significant loss of employment so proposal is commended;

Stonemarket willing to engage with Borough Council over Local Plan Preferred Options and Development Strategy Consultation, including Green Belt review.

Revised Plans:

Neighbours (3) Object

Insufficient information re number of units and layout;

Importation of additional earth not necessary as existing ground is sound;

Increasing ground levels will make buildings more prominent;



Raising ground will mean base floor will have to be heavy rolled increasing surround noise level;

Concerned with impact of noise and disturbance, especially as building levels being raised;

Traffic lights between new roundabout and Leamington Road is ludicrous and will result in more accidents;

Access needs to be over existing right of way and out on to Oxford Road utilising new roundabout;

Concern that 3<sup>rd</sup> party land still needed to achieve signalised junction;

Details of pedestrian crossing needed;

Tracking for Ryton Lodge needs to accommodate large HGVs – potential conflict with splitter island;

Question level of delay and queuing judged to be acceptable in traffic modelling/assessment on A423 (ex-trunk road), exacerbated by right hand turning;

Access to Ryton Lodge house also needs considering;

Continuous building walling closer to potential residential housing

site will be totally oppressive and overbearing for future occupants;

Finished floor levels of building/s will be 1.3m higher than previous scheme – exacerbating detrimental impact;

Proposed development on site will be larger, higher, closer to the site boundary and comprise of a single building with no separation in vicinity of Warren Fields site;

100% affordable housing scheme remains threatened;

Welcome reconsideration of proposals on impact on safeguarded housing site, Warren Fields, of which a revised housing layout has been produced, as well as amendments to Core Development Zone;

Appreciate applicant's wish to have commercial flexibility but this needs to be weighed against interests of proper planning in wider area and creation of high quality places for people; &

Relationship between employment and housing site needs to be address now and not at reserved matters stage.

Ryton on Dunsmore Parish Council:

Object (Amended Plans) Land formed part of open area of Former Peugeot Works site – giving open aspect to village;

Contradictory information in Planning Statement;

Sensitive site owing to proximity to village and previous undeveloped nature;

Serious concerns re building height, future lighting, air quality and signage;

Acknowledged amended parameter plan reducing proximity of Core Development Zone to boundary but disappointed this does not continue to rear of school;

Encroachment is significantly un-neighbourly and undesirable in the context of a popular primary school;  
&

Additional bunding and planting details sought, including cross-sections – details not forthcoming from applicant.

**Relevant Planning Policies & Guidance:**

Rugby Borough Council Local Plan, 2006 Saved Policies:

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking Facilities
T13	Complies	Airport Flight Paths
ED4	Conflicts	Major Developed Sites in the Green Belt
ED5	Complies	Retention of Existing Strategically Significant Employment Sites

Rugby Borough Core Strategy 2011:

CS1	Complies	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport & New Development
CS14	Complies	Enhancing the Strategic Green Infrastructure Network
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

Rugby Borough Council Planning Obligations Supplementary Planning Document, 2012

Rugby Borough Council Sustainable Design & Construction Supplementary Planning Document, 2012

Ryton on Dunsmore Parish Plan, 2012

### **Assessment of Proposals:**

#### General Principles & Green Belt:

The previous buildings on the former Peugeot Works site had evolved over many years so there was a variety of heights, building materials and styles, but on average ranged between 10 to 12 metres to the eaves. The previous chimney stacks dominated the skyline and were visible from many public vantage points. However, very few structures and buildings occupied Site C and this area, subject to the current application, was mainly used for the parking/storage of cars associated with the car production plant.

The Peugeot buildings which occupied the site had a combined floorspace of approximately 143,064m<sup>2</sup> over both application sites A and B. The planning permissions in place for both Sites A & B currently permits buildings with a total floorspace of 172,630m<sup>2</sup>, which equated to approximately a 20% increase in floorspace over the original buildings. However, planning permission has been subsequently granted to allow a further 40,000m<sup>2</sup> on Site C resulting in an approved total floorspace across Sites A, B & C of 212,630m<sup>2</sup>, a 49% increase in floorspace over the original buildings. In both cases the Secretary of State for the Communities & Local Government considered that these increases were acceptable and did not call-in the applications for determination. Nevertheless, following the construction primarily of Unit DC6, UK Mail, on part of Site A, the applicant's agent has advised that the maximum floorspace that can now be provided on Sites A & B is approximately 146,486m<sup>2</sup> some 26,000m<sup>2</sup> less than that approved.

Policy CS1 steers development to the most sustainable locations within Rugby Borough, namely the town centre and urban area of Rugby. As the site lies within the Green Belt this is the least preferred location for new development and Policy CS1 states that new development will be resisted in such areas unless national policy on Green Belts would permit such development.

Both the proposed Core & Outer Development Areas of the proposed development lie within the Strategically Significant Employment & Major Development Site in the Green Belt allocation. Therefore, Saved Local Plan Policy ED4 states that planning permission will only be granted for redevelopment if it does not result in built development occupying a larger area than was previously the case or the height of the existing buildings being exceeded, unless there would be an overall landscape benefit. It is clear that the proposed development does occupy a larger area than those buildings that were previously across the site and would be greater than the height of the previous buildings, bearing in mind very few buildings and structures use to be present on Site C. It is necessary therefore to establish if there would be an overall landscape benefit. It is accepted that the proposed development will provide a modern building or buildings that potentially may be broken up with parking, circulation areas and that there could be the opportunity to have soft landscaping around the buildings on the former car park areas that would potentially be more attractive than the present hard surface. However, a substantial level of soft landscaping already surrounds the

site and such additional planting would be incidental to the overall scheme and therefore would not result in an overall landscape benefit that is sufficient enough to outweigh the impact of the extent and height of the intended buildings across the site. On this basis, the development would not therefore result in an overall landscape benefit and the proposal is not compliant with saved policy ED4.

The approach outlined within saved policy ED4 is linked to aspects of the previous Planning Policy Guidance Note 2: Green Belt which is no longer adopted national planning policy and this approach has not been included within the National Planning Policy Framework (NPPF). Although saved policy ED4 is part of the Development Plan, para 215 of the NPPF implies consideration of this policy should not have equal weight to consideration of the NPPF given the variances in approach.

Para 89 of the NPPF states that complete redevelopment of previously developed sites would not be inappropriate development provided that there would be no greater impact on the openness of the Green Belt. It is considered that the proposal will have a greater impact upon the openness of the Green Belt and the approved floorspace across the Former Peugeot Works site would increase by a further c5% under the current scheme. Notwithstanding the extant planning permissions now across the site and the actual floorspace of the buildings constructed to date, this would technically equate to an increase of around 55% compared to the original floorspace of the previous Peugeot buildings, and therefore constitutes inappropriate development. As required by paras 87 and 88 of the NPPF, very special circumstances will therefore be required in order to outweigh the potential harm by reason of inappropriateness. However, based on the maximum floorspace now understood to be able to be achieved on Sites A & B, the total increase of achievable floorspace now envisaged would equate to an approximate 37% increase instead.

The proposal would lead to the more effective use of previously developed land which is allocated as a Strategically Significant Employment & Major Development Site in the Green Belt. Whilst the proposal will further increase the amount of built development on the former Peugeot site, it will not have a greater impact on the purposes of including land within the Green Belt as set out in para 80 of the NPPF, particularly owing to its designation.

As stated above, the principle of economic development of this site has long been accepted both by the previous use of the site and its allocation as a major developed and strategically significant employment site in the Green Belt within the previous Local Plan. Whilst it is acknowledged that the previous floorspace of the Peugeot Works buildings on site has been exceeded by new development schemes and this proposal would increase this further, Site C remains allocated as a Strategically Significant Employment & Major Development Site in the Green Belt. This designation was reconfirmed by the Planning Inspector when he assessed the Core Strategy and concluded that Site C was not needed as an alternative housing site and that there was adequate protection to retain the Ryton site for employment purposes under saved policies ED4 & ED5.

Therefore, it is considered that this reflects an acceptance of the substantial benefits to the local and sub-regional economy that would result from the proposed development. It was previously acknowledged within the revoked West Midlands Regional Spatial Strategy that the provision of employment uses on this site would contribute to the delivery of Coventry City Council's employment targets and this is noted within the Core Strategy in the supporting text to Policy CS1. Whilst the level of employment land initially envisaged at Sites A & B has been exceeded already this does not reduce the economic benefits that the proposals would bring and the sub-regional nature of these benefits should be recognised by potentially contributing to both Coventry and Rugby's future employment need and thus carries significant weight as part of this decision. This is reiterated by the NPPF which strongly focuses on proactively supporting sustainable economic development on previously

developed land by placing significant weight on proposals that encourage economic growth and states that they should be approved without delay where they accord with the Development Plan.

The applicant's agent considers that very special circumstances do exist and have referred to the benefits the development would bring to job creation in the area, including construction and those through supply chain companies; the efficient use of allocated employment land; the previous use of the site and its associated planning history; and the Government Policy on promoting growth.

When the previous proposal for Site C was considered in 2013, the applicant submitted correspondence from Jones Lang LaSalle, specialist property advisors, who at the time considered that the West Midlands remained a focus for the logistics sector and stated over the last 12 months a pick up in the level of activity is now resulting in a number of major new facilities being constructed for occupiers, eg Site B at Ryton. They also considered that large distribution buildings should be the principal focus of any masterplan for the site, but that an allowance should be made for Class B2 uses, particularly on the back of major expansion plans of Jaguar Land Rover who are generating a significant amount of demand in the logistics and industrial sector. Therefore, it is important that a future developer has the flexibility to meet the demand from that sector in the future. Whilst this letter has not accompanied the latest application, it does remain on the Council's files and the Local Planning Authority considers its content is still relevant. The Local Planning Authority is also aware that both the applicant and other competitors are now constructing speculative buildings in the Midlands, which is a further indication of the strength and demand of the logistics market in the area. Nevertheless, the agent considers that the signs of an economic recovery are still tentative and on that basis have requested that the submission of the approval of reserved matters is increased from 3 to 5 years from the date of any permission, particularly as it is the same developer/applicant who is continuing to build out Sites A & B and because of this it may still take a while for Site C to be built. In the light of the above this is considered reasonable. Overall the above factors are significant and contribute to very special circumstances, particularly as para 14 of the NPPF states that at its heart is a presumption in favour of sustainable development.

The likely scale of the proposed footprint of the intended development is detailed on the illustrative masterplan contained within the Design & Access Statement, with two possible scenarios of 1 or 2 buildings. Although the ground level is to be raised, the works will bring the finished floor level of the building/s to a height comparable to Oxford Road. The existing landscape buffer zone along Oxford Road will be retained at around 45m to 60m and the area of The Dell will act as a further landscaped zone resulting in the development being over 100m from Leamington Road. Whilst the retention of existing landscape features around the site, including their future management/maintenance is welcomed and further landscape improvements may result around and through the site which would address the principles of saved Policy GP2, it is acknowledged that such features would not be so significant to outweigh the conflict with saved Policy ED4 as stated above.

Saved Local Plan Policy ED5 of the Local Plan, Strategically Significant Employment Sites, protects the site and seeks to ensure that the employment use of the site is retained to provide an overall range and mix of uses that maintain the local economy. Policy ED5 states that uses B1, B2 and B8 will be permitted but that development for other purposes will not be permitted. The supporting text to this policy emphasises that the retention of such sites is an essential complement to the allocation of new employment sites, and seeks to minimise development of Greenfield land for employment use. This application therefore complies with policy ED5.

Section D9 of the Ryton on Dunsmore Parish Plan refers to 81% of respondents feeling there should be more encouragement for jobs and home based working. Therefore, it is considered that the proposal does not conflict with the Parish Plan and accords with Policy CS2.

In conclusion the site will have an impact on the Green Belt through the introduction of new built development on the site. However, this impact needs to balance against the proposal making more efficient use of a previously developed site which is aligned to its designation as an allocated employment site and that it will potentially provide the opportunity for around 700 new jobs which, as detailed in the NPPF, should be given significant weight.

#### Highways:

The existing access onto Oxford Road is substandard and its widening with kerbed radii has been approved under the previous application for heavy goods vehicle storage on site but to date has not been undertaken.

Appendix 2 of the Planning Obligations Supplementary Planning Document 2012 indicates that the standards for commercial vehicle parking for the proposed development are considered on the basis of individual applications. The illustrative masterplans and illustrative landscape plans provide an indication of how the site could be developed with the core and outer development areas and the associated levels of parking. On this basis 131 heavy goods vehicle spaces are shown to serve the site. In relation to the provision of Classes B2/B8 units on the site the proposed level of car parking envisaged would be 361 spaces with an additional 15 disabled parking spaces. In accordance with the Council's maximum car parking standards this would not exceed the figures of either 812 spaces for solely B8 use or 1083 spaces for B2 use. Although, in all these cases the intended level of car parking is significantly below these figures they would still comply with the adopted standards, as it is a maximum figure that is sought. Nevertheless, these are only illustrative masterplans that have been submitted as the layout will be determined at the reserved matters stage, together with associated parking levels.

Sustainable development underpins the core principles of planning and the need to encourage sustainable modes of transport is key in order to address the causes and potential impacts of climate change through reducing carbon emissions and reducing the dependence on the private car. The submitted Transport Assessment refers to the implementation of a Travel Plan to assist in increasing travel awareness and to effectively manage and reduce the level of single occupancy car use by future occupiers of Site C. The Transport Assessment acknowledges that the provision of the Travel Plan for the site would be secured via a s106 legal agreement as with the previous application on the site and on the adjacent Prologis Ryton industrial site.

Concerns have been raised at the access arrangements and design solutions proposed for the intended development onto the A423 Oxford Road. Particular concern has been raised at the relationship of the access into the site and the access to Ryton Lodge (Elmdene) on the opposite side of the road which is also subject to regular articulated HGV movements and the potential conflict that may arise especially with the intended splitter islands. In addition, the intended signal modelling for the access has also been queried which demonstrates a certain level of queueing traffic that potentially could occur on the A423 Oxford Road and whether this is acceptable for a 60 mph ex-trunk A road.

The Highway Authority have advised that under highway legislation further road safety audits will be required to support the technical audit of the proposed access arrangements and construction process. At the planning application stage the Highway Authority only assesses the principle of an access at the proposed location as being adequate in terms of safety and

capacity. Therefore, they have advised that if there is conflict with the splitter island/s on the A423 Oxford Road with HGVs leaving Ryton Lodge, Elmdene, as identified in the further technical road safety audits, they could potentially be relocated to ensure the safe movement of traffic all within land controlled by the Highway Authority.

The signalised access junction arrangement will also incorporate a pedestrian crossing serving the direct desire line to the pavement and bus stop on the south western side of the A423 Oxford Road from the public right of way R147a facilitating safe pedestrian movements.

The Highway Authority have confirmed that at this planning stage they are content with the details submitted that the principle of a signalised junction in the approximate location shown is acceptable, subject to conditions/restrictions relating to HGV routing associated with both construction and post development operations, a Green Travel Plan and the timing of the implementation of works to the site access.

Contained within the Section 106 legal agreements for both Sites A & B a clause was included that ensured HGVs exiting the sites turned right onto the A423 Oxford Road and thereby travelled up to the Toll Bar junction to access the A45 rather than go through Ryton on Dunsmore village. These HGV movements were also to be monitored by CCTV. For completeness and for the avoidance of doubt across the former Peugeot Works site, the Local Planning Authority considers that these particular matters should also be covered by a legal agreement rather than by condition.

The existing emergency access corridor which runs between Leamington Road and the site adjacent to The Dell will also act as a pedestrian and cycle access to and from the site in order to enhance linkages with the village of Ryton on Dunsmore. The public footpaths which run along the north-western and north-eastern sides of the site lie partly on land controlled by the applicant. These rights of way will be retained as part of the development and enhanced where appropriate on land in the applicant's control, in terms of width and additional planting. The County Council Footpath Section raises no objection in principle but wishes to ensure that no new planting restricts the use of the footpaths.

Highways England has requested an informative regarding boundary treatment adjacent to the strategic road network known as the A45. As the site does not abut the A45 this informative is not considered relevant.

Overall based on the site's location to the strategic road network, proximity to the city of Coventry, adjacent to a relatively frequent bus route along the A45 (every 2 hours, Monday to Saturday) and based on the past use of the wider former Peugeot site and planning policies affecting the site, the development is considered to be sustainable. Therefore, it is considered that the proposals would comply with saved policy T5, policies CS10 & CS11 and the NPPF.

#### Amenity:

The most affected existing residential properties by the proposed development are those on Soden's Avenue, Warren Close, Ryton Lodge & Lodge Cottage on Oxford Road and Warren Farm. The closest residential properties to the intended Core Development Area would be those on Soden's Avenue and Warren Close which would lie around 59 to 80 metres away. Warren Farm would lie approximately 120 metres from the Core Development Area whilst Ryton Lodge & Lodge Cottage would be around 120 to 125 metres away. The finished ground floor level for the intended buildings on Site C once the material has been imported into the site would be approximately 1 metre below those properties Soden's Avenue whilst being a similar level to those properties on Warren Close as well as Ryton Lodge & Lodge

Cottage. However, the finished floor level would be approximately 0.75 metres higher than Warren Farm and approximately 1 metre higher than the land known as Warren Fields.

The illustrative landscape plans indicate that along the north-eastern edge of the site there is space to incorporate a series of landscaped bunds. These will be approximately 4 metres high above the existing ground level which will rise to approximately 2 metres above the height of the intended finished floor level of the buildings with planting on top. It is envisaged such soft landscaping will have grown by 4 to 5 metres in height within 10 years of being planted.

It has been brought to the Local Planning Authority's attention that the former safeguarded housing site known as Warren Fields to the immediate north-east of the site is likely to come forward for housing development in the near future and the Local Planning Authority has entered into pre-application discussions with a potential developer. Whilst the Local Planning Authority cannot prejudge the determination of any application that may be submitted on the site, owing to the site lying within the village boundary of Ryton on Dunsmore and the applicable planning policies, it is reasonable for the Local Planning Authority to have due regard to the potential development of the site and its relationship with the current proposal, especially as the Warren Fields site is intended to have sensitive receptors on it, namely residential properties.

Since the publication of the Rugby Borough Local Plan, 2006 the allocation of the Warren Fields site for future housing and the Former Peugeot Works Site for strategic employment purposes and the relationship between the two has existed. Nevertheless, following concerns at the proximity of the Core Development Zone to the north-eastern site boundary adjacent to Warren Fields and the existing residential properties beyond the parameters plan has been amended to be more akin to the previously approved parameters plan at the point it runs parallel to the Warren Fields site. The Local Planning Authority has received a housing layout plan that shows how the Warren Fields site could potentially be developed. Based on this layout, the Core Development Zone on Site C would at the closest point and at an oblique angle be approximately 30 metres away from the nearest dwelling. The distance between the Core Development Zone and the north-eastern boundary of the site increases from a narrow pinch point of approximately 11 metres up to 75 metres. Within part of this area, as identified above, 2m high landscaped bunding could be provided.

No housing application has been submitted on the Warren Fields site and therefore there are no specific proposals to judge. In addition, the Council's Environmental Services Section have advised that future dwellings on the Warren Fields site may need to be designed in a manner which minimising potential external noise and incorporate features, such as acoustic glazing. However, when the previous application, R13/0451 was considered by Members of the Planning Committee concern was raised at the potential impact of residential properties to the north-east of the site and specifically mentioned the need for robust noise mitigation measures to be installed along this edge of the site to make the development acceptable.

Concerns have been raised at the potential impact of a solid wall of an industrial building at over 12 metres high running parallel to the boundary of the north-eastern edge of the site on the amenity of adjacent sites/properties. However, owing to the aforementioned distances, together with the provision of comprehensive areas of soft and structural landscaping it is not considered that the proposed development would overshadow or have an overbearing impact upon those existing properties/sites and that the site at Warren Fields could achieve a satisfactory housing layout in principle. Therefore, it is not considered reasonable to impose restrictions on the number of industrial units intended for the site.



A landscape belt already exists between Site C and Provost Williams C of E Primary School. Based on the illustrative landscape plans, this is proposed to be enhanced and expanded to between 25 to 55 metres in depth. The closest school building to the Core Development Site will lie approximately 67 metres away. On this basis, it is considered that the relationship between the school and any future development on Site C is acceptable.

A noise assessment has been produced to accompany this latest application. It considers that depending on the ultimate layout of industrial buildings on Site C there is the potential for ambient noise levels to increase to a level higher than that previously accepted by the Council. It recommends that schemes which locate all service yards or access roads towards the north-eastern section of the site should be avoided and it also recommends that a 4 metre high acoustic fence is installed to screen any service yard or access road from off-site receptors [dwellings] that are less than 115 metres away. Provided such mitigation measures are adhered to then the report concludes the development would be acceptable. The location and height of acoustic treatments, including bunding will be dependent on the final layout considered at the reserved matters stage, but these final details can be addressed by condition. A series of other noise mitigation conditions have been recommended by the Council's Environmental Services Section including fixed plant, broadband reversing alarms, construction method/management statement and hours of construction.

In terms of air quality and ground contamination and the associated reports that accompanied the application, the Council's Environmental Services Section accepts their findings and considers that matters such as dust prevention and management can be adequately addressed by condition.

Large areas of external artificial lighting are already present relatively close to the site from Coventry City, Middlemarch Business Park, Coventry Airport and the A45 all adding to sky glow. Nevertheless, the site is within the Green Belt and areas of open countryside lie to the south-east and south-west together with residential properties to the north. On this basis, it is considered that a comprehensive external lighting scheme would need to be submitted to ensure that the provision of such lighting does not adversely affect the amenity of surrounding properties and land uses. In addition, the submitted ecological report also refers to the need for such a lighting scheme to limit light spill on to surrounding wildlife habitats. The Council's Environmental Services Section are content for this to be dealt with as a condition.

Subject to a series of conditions and informatives, overall Environmental Services consider the scheme is acceptable. Therefore, the proposal is considered to accord with policies CS11 & CS16 and the NPPF.

#### Visual Appearance, Landscaping & Ecology:

The site borders areas identified as Dunsmore Plateau Fringe & Dunsmore Plateau Farmlands in the Landscape Assessment prepared by Warwickshire County Council in 2006. This considers it to be a rather variable landscape with an undulating landscape characterised by both intensively farmed agricultural land with poorly defined field patterns as well as an empty landscape of former waste. Reference is also made to meandering river valleys, such as the Avon, with large arable fields where parts are considered to be in decline, together with an acknowledgement of the high sensitivity of Ryton on Dunsmore.

A Landscape & Visual Impact Assessment (LVIA) has been submitted covering a study area that projects out from the site for approximately 2 km. It acknowledges that the levels of tranquillity are reduced when travelling closer to the urban edge of Coventry along the Avon Valley where busy dual carriageways, large commercial development and remnants of mineral extraction exist. However, as the surrounding topography further from the

application site is characterised by low rounded hills, open aspect and rolling landform, views towards Prologis Ryton and Middlemarch Business Park are apparent.

The LVIA considers the specific character area of the site to be flat with only 6 metres of ground level change across the entire 55 hectare, Former Peugeot Works site. Despite various landscaped bunds, tree belts, blocks of vegetation and self-sown vegetation the landscape character and value of both the site and the south-eastern edge of Coventry is judged to be low. However, owing to an element of new landscaping across the Former Peugeot Works site the overall condition of the landscaping has been categorised as medium. The LVIA acknowledges that the scale of building could potentially have a roof ridge height of 15 metres comparable to existing buildings on Prologis Park.

The LVIA identifies that the most noteworthy effect of the scheme will be experienced in close proximity to the site and that the presence of the proposals on the existing villages of both Ryton on Dunsmore and Bubbenhall will be notable and the character of the area will appear more urbanised and enclosed, resulting in a moderate adverse effect. The LVIA considers the slight increase in townscape and the limited interaction with the surrounding rural landscape due to the dense woodland and tree belts to the south west and south east of the site means the impact on the character area of Dunsmore Plateau Farmlands is of a minor adverse effect. Owing to the presence of the Prologis Park to date and Stonemarket the impact on other character areas near to the site is judged by the LVIA to have a negligible or neutral effect.

It considers the greatest impact on the landscape will be the site itself. However, existing built form together with dense woodland and tree belts which isolate the area from the wider rural landscape mean the existing landscape is considered to be assessed as low sensitivity but the proposed mitigation planting which is envisaged for the site is predicted to have a minor beneficial effect on the character of the area.

The LVIA also considers the most noteworthy visual effect will be experienced from the public rights away to the north-east and north-west of the site, the residential areas of Warren Close, Handley's Close and Soden's Avenue, including Warren Farm, Lodge Cottage & Ryton Lodge and the surrounding land. In terms of visual impact the LVIA considers that owing to the retention of the existing vegetation along the south-western, south-eastern and north-eastern boundaries and the intended structural landscape planting and bunding the landscape and visual impact of the proposal is not considered to be significant. However, it does acknowledge that the north-eastern part of the site will continue to be visible from the residential properties and the school beyond and the public footpaths to the north, particularly in the winter months. These existing landscaped areas are intended to be bolstered with evergreen species to reduce the gaps. The report considers that as the landscape mitigation proposals and existing vegetation matures the proposed development will become a more familiar feature in the landscape and the presence of the building/s will become less prominent resulting in a minor adverse impact.

Overall the effects of the proposed development are considered to be predominately localised and contained within a reasonably small area. The implementation and ongoing maintenance of the landscape proposals will ensure that they develop to provide an element of mitigation which will limit the residual effects and that no significant residual landscape and visual effects are predicted for the proposed development post-mitigation.

The external appearance of the buildings is not to be considered as part of this application and will be assessed in due course at the reserved matters stage; however, the submitted Design & Access Statement indicates that future buildings on the site are likely to follow a design palette comparable to those buildings already built on Sites A & B of the Former Peugeot Works.

Along and adjacent to the south-eastern, south-western and north-eastern edges of the application site there is an EcoSite, a potential Local Wildlife Site known as The Dell, according to Warwickshire Biological Records Centre. The submitted ecological report acknowledges a range of flora, fauna and protected species present in the EcoSite. The report refers to a small section of The Dell being lost to the development however this is judged to be a very small area of scrub and wet woodland and the loss is considered to be negligible. An Ecological Management Plan has previously been produced for The Dell in 2013 which is judged to be still relevant and will need to be adhered to as part of the current scheme. Overall the latest ecological report concludes that the development would have no adverse impact on this EcoSite from the proposals.

Warwickshire County Council (WCC) Ecology Unit note that the proposals are broadly similar to the previously approved application and that the updated ecological survey work found that the habitats within the site remained largely unchanged since the 2013 survey. They welcome the retention of the majority of the existing semi-natural habitat on and around the site, including the provision of further landscaping. However, they would wish for the areas of newly planted trees to be replaced with grassland and bramble scrub to provide a diversity of habitats, together with short vegetation and gravelled stony areas to encourage the breeding of lapwings and ring plovers. It is understood that the applicants are in discussions with WCC Ecology to secure potential habitats for lapwings and ring plovers in the vicinity of the site rather than specifically on Site C and this is considered acceptable. In addition, Warwickshire Wildlife Trust has advised that it would be beneficial if the landscaping could be modified to make more habitat provision for grass snakes. These more detailed landscape matters can be addressed via any subsequent reserved matters proposals for landscaping in due course.

Although an updated Badger Survey confirmed there was no evidence of badger activity on the site, WCC Ecology Unit remain adamant that further badger surveys are undertaken prior to any works commencing on site as the area may still be used for badgers to forage owing to their historic records and any results can then fully inform appropriate mitigation measures. The ecological report does advise that the development of the site could increase light levels, particular across The Dell EcoSite. Therefore, an appropriate lighting strategy will need to be designed to limit the degree of potential light spill, which can be conditioned accordingly.

Natural England has confirmed that they are satisfied with the proposed development and that the Ryton Wood, Ryton & Brandon Gravel Pits & Brandon Marsh Sites of Special Scientific Interest (SSSIs) do not represent a constraint in determining the proposal. On this basis, it is considered that the impact on ecological matters can be adequately addressed by condition and therefore the proposal would accord with saved Policy E6 and the NPPF.

The site lies within the Princethorpe Woodland biodiversity opportunity area. Policy CS14 refers to enhancing the Green Infrastructure Network and where appropriate new developments must provide suitable Green Infrastructure linkages throughout the development and link into adjacent strategic and local Green Infrastructure networks or assets, where present. The majority of the existing landscaping around the perimeter of the site will remain and together with the future management and enhancement of the EcoSite will undoubtedly boost the Green Infrastructure of the immediate locality and assist in retaining and providing further wildlife habitats. This Council is considering the potential for the Community Infrastructure Levy to create a fund for the enhancement of Strategic Green Infrastructure in the future. This matter is ongoing and to date nothing has been finalised. Therefore, it is considered that the degree of landscaping being retained and enhanced would accord with the principles of Policy CS14. In addition, the existing landscaping around the perimeter of the site will also assist in reducing the visual intrusion of the development on neighbouring uses and countryside and when the reserved matters on landscaping are

considered they can ensure any new native species of ecological value are used. On this basis, the proposal would also comply with the general principles of saved Policy GP2.

#### Sustainable Design & Construction (inc Drainage):

Core Strategy policies CS16 and CS17 refer to sustainable design and reducing carbon emissions. The Sustainable Design & Construction Supplementary Planning Document, 2012 states that the Council believes major development proposals provide a valuable opportunity to maximise the potential for reducing carbon emissions through improved energy efficiency in both construction and design.

Policy CS16 states that sustainable drainage systems (SUDS) should be used and development should meet specified water conservation levels. Opportunities for utilising SUDS are also referred to in saved Policy GP2. The application included both a Flood Risk Assessment and a Drainage Philosophy Statement. The documents refer to SUDS in minimising the risk of flooding from the development but whilst it acknowledged that an existing attenuation pond is present on site it is understood that its water level is in continuity with the ground water table and hence it has limited storage capacity. In addition, the very shallow water table precludes the use of soakaways or other infiltration methods as a reliable means of dealing with surface water run-off. Therefore, below ground cellular storage units will be provided set above the ground water table in the car park area to attenuate flows up to the 1 in 30 year storm. The Flood Risk Assessment advises that the development proposals will be designed to ensure that any overland flows are routed away from buildings, intercepted by gullies and or drainage channels and that no surface water would cross site boundaries.

Warwickshire County Council Lead Local Flood Authority have confirmed that the details submitted by the applicant adequately demonstrate how surface water generated by the development will be controlled and managed and therefore raised no objection, subject to conditions.

Regards to foul drainage and site contamination, both Severn Trent Water and the Environment Agency have raised no objection to the proposed scheme, subject to conditions and informatives.

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that as a minimum all new development of 1000 sqm of non-residential floor space or more shall include equipment to reduce carbon dioxide emissions by at least 10%. Whilst the Deregulation Act 2015 will remove the require for the Code of Sustainable Homes in planning consents shortly, the subsequent amendment to the Planning & Energy Act, 2008 does not apply to non-domestic buildings and therefore BREEAM requirements will remain in place to enable planning authorities to continue to promote sustainable design and construction of such buildings.

It is accepted that as the application is in outline form only details of the design and construction of the proposed buildings is not known at this stage and therefore an assessment cannot therefore be made as to what types of technology or equipment would be most appropriate in order to achieve the required reductions in carbon emissions. The applicant's agent has indicated that construction will be a minimum standard of BREEAM very good, but to ensure this it is considered that such matters should be addressed at the reserved matters stage and via conditions.

### Other Matters:

The site lies just over 1 mile (1.75 km) from the take-off/approach path at Coventry Airport. Whilst there are constraints on building and operational equipment heights, such as cranes during construction in order to safeguard aerodrome operations, the height of the proposed buildings is well below any potential limits. However, Coventry Airport has requested that they are consulted prior to erection of any equipment such as cranes. They have also requested that several informatives are added so matters relating to bird strike, particularly in relation to landscaping and water bodies, lighting, general safeguarding and cranes are brought to the applicant's attention. National Air Traffic Services (NATS)/NERL Safeguarding have confirmed that they have no safeguarding objection to the proposal. On this basis, it is considered that the proposal would comply with saved policy T13.

The site has been subject to some disturbance in the past, including gravel extraction; however, WCC Archaeology previously considered that there was potential for archaeological deposits to survive across parts of the site. It is understood that previous fieldwork to the north-west of the application site (Site B) has identified archaeological features associated with the occupation of this area during the Iron Age and Roman period. WCC Archaeology had requested the application remains undetermined until they had considered the submitted details further; however, 6 months has passed and no further comments have been forthcoming.

A Heritage Statement has been produced by the applicant's archaeological consultants which concludes that, on the basis of current evidence, there is a nil potential for archaeological remains to survive dating to all periods given past extensive ground disturbance due to mineral extraction and being part of the former Peugeot Works. Owing to the location of existing listed buildings and scheduled ancient monuments to the east of Ryton on Dunsmore village, including a Grade II Registered Park & Garden, it is not considered their settings would be adversely affected. Overall it is judged there will be no adverse impact on heritage assets and the proposal would not conflict with the NPPF.

The Development Parameters Plan indicates an area of approximately 0.26 hectares (0.65 acres) as a potential school conservation area outside of the Core and Outer Development Areas. It is understood that negotiations are ongoing to transfer the triangle of land for use by the school between the applicant and Warwickshire County Council but to date are not yet complete. At present it is not clear whether the land would be transferred to the Parish Council or to Warwickshire County Council Education Department. The provision of the school nature area is not a fundamental requirement of the proposed development nor is it required to justify the development. Ultimately it will be a matter between the owner of the land and the school, however, owing to the topography of the site, its relation to the main Development Areas, and the existing footpaths in the locality, it would be a logical use of this part of the site.

It is understood from the details submitted under the previous application on the site, R13/0451, there appears to be significant local support for the provision of the nature conservation area, particularly for the school.

On previous reserved matters applications for Site B reference was made to the erection of the building on Plot 2 of Site B affecting the television reception of nearby dwellings. The NPPF states that Local Planning Authorities need to consider the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services. No further guidance is given on this matter, however, the superseded Planning Policy Guidance Note 8 on Telecommunications considered that digital television signals are far more robust than analogue and as viewers change to digital this should eliminate such problems of interference. It is clear that such interference has

occurred to digital signals but has now been rectified in conjunction with the applicant for Site B. It is understood that the applicant for Site B set up a direct contact at their company for local residents to liaise with if they were experiencing reception issues who would then send out a local television aerial company to remedy the problem at no cost to the resident. The applicant in relation to Site C is also prepared to work with local residents if such problems occur because of their development, but owing to the site's location in relation to signal direction from the Sutton Coldfield transmitter they do not envisage many issues this time. It is considered that these measures would address this potential issue.

Human Rights, particularly with regard to Article 1 of the First Protocol (protection of property) and Article 8 (right to respect private and family life) forms part of the overall assessment of the planning application in the headings above and it is considered that these adequately address individual resident's rights under the European Convention on Human Rights, including those of individuals living adjacent to the former Peugeot Works site.

**Conclusion:**

The development remains inappropriate owing to its greater impact on the openness of the Green Belt based on the previous use of the site. However, as detailed above it is considered that very special circumstances do exist, particularly when assessed in conjunction with the main aims of the National Planning Policy Framework 2012 and the strong emphasis on supporting sustainable economic growth, which overall justify a recommendation of approval of planning permission.

**Recommendation:**

Subject to the referral of the application to the National Planning Casework Unit, as the development results in inappropriate development in the Green Belt that will have a floorspace greater than 1,000 square metres and will have a significant impact on its openness, the Head of Planning & Recreation be granted delegated powers to grant planning permission subject to a legal agreement to secure a Green Travel Plan and HGV routing, conditions and informatives.

**DRAFT DECISION**

**APPLICATION NUMBER**

R14/2236

**DATE VALID**

09/12/2014

**ADDRESS OF DEVELOPMENT**

FORMER PEUGEOT FACTORY SITE C  
OXFORD ROAD  
RYTON-ON-DUNSMORE

**APPLICANT/AGENT**

Mrs Sara Jones  
Delta Planning  
1 Chester Court  
1677a High Street  
Knowle  
Solihull  
West Midlands  
B93 0LL  
On behalf of , Prologis UK Limited

## **APPLICATION DESCRIPTION**

Outline planning application for redevelopment of 13.65ha of the southern part of the former Peugeot Works site for Class B2 (general industry) & Class B8 (warehouse, storage & distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels.

## **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 five 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:

With the exception of site infrastructure works to create the site access on to the A423 Oxford Road and raise ground levels, details of the following reserved matters for each plot/phase, including their associated curtilage, shall be submitted to and approved in writing by the Local Planning Authority before any part of the development of that plot/phase is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

a - Layout,

b - Scale,

c - Appearance &

d - Landscaping, including any structural landscaping, such as bunding

### REASON:

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

### CONDITION 4:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents as detailed below:

30714-PL-101 C Site Location Plan;

Drainage Philosophy Statement ref NK017773 Rev A dated 29th October 2014 by RPS Group;

Ecological Appraisal dated 17th November 2014 by FPCR Environment & Design Limited;

Flood Risk Assessment ref AAC5138 Issue 3 dated 28th October 2014 by RPS Group;

Landscape & Visual Impact Assessment ref 1456/14-RP01 dated 27th October 2014 by Barry Chinn Associates;

Noise Assessment ref RA00322 - Rep 2 Rev 0 dated 11th November 2014 by Resound Acoustics;

Phase 1 Preliminary Environmental & Geotechnical Risk Assessment ref HLEI32663/001Rv2 dated 1st October 2014 by RPS Health, Safety & Environment; &

Transport Assessment ref NK017876 TA-C dated 13th August 2014 by RPS Planning & Development Limited;

all of the above received by the Local Planning Authority on 21st November 2014;

Air Quality Assessment ref RE00025 - Rep 2 Rev 1 dated 28th November 2014 by Resound Environment;

Heritage Statement ref NS/08349 dated October 2014 by CgMs Consulting; &

NK017773\_0605 Earthworks Analysis Plan;

all of the above received by the Local Planning Authority on 9th December 2014;

30714-PL-102 D Parameters Plan received by the Local Planning Authority on 8th April 2015;

Road Safety Audit (RSA) 1 Exception Report ref NK017876 dated 7th May 2015 and accompanying Basic Results Summary by RPS Group received by the Local Planning Authority on 7th May 2015;

Emails from the Agent to the Local Planning Authority dated 3rd December 2014 at 11:26 & 11:40 re fill material and landscaping.

REASON:

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

CONDITION 5:

Notwithstanding Condition 3 above, no development shall commence on any building or structure unless and until full details of the colour, finish and texture of the materials to be used on all external surfaces, together with a schedule/samples of the facing materials, for that building or structure have been submitted to and approved in writing by the Local Planning Authority. The development of that building or structure shall not be carried out other than in accordance with the approved details.



REASON:

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

CONDITION 6:

Full details (including elevations) of the design and appearance of the treatment of the site boundaries, including walls, fences, railings and gates shall be submitted to and approved in writing by the Local Planning Authority before any built development is commenced for that plot/phase. Details agreed in accordance with this condition shall be carried out prior to the date on which the development for that plot/phase is first occupied.

REASON:

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

CONDITION 7:

Notwithstanding the details and reports submitted, no built development shall commence on any plot/phase until details, including full calculations, elevations and siting, of acoustic fences/landscaped bunds have been provided, particularly to the vehicle parking and un/loading areas for that plot/phase and along the north-eastern portion of the overall site. The acoustic fence/landscaped bund shall then be installed in accordance with the approved details prior to the first occupation of that plot/phase and remain in place in perpetuity.

REASON:

In the interests of the residential amenities of the locality.

CONDITION 8:

Prior to the first occupation of each building, details of water efficiency measures to be incorporated in to the design of that building to meet the standards below in accordance with Policy CS16 of the Rugby Borough Core Strategy 2011 shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall be incorporated in to the design of each building prior to their first occupation and then be retained in perpetuity. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall be equivalent to BREAAAM very good standard.

REASON:

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

CONDITION 9:

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

REASON:

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

CONDITION 10:

Prior to the commencement of any works associated with the importation of material on to the site or built construction, the vehicular access to the site from the A423 Oxford Road shall be constructed, located and laid out in general accordance with the site access layout drawing NK017876\_116 as appended to the Transport Assessment by RPS referred to in Condition 4 above, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of highway safety.

CONDITION 11:

No built development shall commence on any plot/phase until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site and associated with that building/plot has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be first occupied on any plot/phase until the scheme has been implemented to the satisfaction of the Local Planning Authority.

REASON:

In the interests of fire safety.

CONDITION 12:

In addition to Conditions 13 & 19 of this planning permission and before development commences, further ground investigation works shall be undertaken in regards to ground water table monitoring and the results, together with buoyancy calculations for all underground drainage structures shall be submitted to and approved in writing by the Local Planning Authority. Details agreed in accordance with this condition and any mitigation measures shall be addressed/carried out prior to the date on which the development for that plot/phase is first occupied.

REASON:

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

CONDITION 13:

No built development shall commence on any plot/phase until drainage plans for the disposal of surface water and foul sewage, including any associated plant, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development relevant to that plot/phase.

REASON:

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

CONDITION 14:

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

REASON:

To prevent unnecessary light pollution in the Green Belt; to limit light spill on surrounding wildlife habitats; to safeguard air traffic operations; and in the interests of the amenities of the area.

CONDITION 15:

A scheme for the containment, mitigation and management of noise emanating from that particular phase/plot, including details of all external mechanical fixed plant equipment, flues or other equipment associated with that particular phase/plot, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each individual building. The scheme shall be implemented in accordance with the approved details.

REASON:

In the interests of the amenities of the locality.

CONDITION 16:

Broadband reversing alarms shall be fitted and operated on all forklift trucks and mobile plant in the external areas of the site, including delivery bays, and trailers manoeuvred on site using vehicles/plant owned/leased by the occupiers of the site (including those operated by national fleet companies) shall have broadband reversing alarms, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of the amenities of the locality.

CONDITION 17:

A vibration assessment and mitigation of all proposed plant on site shall be submitted to and approved in writing by the Local Planning Authority, together with details of the siting of such plant equipment, prior to the installation of the plant. All external mechanical plant (eg generators) shall be contained in suitably acoustically designed enclosures and all machinery in-situ should be mounted on suitably designed anti-vibration pads. The plant shall be installed in accordance with the aforementioned approved details.

REASON:

In the interests of the amenities of the locality.

CONDITION 18:

No development, including any ground works, shall commence on any plot/phase until details of a construction management/method statement have been submitted to and approved in writing by the Local Planning Authority, to ensure best practice is adhered to during the construction of that plot/phase. This shall include details of a construction phasing plan and a Heavy Goods Vehicle Routing Plan for construction traffic (including vehicles associated with the importation of material to the site). Construction works shall be implemented in accordance with the approved details for that plot/phase and no construction work, excluding internal finishing works (eg electrics and plumbing), shall take place on that plot/phase other than between the hours of 07:30 and 18:00 on Mondays to Fridays and between 08:00 and 13:00 on Saturdays, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of the amenities of the locality, including highways.

CONDITION 19:

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

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

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

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

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

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

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

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

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

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

**REASON:**

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

**CONDITION 20:**

Prior to the commencement of any change from one of the approved uses to another as stated within the description of the proposed development of this permission and under the provisions of Article 3, Schedule 2, Part 3, Class V of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), the occupier/owner shall notify the Local Planning Authority in writing of the intended change of use no later than one month prior to the implementation of that change of use.

**REASON:**

For the avoidance of doubt.

**CONDITION 21:**

Prior to the first occupation of each building, details including appearance and location of secure and covered cycle storage facilities for both staff and visitors shall be submitted to and approved in writing in accordance with the Local Planning Authority's adopted cycle parking standards. The cycle provision shall be implemented in accordance with the approved details and made available for use prior to the first occupation of each building and then retained in perpetuity for such purposes.

**REASON:**

In the interests of promoting sustainable transport measures.

**CONDITION 22:**

In conjunction with Condition 3(a) of this planning permission, no built development shall commence on any plot or in any phase until details of the parking of cars and commercial vehicles, including loading and unloading of vehicles, in accordance with the Local Planning Authority's parking standards, together with detailed plans indicating the extent and position of such accommodation, shall be submitted to and approved in writing by the Local Planning Authority. The parking, loading and unloading associated with that plot or phase shall be implemented in accordance with the approved details and permanently retained for such purposes.

**REASON:**

In the interests of the amenities of the locality.

**CONDITION 23:**

No part of the site shall be used for external storage purposes, in addition to vehicular parking, including cycles, HGV tractors and trailers, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of the visual amenities of the locality and to protect the openness of the designated Green Belt.

CONDITION 24:

The 'Access Corridor' linking the site to Leamington Road as detailed on the Development Parameters plan ref 30714-PL-102 D received by the Local Planning Authority on 8th April 2015 shall only be used by vehicles in the case of an emergency and only by employees on cycles (non-motorised) associated with the application site known as Site C or by pedestrians .

REASON:

In the interests of the amenities of the locality.

CONDITION 25:

In conjunction with the landscaping details submitted as part of Condition 3(d) of this permission, an Arboricultural Method Statement (Section 6, BS5837:2012) including a Tree Protection Plan (Section 5.5 BS5837:2012), together with full details of improvement and enhancement works to footpaths R147 & R147a on land within the control of the applicant/developer adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority before any built development commences. The mitigation measures and tree protection details along with the improvement and enhancement works to the footpaths shall then be implemented within 6 months of the first building on site first being occupied, unless otherwise agreed in writing with the Local Planning Authority. The landscaping scheme, as detailed on the approved plans and submitted as part of Condition 3(d) of this permission, shall be implemented no later than the first planting season following first occupation of the building/phase to which it relates. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 26:

The development hereby permitted shall proceed in accordance with the outline grass snake and great crested newt mitigation measures as set out in the Ecological Appraisal referred to in Condition 4 of this planning permission. Before development commences a detailed grass snake and newt mitigation and monitoring strategy shall be submitted to and approved in writing by the Local Planning Authority and the approved mitigation and monitoring measures shall then be implemented in full.

REASON:

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

**CONDITION 27:**

The development hereby permitted shall not commence until an updated badger survey, including the area known as The Dell, (along with relevant measures included within Section 4.3.5 of the Bioscan Ecological Appraisal dated June 2013 appended to the FPCR Ecological Appraisal dated November 2014 referred to in Condition 4 of this planning permission), and appropriate mitigation measures (if necessary) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full.

**REASON:**

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

**CONDITION 28:**

The development hereby permitted shall not commence until a qualified ecologist has been appointed by the applicant to inspect the vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by a qualified ecologist.

**REASON:**

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

**CONDITION 29:**

In addition to the requirements of Conditions 26 to 28 of this planning permission, the first reserved matters submission shall include a combined ecological and structural landscaping scheme to be submitted to and agreed in writing with the Local Planning Authority. There shall be reference to the existing recommendations within the Ecological Appraisal referred to in Condition 4 of this planning permission and the previously approved 'The Dell' Ecological Management Plan (August 2013) ref E1457R5fv prepared by Bioscan (UK) Ltd and received by the Local Planning Authority on 30th August 2013 and amended accordingly under applications ref R12/0134, R12/2267 & R13/0451. The scheme must include all aspects of landscaping including details of habitat creation and enhancements for wildlife, species to be planted, timing of works, programme of implementation, prescriptions for management actions and monitoring. The plan shall be carried out as approved, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

To ensure protected species are not harmed by the development.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

This application is subject to a Section 106 legal agreement.

#### INFORMATIVE 2:

Separate advertisement consent may be required from the Local Planning Authority for any proposed signage.

#### INFORMATIVE 3:

Owing to the proximity of the development to Coventry Airport they advise that prior to the erection of any cranes associated with the construction of the development they are notified (02476 308601; [handling@coventryairport.co.uk](mailto:handling@coventryairport.co.uk)). In addition, Coventry Airport brings the applicant/developer's attention to the following Airport Operators Association & General Aviation Awareness Council Advice Notes, which can be viewed at [www.gaac.org.uk](http://www.gaac.org.uk):

Note 1 - Safeguarding - An Overview

Note 2 - Lighting near Aerodromes

Note 3 - Potential Bird Hazards from Amenity Landscaping & Building Design

Note 4 - Cranes and Other Construction Issues

Note 6 - Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)

#### INFORMATIVE 4:

With regard to Condition 15 of this permission, it is advised that details of the noise scheme for the containment, mitigation and management of noise emanating from the site should include information relating to the design of the external fabric of the buildings in order to optimise the containment of potential noise breakout. In addition, the applicant's attention is drawn to paras 2.22 to 2.25 & 5.10 of the Resound Acoustics Noise Assessment Rev0 ref RA00322 - Rep 2 received by the Local Planning Authority on 21st November 2014 with regard to the design, construction & layout of the buildings.

#### INFORMATIVE 5:

Warwickshire Police wish to make the following advisory comments to the applicant/developer:

1) Boundary fencing or railings shall be tested and certified to LPS 1175 Security Rating 2 and to a height of 2.4 metres. Gates, pedestrian and/or vehicular, should also achieve LPS 1175 Security Rating 2;

2) Roller shutter vehicle access doors shall be tested and certificated to LPS 1175 Security Rating 2 (Minimum). If the Roller shutter vehicle access door is vulnerable to a 'ram-raid' attack it should be further protected by a security gate, barrier or bollard(s). All such products shall be certified to BS PAS 68: 2007 'Specification for vehicle security barriers' or Sold Secure Gold;

3) Roller shutters/grilles protecting pedestrian access doors shall be tested and certified to LPS1175 security rating 2 (minimum) and installed in accordance with the manufacturers specifications. Roller shutters/grilles protecting windows shall be tested and certified to LPS1175 security rating 1 (minimum) (Level 2) and installed in accordance with the manufacturers specifications;



4) All external and emergency egress doorsets not protected by a roller shutter or grille shall be tested and certificated to LPS 1175 Security Rating 2 (Minimum);

5) Ground floor windows and those easily accessible above ground floor, shall be Certificated (BSI Kitemark or similar) to PAS 24 'Specification for enhanced security performance of casement and tilt/ turn windows for domestic applications' or Loss Prevention Certification Board standard LPS 1175 Security Rating 1;

6) Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489:2013; &

7) CCTV coverage is recommended for the whole site with dedicated cameras on the entrance road with the facility to record number plates.

#### INFORMATIVE 6:

In accordance with Condition 28, the applicant/developer is advised that 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.

#### INFORMATIVE 7:

The applicant/developer is advised that a protected species licence from Natural England is required to undertake the works. Further information about species licensing and legislation can be obtained from the Applicant's surveyor, Bioscan, or the Species Licensing Service on 0117 3728000.

#### INFORMATIVE 8:

Japanese knotweed and New Zealand pygmyweed are invasive plants listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This means that, although it is not illegal to have the plant on your land, it is illegal to plant it or actively allow it to spread (e.g. through translocation of soil containing seeds). Any Japanese knotweed and New Zealand pygmyweed polluted soil or plant material that is discarded, intended to be discarded or required to be discarded is classed as controlled waste and should be accompanied by appropriate Waste Transfer documentation. Invasive plants threaten biodiversity by out-competing native species and should be eradicated where possible. Please contact the WCC Ecological Services for further advice (01926 418060).

#### INFORMATIVE 9:

If mature trees with potential roosting features are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. In considering planning applications that may affect European Protected Species, the Local Authority is bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

#### INFORMATIVE 10:

In connection with Condition 29 the applicant/developer is advised that consideration should be given to wildlife habitat enhancements particularly associated with nesting and breeding opportunities for birds owing to the loss of stone and gravel surfaces that have attracted lapwings and ringed plovers.

#### INFORMATIVE 11:

The applicant/developer is advised that in connection with Condition 14, to enable the scheme to be assessed in full the following information should be supplied to the Local Planning Authority:

1. A statement setting out why a lighting scheme is required, and the frequency and length of use in terms of hours of illumination during the summer and winter;
2. A site survey showing the area to be lit relative to the surrounding area, the existing landscape features together with proposed landscaping features to mitigate the impacts of the proposed lighting;
3. Details of the make and catalogue number of any luminaires/floodlights;
4. Size, type and number of lamps fitted within any luminaire or floodlight;
5. The mounting height of the luminaires/floodlights specified;
6. The location and orientation of the luminaires/floodlights;
7. A technical report prepared by a qualified Lighting Engineer or the lighting company setting out the type of lights, performance, height and spacing of lighting columns. The light levels to be achieved over the intended area, at the site boundary and for 25 metres outside it; &
8. The applicant/developer is advised that any lighting columns proposed should not exceed 10 metres in height in order to limit the impact on nearby residential properties and the Green Belt.

Details of companies who may be able to assist with supplying this information may be obtained from:

Institution of Lighting Engineers

Regent House

Regent Place

Rugby

CV21 2PN

TELEPHONE :- 01788 576492

FAX :- 01788 540145

Web :- [www.ile.org.uk](http://www.ile.org.uk)

E mail:- [info@ile.org.uk](mailto:info@ile.org.uk)

#### INFORMATIVE 12:

In connection with Condition 18, the applicant/developer is advised to give due regard to the advice contained in BS5228:2008 'Noise and vibration control on construction and open sites'.

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

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

For further information contact:-

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

Tel 0800 783 1423

[www.considerateconstructors.co.uk](http://www.considerateconstructors.co.uk)

#### INFORMATIVE 13:

The applicant/developer is advised that in accordance with Condition 18, the Construction Method Statement should include details relating to:

1. The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
2. The control of dust including arrangements to monitor dust emissions from the development site during the construction phase; and
3. Measures to reduce mud deposition offsite from vehicles leaving the site.

#### INFORMATIVE 14:

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

#### INFORMATIVE 15:

The applicant/developer is advised that public footpaths R147 and R147a must remain open and available for public use at all times, so must not be obstructed by parked vehicles or by materials during construction. If it is necessary to close public footpaths R147 or R147a for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this [01926 412004]. Any disturbance or alteration to the surface of a public right of way requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on a public right of way.

#### INFORMATIVE 16:

In connection with Condition 12 of this planning permission, the applicant/developer's attention is drawn to the comments of the Environment Agency dated 5th January 2015 appended to this decision.

#### INFORMATIVE 17:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

#### INFORMATIVE 18:

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

This can be downloaded at:

[http://www.rugby.gov.uk/site/scripts/documents\\_info.php?documentID=223&categoryID=200295](http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295) .

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

#### INFORMATIVE 19:

The applicant/developer is advised that during the construction of buildings on the adjacent site, Site B of the Former Peugeot Works, some neighbouring residents experienced television reception interference. As with the developments on Site B, the applicant/developer for Site C is strongly advised to engage with local residents as necessary in order to address any potential television reception interference issues that may occur from the redevelopment of Site C approved by this planning permission.

#### INFORMATIVE 20:

The applicant/developer is advised that in connection with Condition 3d) structural landscaping and bunding shall be included along the north-eastern boundary in order to protect the residential amenity of adjacent properties and the Arboricultural Method Statement as referred to in Condition 25 should include:

- Tree Protection Measures;
- Details of tree works in tree root protection areas;
- Tree surgery operations: schedule of trees to be removed and works to retained trees eg access facilitation pruning;
- Arboricultural site monitoring schedule; &
- Tree & landscape management plan.

In addition, the landscape scheme should include details of the quantity, size, species and position of all trees to be planted, together with an indication of how they integrate with the proposed development in the long term with regard to their mature size and anticipated routine maintenance. Furthermore, all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

#### INFORMATIVE 21:

In subsequent reserved matters submissions, the applicant/developer shall have regard to the Illustrative Landscape Plans ref 1456/14 06 & 1456/14 07 received by the Local Planning Authority on 10th December 2014 in connection with this outline planning application.

#### INFORMATIVE 22:

Should it be necessary to import suitable waste material to the site for use in the construction of the development (i.e. for the construction of hard-standing areas, raising of existing levels, access tracks etc), then an Exemption under Schedule 3 of the Environmental Permitting (England & Wales) Regulations 2010 will be required. A suitable Exemption must be registered with the Environment Agency prior to bringing waste on site. Please note that if the waste type or tonnage is outside the scope of the required Exemption, any deposit of waste in or on land for its recovery or disposal, will require a Permit under the 2010 Regulations before any such activity can begin.

#### INFORMATIVE 23:

Development which involves a culvert or an obstruction to flow on an Ordinary Watercourse will require consent under the Land Drainage Act 1991 and the Flood and Water Management Act 2010. In the case of an Ordinary Watercourse the responsibility for consenting lies with the Lead Local Flood Authority (LLFA). In an internal drainage district, the consent of the Internal Drainage Board, instead of the LLFA, is required for the above works under Section 23 of the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River on maps held by the Environment Agency and DEFRA. For further information on Ordinary Watercourses contact the LLFA on 01926 412781 / FRMplanning@warwickshire.gov.uk.

**Reference number: R15/1091**

**Site address: The Old Police House, 28 Coventry Road, Pailton, Rugby, CV23 0QB**

**Description: Removal of existing garden shed/store and erection of a timber clad garage/store, ancillary to the dwelling, incorporating photo voltaic panels to roof elevation**

**Case Officer Name & Number: Lizzie Beresford 01788 533762**

This application is being reported to planning committee because the applicant is a Councillor.

### **Proposal Description**

Planning permission is sought for the erection of a timber clad garage, ancillary to the existing dwelling, which will incorporate photo voltaic panels on the roof. It is proposed that the garage will be located in the North West corner of the rear garden, adjacent to the boundary fence and boundary hedge. The proposed garage will replace the existing garden store.

The proposed footprint of the garage is approximately 6.3metres x 6.3metres, with an additional storage area to the rear, which has a footprint of approximately 3metres x 2metres. The proposed height of the main garage is approximately 2.2metres to the front eaves and 2.6metres to the rear eaves, with a ridge height of approximately 4.3metres. To the rear, the roof continues down over the additional storage area, to an eaves height of approximately 1.2metres. The position of the proposed garage is to the rear of the garden, where the land slopes down by approximately 1.04metres from the main house.

### **Site Description**

The Old Police House is a two storey detached dwelling located within the local needs settlement of Pailton. The property is set back from the road, with small drive to the front of it which is set a quite a steep gradient. To the side of the property is a larger driveway which can accommodate several cars. The garden to the property is also set to the side of the property, and is bordered by a 2metre fence and mature trees to the west and a mature hedge to the north.

Number 26 Coventry Road is immediately to the east of The Old Police House. The property is a detached bungalow, set further back from the road than The Old Police House. It is bordered by a 2metre fence and mature trees.

Number 30 Coventry Road is to the west of The Old Police House. Between the two properties is a public right of way which leads to the fields to the rear of the properties. The property is a two storey detached dwelling, that immediately fronts the road. It is therefore positioned a considerable distance further forward than The Old Police House. The garden to number 30 does, however, extend much further back than the garden of The Old Police House. Within this garden is a large stable block, approximately 3.9 metres in height, which is positioned immediately adjacent to the boundary fence and subsequently the public right of way. Also within this garden is a second outbuilding that is positioned at the far end of the garden.

## Relevant Planning History

R91/1073/17127/P	Erection of two storey side and single storey front and rear extension	Approved 13.11.91
R02/0505/17127/P	Erection of conservatory	Approved 29.07.02

## Technical Consultation Responses

WCC Ecology No objection subject to informatives

## Third Party Responses

Cllr No comments

Parish No comments

Neighbours One neighbour letter from number 30 Coventry Road. It should be noted that this neighbour objection was submitted prior to the amended plans. Key points:

- No objection to the building itself
- The height of the proposed building is excessive in height (5metres)
- Number 30 is set, at some points, 1.5metres lower than The Old Police House, which could result in a building sitting in excess of 6metres high next to number 30.
- The proposed garage could also have an effect on the down draft of number 30's chimney

## Relevant Planning Policies and Guidance

### National Planning Policy Framework (NPPF)

Part 7 Requiring Good Design

### Core Strategy

CS16 Sustainable Design

### Saved Local Plan Policies

E6 Biodiversity

### Other Documents

Sustainable Design and Construction SPD: Appendix B Residential Design Guide

## Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on:

- the qualities, character and amenity of the area,
- the amenity of neighbouring properties
- biodiversity

These factors will be discussed in more detail below.

#### Impact on the qualities, character and amenity of the area

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

Initial plans that were submitted proposed that the garage was to be approximately 5m in height with a footprint of approximately 6.3metres x 6.3metres with an additional storage area to the rear with a footprint of approximately 3m x 2m. Although it was appreciated that the proposed footprint was considerable in size, it is positioned in the rear garden away from the street scene, and therefore would have minimal impact on the surrounding area. However, due to the position of the proposed garage immediately adjacent to the public right of way, it was considered that, even though the land sloped downwards, the proposed height of 5metres was excessive. With this in mind, it was requested that the plans were revised with a reduced height and lower pitch.

The request to amend the plans was complied with, and the submitted revised plans illustrated that the height of the ridge was reduced by approximately 0.75metre. This resulted in the ridge height being approximately 4.3metres and the eaves height being approximately 2.2metres to the front and 2.6metres to the rear of the main garage. The eaves to the additional storage area were changed to approximately 1.2metres. The difference in the heights of the eaves was to allow the angle of the roof to accommodate photo voltaic panels to ensure maximum efficiency.

The revised proposal is considered acceptable, as it reduces the impact on any potential users of the public right of way, and also brings the garage virtually in line with the stable block positioned in the neighbouring garden, on the other side of the public right of way, which stands at approximately 3.8metres.

It is therefore considered that the design and appearance of the proposed garage will have minimal impact on the quality character and amenity of the surrounding area and will not detract from the visual amenity of the immediate or wider surroundings.

#### Impact on the amenity of neighbouring properties

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

When measuring the distance of the proposed garage to the immediately adjacent neighbouring properties, it is clear that there is a considerable distance between them from all aspects.

Number 26 Coventry Road is positioned to the east of The Old Police House; with the proposal for the garage to be positioned to the west of the The Old Police House, it is clear that there will be no greater impact on number 26 than what is already there from the existing dwelling, as the proposed garage will not be visible from the property.

Number 30 Coventry Road is positioned to the west of The Old Police House, which is the same side as the proposed garage. However, as the front of number 30 is positioned immediately adjacent to the road, the property is a considerable distance further forward than the proposed position of the garage. When measuring from the rear elevation of



number 30 to the most forward point of the proposed garage, the distance between them is approximately 21.5metres. This is considered a large enough distance to ensure that minimal impact will be had upon the amenity of number 30, particularly as the height of the proposed garage is similar to the height of the existing stables that are constructed in the rear garden of number 30. It should also be noted that there is a 2metre fence and mature trees on either side of the public right of way that runs between the two properties, which provides further screening of the proposed garage.

In consideration of the above, it is therefore concluded that the size and position of the garage will have minimal impact on the amenity of neighbouring properties in terms of loss of light, loss of privacy, overshadowing or overlooking. It is also considered that the above conclusions suitably address the comments received by the resident of number 30 Coventry Road.

It is, however, considered necessary to apply a condition that ensures no side facing windows are inserted on the west elevation of the proposed garage. This is to ensure the privacy of the public right of way is maintained.

#### Impact on biodiversity

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. In addition, Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

WCC Ecology has no objection to the proposal subject to informatives. It is therefore considered that this proposal will not have an adverse impact on biodiversity.

#### Conclusion

With regard to the above, it is considered that the overall proposal will comply with the NPPF, Policy CS16 of the Rugby Borough Core Strategy, Policy E6 of the Saved Local Plan and Appendix B of the Sustainable Design and Construction Supplementary Planning Document: Residential Design Guide.

#### Recommendation:

Approve subject to appropriate conditions.

### DRAFT DECISION

#### APPLICATION NUMBER

R15/1091

#### DATE VALID

02/06/2015

#### ADDRESS OF DEVELOPMENT

The Old Police House  
28 Coventry Road  
Rugby  
CV23 0QB

#### APPLICANT/AGENT

Mr Tony Gillias  
The Old Police House  
28 Coventry Road  
Rugby  
Warwickshire  
CV23 0QB

## **APPLICATION DESCRIPTION**

Removal of existing garden shed/store and erection of a timber clad garage/store, ancillary to the dwelling, incorporating photo voltaic panels to roof elevation.

## **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

### **CONDITION 1:**

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

### **REASON:**

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

### **CONDITION 2:**

The development shall not be carried out other than in accordance with the following plans and documents, received by the Local Planning Authority on the respective dates:

- Application form received 02/06/15
- Site location plan received 02/06/15
- 0003-DR-002 received 19/06/15
- 0003-DR-003 received 19/06/15

### **REASON:**

For the avoidance of doubt.

### **INFORMATIVE 1:**

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

### **INFORMATIVE 2:**

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

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**Reference number:** R15/1128

**Site address:** Rugby Borough Council Car Park, Railway Terrace, Rugby

**Description:** Temporary change of use of the car park area to provide a Rugby Village/Fanzone in conjunction with the Rugby World Cup 2015 events between 11<sup>th</sup> September and 6<sup>th</sup> November 2015 including associated facilities, temporary structures and alterations and event branding

**Case Officer Name & Number:** Chris Kingham, 01788 533629

### **Background:**

The Rugby World Cup 2015 will be held in England over 44 days between 18<sup>th</sup> September and 31<sup>st</sup> October. The Tournament will comprise of 48 matches between 20 teams taking place at 13 Match Venues in 11 Host Cities throughout England and Wales. As a part of this, 15 Fanzones will be provided in each Host City as well as Rugby and Trafalgar Square in Central London. The Rugby World Cup is now the third biggest sporting event in the world and it is anticipated that it will attract over 466,000 foreign visitors to the UK.

The history of this sport can be traced back to Rugby School in 1823 when William Webb Ellis 'with a fine disregard for the rules of the game, took the ball and ran'. In so doing he forever created the unique link between the town of Rugby and the sport of rugby. This connection and tournament therefore provides an excellent opportunity for the town to capitalise on its role in shaping the sport's history.

It is within this context that the tournament organisers, England 2015, have given the town a unique 'Proud Home of the Game' designation. This places obligations on the Council but it also confers huge advantages, not least the global marketing that the town will receive – on equal footing to those cities that will be hosting games. The two principal obligations on the Council under the 'Host City' agreement are to provide a Fanzone and to undertake city dressing. Both of these are activities that the Council and our communities want to be delivered as they both set the scene and tone for celebration around the town as well as providing a space for events.

This planning application has therefore been submitted to seek temporary permission to locate the obligatory Village/Fanzone within Rugby town centre. This would enable a number of Rugby World Cup 2015 events to take place here between 11<sup>th</sup> September and 6<sup>th</sup> November 2015. The whole area would be able to accommodate up to 2,000 people and would include a temporary covered structure with a big screen for showing live matches. It would also include a bar area, food outlets and fan activities area. On non-match days, a range of events would take place covering art, culture, entertainment, comedy, music and guest speakers.

### **Site Description:**

The application site takes the form of a Council owned open surface public car park located off Railway Terrace in Rugby town centre. The surface is finished with both tarmac and brick paving with a gradient which slopes down from the southwest (by Gas Street) to the northeast (by Railway Terrace). An access road runs from Railway Terrace to an entrance/exit point to the John Barford multi-storey car park. The boundaries of the site take a variety of forms including low brick walls, bollards, metal guardrails and the elevations of surrounding buildings. A number of trees and low level shrub planting are located across the site.

In the area immediately surrounding the site there are a number of buildings which take a variety of different forms. The most prominent and dominating of these is the John Barford multi-storey car park which is three storeys in height and constructed from brick. A number of shops, offices, pubs and churches are also located within the vicinity. Notable buildings include the Brotherhood House (former LA Central at 22 Gas Street), Prospect House and New Life Church. There are also a number of residential properties within this area with the closest being located within Stanier Court and in flats above shops.

**Relevant Previous History:**

None

**Technical Consultation Responses:**

Building Control	No objection
Corporate Property	No response
Environmental Health	No objection subject to conditions and advisory notes
Rugby First	No objection
Severn Trent Water	No response
Warwickshire Fire and Rescue	No objection
Warwickshire Police	No response
WCC Highways	No objection
WCC Rights of Way	No objection
Works Services Unit	No response

**Third Party Consultation Responses:**

Neighbours (3)      Objection

- Increase in noise and disturbance.
- Refrigeration unit and two generators causing noise and pollution.
- Existing noise in area already causing disturbance.
- Licence for Alexandra Arms threatened with removal due to noise in pub garden yet allowing significantly more noise in Fanzone.
- Kitchen window to 14 Stanier Court overlooking bar area at short distance.
- Significant number of people.
- Increase in anti-social behaviour.
- Abuse of alcohol resulting in problems.
- Unclear what security will be provided.
- Safety of cars in Stanier Court private car park of concern.
- Increase in parking in inappropriate or unauthorised places.

- Increase in traffic.
- Only one access to John Barford car park off James Street.
- James Street not able to cope with increase in vehicular and pedestrian traffic.
- Removal of parking spaces in surface car park.
- Some parking areas should be reserved for permit holders only throughout tournament.
- Blocks pedestrian walkway from Stanier Court to Castle Street.
- Location not appropriate.
- Query whether Fanzone structure could be moved to other car park away from residents.
- Lack of interest in views and inconvenience of Fanzone to residents.
- Waste of tax payer's money.
- People will not come to this and will watch games in their homes or pubs.
- Rugby World Cup Trophy will be displayed on 16<sup>th</sup> August earlier than application begins.

**Assessment of Proposal:**

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Strategy 2011, Rugby Borough Local Plan Saved Policies 2009, The Warwickshire Waste Core Strategy 2013 and The Warwickshire Minerals and Waste Local Plans Saved Policies 2007.

It is considered that there are no policies within The Warwickshire Waste Core Strategy and The Warwickshire Minerals and Waste Local Plans which are relevant to this application. The relevant policies of the Core Strategy and Local Plan Saved Policies are outlined below.

Rugby Borough Core Strategy 2011

CS1	Complies	Development Strategy
CS6	Complies	Development in Rugby Town Centre
CS7	Complies	Retail Frontages
CS11	Complies	Transport and New Development
CS16	Complies	Sustainable Design

Rugby Borough Local Plan Saved Policies 2009

GP2	Complies	Landscaping
T5	Complies	Parking Facilities
TCR6 Area	Complies	Food and Drink Uses in the Town Centre Shopping

## Supplementary Planning Documents (SPDs)

Planning Obligations SPD (2012)

Sustainable Design and Construction SPD (2012)

## Material Considerations

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG)

Appendix A of Circular 11/1995: The Use of Conditions in Planning Permissions

Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

The Council is in the process of preparing further Development Plan Documents (DPD) which will update the Core Strategy 2011 and progressively replace the Rugby Borough Local Plan Saved Policies 2009. Consultation on the Development Strategy Consultation document for the Rugby Borough Local Plan DPD closed in July 2014. The Council currently expects to adopt this DPD by December 2016. However, as it has yet to be submitted for examination and so is subject to change, it has been afforded little weight as a material consideration.

## **Key Issues**

1. Sustainable Development
2. Economic Growth
3. Impact on the Vitality and Viability of Rugby Town Centre
4. Health, Social and Cultural Wellbeing
5. Visual Amenity
6. Noise, Odours and Disturbance
7. Highway Safety, Traffic Flows, Accessibility and Parking Provision
8. Public Rights of Way
9. Residential Amenity (Light, Aspect and Privacy)
10. Flood Risk and Drainage
11. Air Quality
12. Anti-Social Behaviour
13. Litter
14. Sustainable Design and Construction
15. Conclusions

## **1. Sustainable Development**

The NPPF establishes the need for the planning system to achieve sustainable development which is composed of mutually dependent economic, social and environmental dimensions (paragraphs 6 and 7). There is consequently a presumption in favour of applications for sustainable development (paragraphs 49 and 197). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan and other policies within the NPPF, unless material considerations or adverse impacts indicate otherwise (paragraphs 14 and 187). An assessment of this application is therefore outlined below.

## **2. Economic Growth**

Chapter 1 and paragraph 17 of the NPPF highlights the need for the planning system to support sustainable economic growth with notable references to job creation and prosperity.

The Rugby World Cup is the third largest sporting event in the world after the Olympics and FIFA World Cup. A national report entitled 'The economic impact of Rugby World Cup 2015' by Ernst and Young (2014) has therefore been prepared to establish the potential economic benefits of hosting the tournament. This sets out that the tournament will be worth an estimated £2.2 billion to the British economy. It further anticipates that there will be up to 466,000 international visitors across the duration of the tournament with further opportunities to attract future tourists and businesses in the long-term.

The potential economic benefits arising from Fanzones is identified in the report. It particularly highlights that whilst entrance to Fanzones will be free, their appeal to the broader population has the potential to generate £13 million in revenue through food and drink sales. In addition to this, the economy will benefit from the construction of the Fanzone and associated ancillary structures and uses. The operation of the Fanzone will also create and support existing employment opportunities. This could range from bar staff to cleaners to caterers to technical engineers. The purchase of food, drinks, merchandise and goods will also benefit jobs and businesses within the wider economy.

Aside from the more general economic benefits of the Fanzone, it is hoped that this will help to attract fans, residents, visitors and media representatives to the town of Rugby as the birthplace of the game. In turn it is hoped that this will benefit the local economy in respect of an increase in spending at local businesses. This could potentially include spending within local shops, bars, cafes, restaurants, hotels and leisure facilities as people explore the area. Nonetheless, it is equally recognised that there are some concerns that the Fanzone could attract trade away from local businesses in the hospitality sector. For example, fans who may have ordinarily watched a game in a local pub may choose to watch this in the Fanzone instead. Although these concerns are acknowledged, it is reasonable to expect that the Fanzone will act as a significant pull factor attracting people into the town who perhaps otherwise would not have come. For example, the Fanzone status helps to identify the significance of the town and thereby assist in encouraging overseas visitors to spend time here. This should consequently result in a greater amount of footfall and spending. Indeed, the evidence and conclusions of the Ernst and Young report help to substantiate this.

In the long term it is further hoped that the event will help to raise the status and profile of the town of Rugby on the international stage. This has the potential to result in an increase in tourism and investment from businesses which would increase prosperity and job creation with the Borough.

Overall, it is considered that the proposed Fanzone would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the application.

## **3. Impact on the Vitality and Viability of Rugby Town Centre**

Policies CS6 and CS7 of the Core Strategy outline key objectives for ensuring that development in Rugby town centre is appropriate for this location. Together with chapter 2 of the NPPF, the policies also seek to ensure that development will support the vitality and viability of this centre.



In this case the proposal is for a Fanzone (albeit on a temporary basis) which is a sui-generis use and therefore does not strictly fall within the definition of main town centre uses outlined in the NPPF. However, the proposed use is generally akin to a leisure and entertainment facility which does fall within the definition of main town centre uses. The ancillary bar and food outlets associated with the use also fall within the definition of main town centre uses.

It is within the context of the above that it is recognised that the application site falls within the boundaries of Rugby town centre as defined on the Core Strategy Proposals Map. The proposed development would consequently satisfy the sequential test outlined in paragraph 24 of the NPPF. It would also comply with policies CS6 and CS7 in that it would fall within the area indicated for a broad range of use classes whilst increasing the vitality of the town centre by helping to create a vibrant mix of activity. It is further consistent with the aim of ensuring the centre is a vibrant safe environment utilised by all sections of the community throughout the day and night. Indeed, for the reasons outlined in the 'Economic Growth' section above, it is considered that the Fanzone would help to improve the vitality and viability of Rugby Town Centre in both the short and long term.

Overall, it is considered that the proposed Fanzone would have a positive impact on the vitality and viability of Rugby town centre and this therefore weighs in favour of the application.

#### **4. Health, Social and Cultural Wellbeing**

The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities (paragraph 69). It also sets out the need for planning to support development that will help to improve health, social and cultural wellbeing for all (paragraph 17).

In this respect it is noted that entrance to the Fanzone will be free thereby ensuring that the event is inclusive and appeals to the broader population. Moreover, it is hoped that the Fanzone will attract fans, residents, visitors and media representatives who will all converge to enjoy watching live games and taking part in the additional activities together. Overall, up to 2,000 people could be accommodated within the Village/Fanzone and this therefore provides an opportunity for local people and visitors who missed out on tickets to feel part of the World Cup and say 'I was there'. The 'Activation Zone' will also include community engagement activities and 'have a go' simulators. In addition, the Fanzone will be utilised on non-match days for a range of events covering art, culture, entertainment, comedy, music and guest speakers.

It is consequently considered that the Fanzone will have a number of benefits for health, social and cultural wellbeing both in the short and long term. In respect of health, it is particularly hoped that the Fanzone will encourage more people to play rugby and thereby get and stay fit and active. In relation to social interaction, the event will bring people together to enjoy the excitement and buzz of an international tournament. At the same time it will help to create shared memories and develop a sense of community. From a cultural perspective, the event will particularly help to reinforce the heritage of the area and the historic relationship of the sport of rugby with the town of Rugby. Added to this, the planned events covering art, culture, entertainment, comedy, music and guest speakers will help to increase cultural awareness within the community.

Overall, it is considered that the proposed Fanzone would have a positive impact on the health, social and cultural wellbeing of residents and visitors to the Borough and this therefore weighs in favour of the application.

## **5. Visual Amenity**

Policy CS16 of the Core Strategy sets out that 'All development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated'. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 17 and Chapter 7 of the NPPF are also relevant and set out the importance of good design in relation to new development.

The application site currently takes the form of an open surface public car park which is constructed from both tarmac and brick paving. The gradient of this land is such that it slopes down from the southwest (by Gas Street) to the northeast (by Railway Terrace). The boundaries of the site take a variety of forms including low brick walls, bollards, metal guardrails and the elevations of surrounding buildings. A number of trees and low level shrub planting are located across the site. In the area immediately surrounding the site there are a number of buildings which take a variety of different forms. The most prominent and dominating of these is the John Barford multi-storey car park which is three storeys in height and constructed from brick. Other notable buildings include the Brotherhood House (former LA Central at 22 Gas Street), Stanier Court, Prospect House and New Life Church.

It is within the context of the above that it is proposed to create a temporary Fanzone/Village for the Rugby World Cup. The main structure that would be created as a part of this is a semi-permanent modular building towards the northeast corner of the site. This structure would have a footprint of 750 square metres and height of 8 metres. However, the levels of the site are such that part of this structure would be raised by a scaffold base to create a level floor. A detailed levels plan showing existing and proposed levels has not been submitted with the application. Nonetheless, it is anticipated that the height of the structure towards the northeast boundary adjacent to Railway Terrace could actually be up to 10.75 metres high above the existing ground level. The elevations would be constructed from 60mm thick insulated sandwich panels and glass panels inserted into an aluminium steel frame. The outer surface of the panels would have a steel metallic coating but it is proposed that this will also be covered by Rugby World Cup branding material. The roof would be constructed from opaque or translucent PVC.

Aside from the main structure, it is proposed that the temporary Fanzone/Village would include a number of 'chattels' (movable items to be provided in connection with the proposed use) which would be placed on the site. Such 'chattels' would include a sponsor activation zone (used by official tournament partners and the RFU for community engagement activities including 'have a go' simulators), food outlets, toilets, urinal stations, entrance feature, generators, chiller unit and storage. The proposed site layout plan includes illustrative locations for where these 'chattels' could be positioned on the site together with the potential size and number of these movable items. However, as these 'chattels' are movable non-permanent items, no plans have been submitted showing how these would appear. The site itself would be surrounded by 2 metre high heras fencing with branded scrim to the perimeter.

The nature of the proposed Fanzone structure, 'chattels' and fencing that would be brought onto the land in association with the proposed use is such that they would appear visually prominent, incongruous and somewhat intrusive within this location. Indeed, the size, design

and materials used in the construction of the structures and movable items on site would be such that this would have a negative impact on the character and appearance of this area of town. In particular, the height, massing and materials of the proposed Fanzone structure is such that this would appear out of place and would fail to relate well to the surrounding development in Railway Terrace. Nonetheless, the proposed structures and movable items are what would reasonably be expected for a temporary Fanzone and event of this type. The harm to visual amenity therefore needs to be balanced against this and the associated wider benefits the proposal would bring. It is therefore considered that the impact on visual amenity would only be acceptable on a temporary basis. However, the proposed development would not be acceptable on a long term or permanent basis. A condition requiring the use to cease and all structures and movable items placed on the land to be removed by the 17<sup>th</sup> November 2015 would therefore need to be imposed.

## **6. Noise, Odours and Disturbance**

Paragraphs 17, 109 and 120 of the NPPF outline the need to ensure that development is appropriate for its location and considers the impact on amenity and adverse effects from odours and noise. Paragraph 123 of the NPPF builds on this and indicates the need to consider the impact of noise resulting from new development on health, quality of life and areas of tranquillity. It further indicates the need to consider measures, including the use of conditions, to minimise noise and mitigate against the impact from it.

The nature of the proposed use is such that this would generate a significant amount of noise from the activities and operations which would be carried out across the site. This would arise from people attending the event, staff working on the site, activities and entertainment in the activation zone, sound from the live televised games, public address systems, amplified music, comedy shows, guest speakers, bands, air conditioning, vehicles and generators. Indeed, it is proposed that up to 2,000 people could be accommodated within the Fanzone/Village with live match streaming, activities, events and entertainment taking place between 11<sup>th</sup> September and 6<sup>th</sup> November. Of the 2,000 people, a maximum of 1,000 spectators at any one time would be able to be accommodated within the Fanzone structure itself. This number is only anticipated on busy match days and a small number of event days. A further maximum of 1,000 spectators could be accommodated within the 'Activation Zone'.

Public opening times would vary but would typically be from 08:00 to 23:00. However, the applicant has requested that the use be allowed to operate from 08:00 a.m. to 01:30 a.m. This is because a small number of events (currently less than 5 events) are anticipated to run beyond 23:00. The extended later opening times for these events are therefore expected to be an exception rather than the norm. Allowing the use to run past 23:00 would also allow the applicant to play recorded music after this time which would assist and support the 'soft closure' of events. It is intended that this music would be of a style to foster a calming and quietening environment to support a slow release and gradual dispersal of customers after an event.

It is clear from the above that there is a high potential for the noise that would be generated to cause disturbance to surrounding residential dwellings and businesses. Indeed, at the closest point, the proposed Fanzone structure would be located just 2.50 metres away from the side elevations to three residential apartments at Stanier Court. Following a request from Environment Health, the applicant has therefore submitted a Noise Management Plan which details a range of procedures that would be adopted to ensure that, as far as practicable, disturbance to local residents and businesses is minimised.

The plan highlights that the Fanzone structure, from which a significant amount of noise could be generated, would take the form of a semi-permanent modular building. It consequently accepts that as the structure is temporary and of a relatively light weight construction, the opportunity for significant sound absorption, insulation or mechanical controls are limited. It therefore indicates that the principal controls would be achieved through the programming and management of events. In doing this it contends that many events will have little or no noticeable impact upon neighbouring residents but accepts that large events such as match screening and musical events will. It further notes that all of the latter events will finish no later than 23:00 and often earlier. However, pre-recorded music at lower volumes would be played after 23:00 to assist the soft closing and the cooling down of customers prior to departure. Aside from this, the structure, stage, line array and subs would be positioned and directed so as to send the high to low mid frequency and bass in the direction of the activation area, and therefore not in the general direction of any surrounding residential buildings. An audio/visual technician would also be on site to manage and control sound generation sources. The management of the Fanzone/Village will therefore be able to issue instructions to manipulate the equipment to mitigate the impact on neighbours.

Aside from the Fanzone structure, the plan looks at the impact and mitigation of noise across the whole site. It consequently sets out measures including: signage asking people to respect the neighbours when leaving; counting people in/out via a clicker system; operating a '3 strikes' warning system for disruptive behaviour; ejecting those with disruptive behaviour from the site; having a designated smoking area; only using a modern 'quiet' chiller unit and operating only when necessary; running diesel generators during operational hours only then using mains or silent battery power'; deliveries only during operational hours; no glass bottles/drinks on site so predominately plastic waste leading to lower noise when emptied; and plant only being operated during operational hours.

The plan sets out that the monitoring and measuring of noise levels will take place throughout the time the use is operational. Matches and events will be categorised as low, medium or high according to their likely level of noise output. During 'high' category events, sound levels outside the structure will be measured and recorded at hourly intervals. During 'medium' category events, sound levels will be checked twice. Level checks will be taken inside at the far end of the structure (opposite from the screen), at 10 metres from the main entrance to the structure and once in front of the nearest residential dwellings. If levels are deemed too high by the Duty Manager, appropriate action can be taken. The Duty Manager will be contactable during events via a telephone number, which will be circulated to nearby neighbours. The event management team will then review operations, issues and complaints on a weekly basis throughout the operation of the use to identify areas for improvement where possible. Neighbouring residents will also be offered regular opportunities to discuss and review operations with the event management team.

Environmental Health has subsequently assessed the Noise Management Plan and raised no objection to this. A condition requiring the development to be carried out in accordance with the Noise Management Plan would therefore be necessary. Environmental Health has also requested a condition restricting the hours of use from 08:00 a.m. to 01:30 a.m. from the 11<sup>th</sup> September to the 6<sup>th</sup> November. These conditions are considered to be acceptable and would help to mitigate against the impacts which could arise. Nonetheless, it is clear that allowing the proposed development in this location is likely to result in a significant amount of noise to occur. This noise has the potential to cause a significant and detrimental amount of disturbance and harm to the residential amenity of surrounding properties even if the suggested conditions are imposed.

Despite the likely impact on residential amenity, it is necessary to take into account that this would be a one off event which would run for a limited period of time from the 11<sup>th</sup> September to the 6<sup>th</sup> November. The harm to residential amenity for this limited period of time also needs to be balanced against the associated wider benefits the proposal would bring. It is on this basis that it is considered, subject to conditions, that the proposal would be acceptable on a temporary basis. However, the proposed development would not be acceptable on a long term or permanent basis. A condition requiring the use to cease and all structures and movable items placed on the land to be removed by the 17<sup>th</sup> November 2015 would therefore need to be imposed.

## **7. Highway Safety, Traffic Flows, Accessibility and Parking Provision**

One of the core planning principles outlined within paragraph 17 of the NPPF sets out the need for planning to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'. It then further expands on this and sets out the need to consider sustainable transport modes, the suitability and safety of accesses, and whether improvements can be undertaken to the transport network to limit the impact of developments (paragraphs 32, 34 and 35). Policy CS11 of the Core Strategy is consistent with this and states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues.

### *Access*

There would be no public vehicular access to the site during the construction, operation and dismantling of the use on site. Vehicles accessing the site from Railway Terrace would be strictly controlled and restricted to deliveries and emergency vehicles only. This means that the vehicular access off Railway Terrace to the John Barford Car Park would be closed with access only available off James Street to this.

Pedestrian access would be located off Castle Street/Gas Street with an emergency pedestrian exit from the site onto Railway Terrace. The proposed fencing around the site would prevent pedestrian access across the site as currently occurs. This means that pedestrians approaching the town via Railway Terrace and Charles Warren Close would not be able to cut across the car park to Gas Street and beyond. Pedestrians would therefore need to travel further along Railway Terrace and up Gas Street. Although this may cause a degree of inconvenience, this would not warrant refusing the application.

WCC Highways has subsequently assessed the proposed access arrangements and raised no objection to this. WCC Rights of Way Team has also assessed this and raised no objection as there are no recorded public rights of way crossing or immediately abutting the application site. It is therefore considered that the proposed vehicular and pedestrian accesses would be acceptable.

### *Traffic Flows*

The nature of the proposed development is such that it is likely to attract residents and visitors from further afield who may opt to drive rather than take public transport to the Fanzone. No Transport Assessment has been submitted with the application but the Planning Statement does outline that a Traffic Management Plan will be developed and submitted to England 2015 ahead of the site becoming operational. It also notes that temporary way-finding and signage would be placed around the town to direct people to the venue and other sites, including John Barford car park. In any event, it is reasonable to assume that the majority of those specifically seeking to drive to the Fanzone would choose to park in the John Barford multi-storey car park. This would

invariably mean that there would be an increase in traffic levels in the roads surrounding this. This could be particularly noticeable before and after live events take place. Although this has the potential to cause some delays and inconvenience, it is considered that this would not be to such an extent so as to warrant refusal. This is particularly so given that the impact would be limited to a temporary time and one off event. WCC Highways has subsequently assessed the impact on traffic flows and raised no objection to this.

### *Accessibility*

The nature of the proposed development is such that it is likely to attract residents and visitors from further afield. In this respect the proposed location of the development is considered to be excellent being within the town centre and a short walk away from Rugby Train Station and the town centre bus terminals. It is therefore considered that the Fanzone would be highly accessible and would provide good opportunities to encourage the use of public transport.

### *Car Parking*

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details maximum parking standards which should be provided for various types of development.

In this case there would no parking provision made on site. The location of the development on two public surface car parks is also such that this would reduce parking provision in the town centre. However, the site is located immediately adjacent to the John Barford multi-storey car park which contains approximately 570 spaces. The opening times of this car park during the tournament are to be confirmed but the Planning Statement indicates that it will be open for at least 45 minutes after the last event of the day. The town centre location also means that visitors will be able to park in any number of the public car parks located within this area. In view of this it is considered that the proposal complies with Saved Local Plan Policy T5 and the Planning Obligations SPD.

## **8. Residential Amenity (Light, Aspect and Privacy)**

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Paragraph 17 of the NPPF is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

The position of the Fanzone structure to the northeast of the application site is such that this would be located within close proximity to a number of residential properties. It is proposed that the structure would be up to 8 metres in height but the levels of the site are such that part of this would be raised by a scaffold base to create a level floor. A detailed levels plan showing existing and proposed levels has not been submitted with the application. Nonetheless, it is anticipated that the height of the structure towards the northeast boundary adjacent to Railway Terrace could actually be up to 10.75 metres. The closest affected properties would therefore be three residential apartments at Stanier Court.

In relation to the first floor front apartment (14 Stanier Court) it is noted that there are windows to the kitchen/living room within the front and side elevations. The window to the side elevation is a secondary non-original window which would directly face the area where the Fanzone structure would be located at a distance of 2.50 metres. This would consequently result in a loss of light and aspect to this window. However, the kitchen/living room would still retain the light and aspect afforded by the primary window to the front elevation. The impact on residential amenity is therefore considered to be acceptable.

In relation to the first floor rear apartment (16 Stanier Court) it is noted that there are three windows within the rear elevation which serve a kitchen/living room and two bedrooms. The proposed Fanzone structure would consequently infringe a 45-degree line from the mid-point of these windows. As a result, the Fanzone structure would lead to a loss of light and aspect to these windows which would harm the occupant's residential amenity.

Despite the impact on residential amenity, it is necessary to take into account that this would be a one off event which would run for a limited period of time from the 11<sup>th</sup> September to the 6<sup>th</sup> November. The harm to residential amenity for this limited period of time also needs to be balanced against the associated wider benefits the proposal would bring. It is on this basis that it is considered, subject to conditions, that the proposal would be acceptable on a temporary basis. However, the proposed development would not be acceptable on a long term or permanent basis. A condition requiring the use to cease and all structures and movable items placed on the land to be removed by the 17<sup>th</sup> November 2015 would therefore need to be imposed.

## **9. Flood Risk and Drainage**

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 100-103). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Further, policy CS16 states that developments should incorporate sustainable drainage systems (SUDs). Opportunities for utilising SUDs are also referred to in saved policy GP2. However, it goes on to state that the actual provision will be determined through negotiation, taking account of individual site characteristics and issues relating to the viability of development.

The application site falls within flood zone 1 (low risk) and therefore passes the requirements of the sequential and exception tests outlined in the NPPF. In respect of surface water run-off it is important to note that the application site is used as a car park and consequently has a tarmac surface. Rainfall therefore runs off the existing surface and into drains located on the site. This existing situation would not be altered by the proposed development and so the potential for increased flood risk off site would not be detrimentally greater than what already occurs. In respect of foul sewage the applicant is proposing to use a temporary water/waste system throughout the tournament. A plan showing the layout of this system has been submitted. Severn Trent Water but no response has been received to date. However, Building Control have considered the proposal and raised no objection to this element of the proposals. It is consequently considered that this temporary water/waste system would be acceptable.

## **10. Air Quality**

The NPPF establishes the need to consider whether the proposed development would result in unacceptable levels of air quality to the detriment of new or existing development (paragraph 109). It further outlines a requirement to consider the impact on Air Quality Management Areas (AQMA) and the cumulative impacts on this (paragraph 124).

The application site falls within the Rugby AQMA which has been designated due to an excess of nitrogen dioxide, related primarily to specific traffic congestion issues near the centre of the town. Whilst no Air Quality Assessment has been submitted as part of the planning application, it is reasonable to assume that the proposed development could result in an increase in nitrogen dioxide levels. This could arise from an increase in vehicle emissions as local people and visitors travel to and from the site. It could also arise from the use of generators to power the different uses on the site. Despite this it is recognised that the proposed Fanzone would be temporary in nature and any increase in nitrogen dioxide would therefore also be temporary. In this respect Environmental Health has considered the proposal and raised no objection to the impact of the development on air quality. On balance, the impact on air quality is therefore considered to be acceptable.

## **11. Public Rights of Way**

The NPPF establishes the need for planning to protect and enhance public rights of way (paragraph 75). In this respect, WCC Rights of Way Team has commented that there are no recorded Public Rights of Way crossing or immediately abutting the application site. They therefore raise no objection to the proposed development and it is consequently considered that the proposal complies with paragraph 75.

## **12. Anti-Social Behaviour**

It is considered that there is no substantive evidence to suggest that granting permission for the proposed development would result in a direct correlation with the number of instances of anti-social behaviour within the locality. It would therefore be unreasonable to substantiate a refusal on these grounds. In any event, the Planning Statement indicates that 24-7 on-site security would be present with visitors behaving inappropriately being ejected from the site. Matters relating to anti-social behaviour would also be dealt with by the police. In this respect, Warwickshire Police were consulted on the application but have not responded to this. It is therefore considered that the proposed development would be acceptable in relation to potential issues with anti-social behaviour.

## **13. Litter**

There is potential for an increase in litter in the area surrounding the site if approval was to be granted. In this respect the applicant is proposing to provide bins on site to minimise, as far as is practicability possible, the potential for litter problems to occur. There are also a number of bins located throughout the town centre. Nonetheless, the issue of litter is largely outside of the control of the applicant and operators and is rather an issue of social responsibility for the visitors who would use the site. Whilst there is potential for an increase in litter, it would not be reasonable for the applicant and operator to be held accountable for the action of individuals who use the site. It is also considered that the issue of a potential increase in litter could not be used to substantiate a reason for refusal. In this respect, the Works Service Unit were consulted on the application but have not responded to this. It is therefore considered that the proposed development would be acceptable in relation to potential issues with litter.



## **14. Sustainable Design and Construction**

Core Strategy policies CS16 and CS17 refer to sustainable design and reducing carbon emissions. The Sustainable Design and Construction Supplementary Planning Document 2012 further expands upon this and sets out the potential to reduce carbon emissions through improving energy efficiency in construction and design. In this respect the Fanzone structure is only proposed to be a semi-modular building which therefore significantly limits opportunities to improve energy efficiency. Given the temporary nature of the use it is considered that this would be acceptable.

## **15. Conclusion**

Overall, it is considered that the proposed temporary change of use to a Rugby World Cup Village/Fanzone would have significant benefits in respect of supporting economic growth within the Borough. In particular, the location of the site within Rugby town centre is such that this would have a positive impact on the vitality and viability of this centre. The proposal would also build upon the heritage of the town as the birthplace of the game. In doing this it would make a positive contribution towards the health, social and cultural wellbeing of residents and visitors to the Borough.

Despite the positive benefits of the proposal, it is acknowledged that it would result in detrimental harm to the visual amenity of the area. It would also cause detrimental harm to residential amenity in respect of the impact from noise and odours associated with the use. The temporary Fanzone structure would further have a detrimental impact on the light and aspect to one first floor residential apartment.

Aside from this, the proposal has been found to be acceptable in relation to matters relating to highway safety, traffic flows, accessibility, parking provision, public rights of ways, flood risk, drainage, air quality, anti-social behaviour, litter and sustainable design and construction.

It is consequently necessary to take a balanced view of the mutually dependent economic, social and environmental dimensions of the proposal to ascertain whether it would achieve sustainable development. In this respect, it is necessary to take into account that this would be a temporary one off event which would run for a limited period of time from the 11<sup>th</sup> September to the 6<sup>th</sup> November 2015. The identified harm that would arise from the development would therefore be limited to a defined period of time. When this is weighed against the wider benefits of the proposal both in the short and long term, it is considered that the proposal would be acceptable. However, as the proposal would not be acceptable on a long term or permanent basis, this would only be acceptable if a condition limiting the use to a defined period of time is imposed. On balance, it is consequently considered that the proposed development would take the form of sustainable development which should be approved.

**Recommendation:** Approval Subject to Conditions

**Report prepared by:** Chris Kingham, Principal Planning Officer

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R15/1128

### **DATE VALID**

05/06/2015

### **ADDRESS OF DEVELOPMENT**

CAR PARK  
RAILWAY TERRACE  
RUGBY  
CV21 3HQ

### **APPLICANT/AGENT**

Mr M Beirne  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby  
Warwickshire  
CV21 2RR

### **APPLICATION DESCRIPTION**

Temporary change of use of the car park area to provide a Rugby Village/Fanzone in conjunction with the Rugby World Cup 2015 events between 11th September and 6th November 2015 including associated facilities, temporary structures and alterations and event branding

### **CONDITIONS AND REASONS**

#### CONDITION 1:

The development shall not be carried out other than in accordance with the approved plans and documents contained in the following schedule:

<u>Plan Description</u>	<u>Date Received</u>
Site Location Plan	05/06/2015
Proposed Illustrative Layout Plan	05/06/2015
Proposed Drainage Plan	05/06/2015
Proposed Fanzone Layout Plan	05/06/2015
Proposed Fanzone Floor and Elevation Plans	05/06/2015
Planning Statement	05/06/2015
Points of Clarification	11/06/2015
Noise Management Plan	25/06/2015

#### REASON:

For the avoidance of doubt.

CONDITION 2:

The temporary use hereby permitted shall cease and all structures, 'chattels' (movable items), fencing, materials and equipment brought onto the land in connection with the use, including the Fanzone structure hereby approved, shall be removed and the land restored to its former use and condition on or before 17<sup>th</sup> November 2015.

REASON:

In the interests of visual and residential amenity.

CONDITION 3:

The use hereby permitted shall not operate other than between the hours of 08:00 a.m. and 01:30 a.m.

REASON:

To protect the residential amenity of nearby properties.

CONDITION 4:

No deliveries/servicing shall be carried out other than between the hours of 08:00 a.m. and 23:00 p.m.

REASON:

To protect the residential amenity of nearby properties.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE 1:

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

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

Sunday - 8.30 a.m. - 13.00 p.m.

INFORMATIVE 2:

Satisfactory water test samples will need to be submitted to Environmental Services (Gill Parsons or Dean Taylor) before operational opening of the facility to the public. The facility will not be permitted to open to the public until satisfactory test samples have been received by Environmental Services for reasons of public health and safety.

INFORMATIVE 3:

Storage of fuel on site is not recommended. Fuel should be delivered to site if and when required and during non-operational times if applicable. However if storage of fuels is intended on site, off-ground storage and appropriate bunding to a minimum of 110% volume capacity of total storage or 110% of the largest storage vessel should be provided, if practical. The storage area will also need to be excluded from public access, located within a

retained area(s). The site plan indicates that the 'Smoking Area' is located in proximity to a 'Generator 3 x 3m' area. A risk assessment is recommended if this is a risk to any fuel stored on site

#### INFORMATIVE 4:

A proportion of the site is located over a historical gas works and timber yard. These historical land uses represent a potential contaminative risk to the site. However as the facility is temporary and located over a car park (capped), risk from the site to the proposed temporary end use is considered low. Any minor intrusive works will require workers to wash hands and equipment.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	8 July 2015
<b>Report Title</b>	Delegated Decisions – 21.05.2015 to 10.06.2015
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Dan McGahey 3774
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Head of Planning and Recreation under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	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 – 08.07.2015**

**Delegated Decisions – From 21.05.2015 To 10.06.2015**

**Report of the Head of Planning and Recreation**

**Recommendation**

The report be noted.

**1. BACKGROUND**

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

Name of Meeting: Planning Committee  
 Date Of Meeting: 08.07.2015  
 Subject Matter: Delegated Decisions – 21.05.2015 to 10.06.2015  
 Originating Department: Planning and Recreation

**LIST OF BACKGROUND PAPERS**

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

\* The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)





DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER  
DELEGATED POWERS FROM 21.05.2015 TO 10.06.2015

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R15/0735 Refused 03.06.2015</i>	Glebe Farm Barn Birdingbury Road Bourton-on-Dunsmore	Single storey rear extension
<b>Applications Approved</b>		
<i>R15/0861 Approved 21.05.2015</i>	The Chimneys Smeaton Lane Rugby	Erection of a single storey rear extension
<i>R15/0464 Approved 21.05.2015</i>	The Old Barn Rugby Road Princethorpe Rugby	Proposed formation of gable to full height opening to west [rear] elevation, replacement joinery, new roof lights and replacement flue to log burner
<i>R15/0604 Approved 21.05.2015</i>	5 Southam Road Toft Rugby	Erection of a single storey rear extension
<i>R15/0782 Approved 21.05.2015</i>	Featherstone Farm Leamington Road Ryton-on-Dunsmore	Change of Use of Land to Equestrian, Erection of Stable Block and the Construction of a Manege
<i>R15/0480 Approved 21.05.2015</i>	10 Bilton Lane Dunchurch	Demolition of existing dwelling and erection of a 4 bedroom detached dwelling with integral garage
<i>R15/0297 Approved 22.05.2015</i>	Wharf Farm Kilsby Lane Hillmorton Rugby	Use of redundant agricultural buildings for the selling and repair of cars.
<i>R15/0654 Approved 22.05.2015</i>	60 Manor Estate Wolston Coventry	Erection of an outbuilding for use as an ancillary annex to the main dwelling house

<i>R14/2134 Approved 22.05.2015</i>	Fintry Speedway Lane Brandon Coventry	Single-storey front, side and rear extensions and external alterations (retrospective)
<i>R15/0893 Approved 26.05.2015</i>	Wolf Systems Limited Unit A-B Shilton Industrial Estate Kiln Way Shilton Industrial Estate Coventry	2metre high v-mex fencing
<i>R15/0895 Approved 26.05.2015</i>	Wolf Systems Limited Unit E Shilton Industrial Estate Bulkington Road Rugby	Two metre high v-mex fencing
<i>R15/0696 Approved 26.05.2015</i>	Wolf Systems Limited Unit A-B Shilton Industrial Estate Kiln Way Shilton Industrial Estate Coventry	Factory extension to form offices and new loading bay
<i>R15/0794 Approved 26.05.2015</i>	464 London Road Stretton-on-Dunsmore	First floor side extension

<i>R15/0897 Approved 27.05.2015</i>	The Old Telephone Exchange 32-42 Albert Street Ground Floor Rugby	Change of use for ground floor accommodation from offices (B1) to non-residential day care (D1) including a new disabled access.
<i>R15/0649 Approved 27.05.2015</i>	The Hope Centre 45-46 Church Street Rugby	Proposed change of use from a charity's homeless shelter (Sui Generis) to 2 residential flats (Class C3)
<i>R15/0811 Approved 28.05.2015</i>	Star Cottage Main Street Rugby	Extensions and alterations to dwelling and existing garage
<i>R15/0720 Approved 28.05.2015</i>	Avon Valley School Newbold Road Rugby	Installation of replacement boundary fencing to frontage [Newbold Road ] and siting of refurbished temporary classroom
<i>R15/0919 Approved 28.05.2015</i>	Satellite Mediaport Services Ltd Lawford Heath Lane Long Lawford Rugby	Replacement of two existing antennae with two new antennae
<i>R14/0803 Approved 28.05.2015</i>	Memorare Cottage Leamington Road Princethorpe Rugby	Replacement of First Floor Accommodation over former Coach House and Stable to provide new Studio
<i>R15/0797 Approved 29.05.2015</i>	The Old Vicarage London Road Ryton-on-Dunsmore	Change of use of land to a radio transmission point including the erection of a new AM radio antenna
<i>R14/0877 Approved 29.05.2015</i>	The Manor House Anns Lane Stretton-under Fosse Rugby	Retention of use of existing agricultural building for storage of vehicles [Land Rovers] and personal workshop and alterations including repair maintenance of the existing Dutch barn for the storage of private vehicles.
<i>R15/0180 Approved 02.06.2015</i>	1 Magdalen Road Willoughby Rugby	Erection of a side and rear extensions
<i>R15/0857 Approved 02.06.2015</i>	73 Loverock Crescent Rugby	Erection of a rear conservatory

<i>R15/0885 Approved 02.06.2015</i>	217 Rugby Road Binley Woods	Extensions and alterations to dwelling.
<i>R15/0772 Approved 03.06.2015</i>	3 Avon Street Clifton upon Dunsmore	Kitchen extension to rear of property (single storey)
<i>R15/0834 Approved 03.06.2015</i>	31 Larchfields Coventry	Variation of Condition 3 of R02/0455/11613/P. Retrospective application for the installation of a window within the side elevation of the first floor side extension.
<i>R15/0751 Approved 03.06.2015</i>	Stave Hall Kennels Kennels Stave Hall Farm Fosse Way Monks Kirby Rugby	Conversion of disused kennel to a residential dwelling
<i>R15/0638 Approved 03.06.2015</i>	Rugby School The James Pavilion The Close Barby Road Rugby	Proposed modifications to the 'James Pavilion' building comprising of demolition of existing toilet and wall enclosing yard area, 2 storey rear extension to provide washrooms to changing rooms and first floor store room.
<i>R14/1737 Approved 03.06.2015</i>	Armswell House Church Hill Wolvey Hinckley	Erection of a two storey side extension, conversion of outbuilding to residential, retention of ground works including gabion retaining walls and alterations to existing vehicular access.
<i>R15/0947 Approved 04.06.2015</i>	88 Constable Road Hillmorton Rugby	Single storey side and rear extension and front porch.
<i>R15/0913 Approved 04.06.2015</i>	Rugby School Michell House 3 Hillmorton Road Rugby	Erection of single storey lean-to extension at rear of building to provide new boiler enclosure.
<i>R15/0792 Approved 04.06.2015</i>	Orchard Barn Copston Lane Copston Magna	Proposed extensions to form new kitchen, playroom and replacement of existing lounge to form larger lounge and adjacent rooms.

<i>R15/0855 Approved 05.06.2015</i>	28 Squires Road Rugby	Single storey rear extension.
<i>R15/0786 Approved 05.06.2015</i>	2 The Hall Close Dunchurch	Proposed two storey side extension plus single storey rear extension.
<i>R15/0920 Approved 05.06.2015</i>	47 Broad Street Brinklow	Erection of single storey side/rear extension and two storey side extension.
<i>R15/0969 Approved 08.06.2015</i>	Medda Place Market Garden Coventry Road Thurlaston Rugby	Continued use of land to mixed uses as a nursery and for storage of up to 70 no. caravans, including provision of a chain link fence.
<i>R15/0997 Approved 08.06.2015</i>	Unit 13 Junction One Leicester Road Rugby	Installation of extraction/ventilation equipment to include external alterations to the retail unit
<i>R15/0965 Approved 08.06.2015</i>	8 Snellsdale Road Rugby	Erection of single storey extension to side/rear.
<i>R15/0968 Approved 08.06.2015</i>	9 Sandford Way Dunchurch	Erection of two storey side and rear extension.
<i>R15/0906 Approved 08.06.2015</i>	St Peters and St Johns Church Clifton Road Paddox Rugby	Erection of single storey side extension to eastern elevation and first floor extension to western elevation with associated external alterations.
<i>R15/0956 Approved 09.06.2015</i>	13 Buccleuch Close Dunchurch Rugby	Erection of a two storey rear extension to include the extension of the existing dormer.
<i>R15/0875 Approved 09.06.2015</i>	The Crescent School Trust Limited Crescent School Bawnmore Road Bilton Rugby	Erection of an extension to the Nursery Unit.

<i>R15/0958 Temporary Planning Permission 10.06.2015</i>	Jaguar Land Rover Unit 3 Prologis Ryton Imperial Road Ryton On Dunsmore Rugby	Installation of a temporary building.
<i>R15/0979 Approved 10.06.2015</i>	20 Cawston Lane Dunchurch Rugby	Alteration of existing ground floor front window into a bay window.
<i>R15/0970 Approved 10.06.2015</i>	42 Dale Street Rugby	Erection of a single storey rear extension to form a ancillary annex to the main dwelling (Resubmission of a previously withdrawn application for erection of a single storey rear extension under planning application reference number R14/2234/.)
<i>R15/0592 Approved 10.06.2015</i>	Townsend Vehicle Hire 1 Somers Road New Bilton Rugby	Erection of a side extension for use as a motor vehicle testing station for MOT, together with single storey rear extensions.
<b>Prior Approval Applications</b>		
<i>R15/0734 Prior Approval Required and Refused 21.05.2015</i>	Central Reservation Adjacent to 419 Newbold Road Newbold Rugby	Prior Approval under Part 16 of the Town and Country Planning, England The Town and Country Planning [[General Permitted Development ] [England Oder 2015 for the removal of the existing 11.8 m mast and its replacement with a 15 m mast ,an additional radio equipment cabinet and development works ancillary thereto.
<i>R15/0656 Prior Approval Not Required 21.05.2015</i>	22 Arundel Way Cawston Rugby	Prior approval for a single storey rear extension measuring 3.36 metres in depth maximum, 2.76 metres to the eaves, 3.5 metres in height maximum and 4.9 metres in width
<i>R15/0862 Prior Approval Required and Granted 21.05.2015</i>	Land and Buildings at SP415758 Priory Road Wolston	Prior notification of intention to convert 3 existing agricultural buildings to form 3no. Residential units
<i>R15/0874 Prior Approval Not Required 22.05.2015</i>	464 London Road Rugby	PAX - Single storey rear extension

<i>R15/0805 Prior Approval Not Required 26.05.2015</i>	30 South Road Clifton-Upon-Dunsmore Rugby	Prior Approval for the erection of a 4.5m extension from the rear of the original dwelling and 2.7m to the eaves and 3m to the highest point
<i>R15/0927 Prior Approval Required and Granted 01.06.2015</i>	Burnhams Farm 9 School Street Church Lawford Rugby	PACU: Conversion of existing redundant farm buildings to provide three dwellings
<b>Listed Building Consents</b>		
<i>R15/0315 Listed Building Consent 28.05.2015</i>	Memorare Cottage Leamington Road Princethorpe Rugby	Replacement of First Floor Accommodation over former Coach House and Stable to provide new Studio
<i>R15/0744 Listed Building Consent 29.05.2015</i>	17 The Crescent Brinklow Rugby	Listed building consent for the replacement of 9 windows to front elevation of property
<b>Advertisement Consents</b>		
<i>R15/0633 Approved 05.06.2015</i>	H\$M Hennes & Mauritz UK Ltd. The H and M Centre Plot 1, Unit 4 Waver Way Rugby	Installation of three non-illuminated signs to the building.
<i>R15/0994 Approved 08.06.2015</i>	Unit 13 Junction One Leicester Road Rugby	Advertisement consent for one fascia sign and one projecting sign
<b>Certificate of Lawful Use or Development</b>		
<i>R15/0879 Certificate of Lawful Use or Development 22.05.2015</i>	78 Warwick Road Wolston	Certificate of proposed development for the erection of a conservatory

<b>Approval of Details/ Materials</b>		
<i>R14/1703 Approval of Details 21.05.2015</i>	Unit 4 (Rugby Gateway) Waver Way Rugby	Erection of building for B8 - storage and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<i>R14/1703 Approval of Details 22.05.2015</i>	Unit 4 (Rugby Gateway) Waver Way Rugby	Erection of building for B8 - storage and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<i>R14/1978 Approval of Details 22.05.2015</i>	High Mead Marton Road Birdingbury Rugby	Conversion of the loft space to ancillary residential accommodation, including raising the ridge height and associated works. Erection of a single storey side and rear extension.
<i>R12/0291 Approval of Details 22.05.2015</i>	Former Fire Station Heath Lane Brinklow Rugby	Erection of 3no. detached dwellings, together with associated access, landscaping and works.
<i>R13/1276 Approval of Details 27.05.2015</i>	61 Browning Road Hillmorton Rugby	Single storey rear extension
<i>R13/1151 Approval of Details 28.05.2015</i>	Round Barn Lilbourne Road Clifton Upon Dunsmore Rugby	Conversion of Existing Barn to a Residential Dwelling
<i>R12/1353 Approval of Details 01.06.2015</i>	Coton House Lutterworth Road Churchover Rugby	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).]



<i>R10/1272 Approval of Details 04.06.2015</i>	Rugby Gateway Phase R2 Leicester Road Rugby	Erection of 230 dwellings with associated open space, infrastructure and ancillary works, provision of a spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
<i>R14/1626 Approval of Details 08.06.2015</i>	Swallow Barn Malt Kiln Farm Main Street Rugby	Proposed first floor extension together with external alterations
<i>R09/0035/MEIA Approval of Details 09.06.2015</i>	Ansty Park Land East of the A46 (Coventry Eastern Bypass), and South of the M6 Ansty	Use of land for the construction of 124,484 sq.m. of floor space for use as a High Technology Park for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and associated infrastructure, car parking and landscaping.
<i>R09/0972/MAJP Approval of Details 09.06.2015</i>	Land East of Calvestone Road Calvestone Road Cawston Rugby	Outline application with all matters reserved for the development of up to 145 dwellings.
<i>R14/1703 Approval of Details 10.06.2015</i>	Unit 4 (Rugby Gateway) Waver Way Rugby	Erection of building for B8 – storage and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<b>Approval of non-Material Changes</b>		
<i>R14/2186 Approval of Non-Material Changes 21.05.2015</i>	Former Peugeot Factory Site B, Unit DC1 Imperial Road Oxford Road Ryton-on-Dunsmore	Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas and sprinkler tank (Application H), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423).
<i>R14/1978 Approval of Non-Material Changes 22.05.2015</i>	High Mead Marton Road Birdingbury Rugby	Conversion of the loft space to ancillary residential accommodation, including raising the ridge height and associated works. Erection of a single storey side and rear extension.

<p><i>R14/1253</i>  <i>Approval of Non-Material Changes</i>  29.05.2015</p>	<p>Land North of  Technology Drive,  Technology Drive, Rugby</p>	<p>Approval of reserved matters for non-food bulky goods retail, relating to appearance, design, layout, scale and landscaping against outline application (R13/1612) for up to 9,964sq.m (gross internal area) including mezzanines of non-food, bulky goods retail with associated car parking, service areas and landscaping.</p>
<p><i>R15/0437</i>  <i>Approval of Non-Material Changes</i>  29.05.2015</p>	<p>Station House  Bourton Lane  Frankton  Rugby</p>	<p>Two gable dormers to front and flat roof dormer to rear (in connection with loft conversion)</p>
<p><i>R14/1071</i>  <i>Approval of Non-Material changes</i>  08.06.2015</p>	<p>Rugby Radio Station  (Key Phase 1)  A5 Watling Street  Clifton Upon Dunsmore  Rugby</p>	<p>Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of appearance, landscape, layout and scale in respect of strategic green infrastructure and associated works at Key Phase 1 of the Rugby Radio Station development comprising areas of common or strategic green infrastructure including wildlife corridors, Great Crested Newt holding habitats including any necessary fencing, hibernacula and crossings, productive landscape, footways/cycleways, lighting, sustainable drainage features, construction of engineered drainage works, planting, any necessary ground remodelling and demolition and connections to existing ditch courses, temporary construction compound, stockpiling and construction areas and construction access from the A428.(GREEN INFRASTRUCTURE - Part Condition 15 of the Outline Planning Permission - R11/0699)</p>
<p><i>R14/1070</i>  <i>Approval of Non-Material changes</i>  08.06.2015</p>	<p>Rugby Radio Station  (Key Phase 1)  A5 Watling Street  Clifton Upon Dunsmore  Rugby</p>	<p>Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of access, appearance, landscape, layout and scale in respect of primary infrastructure, ground remodelling and associated works at Key Phase 1of the Rugby Radio Station development including internal primary and secondary street network, junctions and turning heads, land reprofiling, utilities infrastructure including alignment of service runs and gas governor, foul and surface water drainage infrastructure including pumping station, any necessary demolition, archaeological investigations, temporary stockpiling of construction materials, and areas for construction use. (GREY INFRASTRUCTURE - Part Discharge of Condition 15 of the Outline Planning Permission - R11/0699)</p>

<b><i>Withdrawn/ De-registered</i></b>		
<i>R15/0886 Withdrawn 21.05.2015</i>	2A Lower Hillmorton Road Rugby	Change of use from Use Class D1 (Doctor's Surgery) to a Use Class Sui Generis (HMO)