

30th October 2015

PLANNING COMMITTEE - 11TH NOVEMBER 2015

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 11th November 2015 in the Council Chamber, Town Hall, Rugby.

Adam Norburn
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 21st October 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. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
7. Delegated Decisions – 24th September – 14th October 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 – 9) 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). Any specific queries concerning reports should be directed to the listed contact officer.

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

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

Planning Committee – 11th November 2015

Report of the Head of Planning and Recreation

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R15/1503	Plot 28, Lime Tree Village (Polo Field Extension), Off Thurlaston Drive, Cawston Lane, Dunchurch, CV22 7SA Variation of condition 2 of approval application ref 665 dated 17th August 2011 (Extension to Lime Tree Village to form 30 bed care home, 47 extra care cottages, 12 extra care apartments with associated communal facilities, open space & car parking) to allow the erection of a larger extra care cottage on Plot 28 (Class C2).	3
2	R15/2189	The Work Services Unit Depot, Hunters Lane, Rugby, CV21 1DH. Certificate of lawfulness for the proposed development of solar panels to roof of the Work Services Unit Depot.	17

Reference number:

R15/1503

Site address:

Plot 28, Lime Tree Village (Polo Field Extension), Off Thurlaston Drive, Cawston Lane, Dunchurch, CV22 7SA

Description :

Variation of condition 2 of approval application ref 665 dated 17th August 2011 (Extension to Lime Tree Village to form 30 bed care home, 47 extra care cottages, 12 extra care apartments with associated communal facilities, open space & car parking) to allow the erection of a larger extra care cottage on Plot 28 (Class C2).

Case Officer Name & Number:

Richard Holt 01788 533687

This application is being reported to Planning Committee as it relates to a variation to a major development in the countryside.

Background:

In 2009 guidance and changes to legislation were issued which allow greater flexibility when dealing with planning permissions. This is reiterated in the National Planning Practice Guidance (NPPG) published in 2014. This includes dealing with “minor material amendments” to existing permissions and advises that these should be dealt with as applications to amend conditions listing plans on the original planning permission.

Although no statutory definition of a minor material amendment has been provided the guidance states this is a change “whose nature and scale results in a development which is not substantially different from the one that has been approved.”

The guidance goes on to state that authorities have the discretion to decide which statutory consultees should be consulted and advises that a proportionate approach should be adopted when consulting third parties.

In relation to issuing decisions it is advised that an approval would, in effect, be a new permission and that a new decision notice, including all relevant conditions should be issued, although time limit to commence development should not be extended.

Description of Site:

The site is located approximately 900 metres south of the centre of Bilton, 1.2 miles (2 kilometres) north of the centre of Dunchurch and 220 metres south east of Coventry Road, Cawston in open countryside outside any defined settlement boundary. It lies to the immediate north-west of the existing Lime Tree Village on an area of land approximately 3 hectares in size. Predominately along the south-western edge of the site is an existing hedgerow whilst to the north-western and north-eastern boundaries is post and wire fencing with post and rail fencing and hedging along the south-eastern edge. Whilst open fields lie to the north-east and north-west outline planning permission has been granted on this land for residential development. Existing fields and woodland lie to the south-west.

The site is relatively open with land levels dropping by approximately 3 to 4 metres towards the centre of the site from the north-western and south-eastern boundaries to a small watercourse that runs through the centre of the site. A few mature trees are located around the periphery of the site with areas of recently planted trees along the north-eastern and south-eastern edges. It is understood that in the past the site was used for informal recreational purposes by the existing residents of Lime Tree Village and is known as the 'Polo Field.'

Lime Tree Village currently comprises of 69 cottages and 84 apartments within and around Cawston House. Building works have commenced on the Polo Field to implement the development of cottages, apartments and care home to which this variation application relates.

Plot 28 is located on the north western edge of the development close to the boundary of the site and is a detached unit adjacent to a terrace of 3 properties (Plots 29-31).

Description of Proposals:

The application is to vary the previously approved application to extend the existing Lime Tree Village complex to form a Continuing Care Retirement Community (Use Class C2) incorporating a 30 bed Care Home, 47 Extra Care Cottages (Use Class C2), 12 Extra Care Apartments (Use Class C2) associated communal facilities, open space and car parking facilities.

The previous proposal was for a 30 bed Care Home with 12 Extra Care Apartments split over two levels in the main central block to be known as Pipewell Grange. On the ground floor there will be a large hall and stage, café/bar, sales office/shop, kitchen, garden, drawing and dining rooms, 15 double-bed rooms with en-suites, 3 two-bed apartments and 3 one-bed apartments with kitchens and bathrooms. On the first floor there will be dining, activities and living rooms, training/meeting and laundry rooms, 15 double-bed rooms with en-suites, 3 two-bed apartments and 3 one-bed apartments with kitchens and bathrooms. A plant room will be located in the roof and there is a stairwell tower on the south-western part of block. Owing to the change in ground levels the ridge and eaves height of the building will vary, however it will have a ridge height of approximately 10 metres and eaves height of 6 metres. The top of the stairwell tower will be approximately 15 metres above ground level. 29 car parking spaces will be provided adjacent to this block along with two covered and secure cycle storage buildings, including parking and charging for electric scooters.

There will be an additional 47 two-storey houses throughout the site comprising of terraces, semi-detached and detached units. 34 of the properties will be 2-bed and the remaining 13 will be 3-bed. The 2-bed houses will rise to approximately 7.5 metres in height, whilst the 3-bed houses will be approximately 8.5 metres in height. A range of car ports to serve the houses will also be provided with one parking space per house together with an additional 4 spaces.

The variation relates to changes to Plot 28 to enlarge its footprint by approximately 32m² to incorporate a bigger kitchen, dining room and conservatory as well as larger bedrooms on the first floor. The variation also seeks to increase the ridge height of the property by approximately 0.55 metres together with changes to the elevations, including a new first floor dormer window in the rear elevation.

A series of open spaces will be created across the site incorporating ponds, play area, sensory gardens and grassed areas.

Overall it is envisaged that there will be an equivalent of 65 full-time employees across the site with a maximum of 25 staff on site at any one time.

A design and access statement for the variation to Plot 28 has been submitted with the application, which includes details in relation to the changes to its footprint and height as well as materials to be used along with three-dimensional drawings.

Accompanying the original application was a Design & Access Statement, Tree Report, Protected Species Report, Wildlife Assessment, Flood Risk Assessment, Archaeological Desk Based Assessment & Evaluation Report, Transport Statement, Utility Infrastructure Report, lighting designs, Code for Sustainable Homes Report, Care Home BREEAM (BRE Environmental Assessment Method) Multi-Residential Report, West Midlands Sustainability Checklist, Site Waste Management Plan, Engineering/Contamination Report, Statement of Community Involvement including 145 feedback questionnaires, and a Care Needs Report. The agents also submitted various supporting documents, planning appeal cases including Counsel opinion and articles in relation to housing for the ageing population.

Relevant Planning History:

Use of land for the construction of retirement village with communal facilities 25/03/2003 Approved

Construction of temporary haul road with associated buffer planting 27/03/2003 Approved

Use of land for the construction of retirement village with communal facilities 23/04/2003 Approved

Replacement of existing stable block by 8 two bed flats & ancillary accommodation for retirement village, plus two garages Approved 02/02/2004

Erection of 9 two & three bed bungalows & chalets, 3 garages & 6 parking spaces Withdrawn 26/11/2004

Substitution of house types for Plots 108 & 133 Approved 09/05/2006

Substitution of house type for plot 3 Approved 23/10/2006

Extension to Lime Tree Village to form a Continuing Care Retirement Community (Use Class C2) incorporating a 30 bed Care Home, 47 Extra Care Cottages (Use Class C2), 12 Extra Care Apartments (Use Class C2) associated communal facilities, open space and car parking facilities. Approved 17/08/2011

Technical Consultations:

WCC Archaeology No comments

Third Party Consultations:

Dunchurch Parish Council No objections

Neighbours None received to date.

Relevant Planning Policies & Guidance:

Rugby Borough Council Local Plan, 2006 Saved Policies:

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking Facilities

Rugby Borough Core Strategy 2011:

CS1	Complies	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport & New Development
CS15	Complies	Green Infrastructure Allocations
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions
CS19	Complies	Affordable Housing

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

Assessment of Proposals:

As the principle of the development was established by the previous approval, the main issues to assess in relation to this application are whether the amendments to the dimensions, footprint and design of the property for Plot 28 would have an adverse impact on the amenity of neighbouring properties or the character of the area.

The provision of the first floor bedroom dormer window on the rear elevation of Plot 28 will have an impact on the amenity of particularly Plots 33 & 34 to the north east. However, a distance of approximately 23.5 metres will exist between this window and the closest habitable room windows of Plots 33 & 34 and this is across a shared car park area. Therefore, whilst the properties will form part of the Lime Tree Village Retirement Development complex it is understood that persons will purchase individual leases for the units. Overall this relationship together with minor changes to the fenestration detailing is judged to be acceptable and would not adversely affect the residential amenity of future occupants of the properties.

Although the proposals amend the design of the approved building the general style and materials used do not alter. It was considered under the previous application that the design and appearance of the cottages draws upon the architectural features of the existing properties within Lime Tree Village as well as the villages of Dunchurch and Thurlaston. This includes the use of multi-red brick, natural timber cladding, small plain tiles, curved brick headers, timber doors and chimneys. Therefore, it is judged that the proposal will still draw upon the local distinctiveness of the area, in particular the built form. The types of external materials to be used across the development have already been approved for Plot 28 and the submitted Design & Access Statement for Plot 28 refers to them which remains suitable.

The principle of the design and appearance was previously considered acceptable and whilst the development was judged to be prominent in the countryside a balance had to be struck between the provisions of additional elderly accommodation where there is an undisputed need and the impact on the environment. It was concluded that based on the presence of the existing village; the established need; the benefit to new and existing residents and the wider community through the outreach domiciliary care service; together with the offer of an off-site financial contribution towards affordable housing and libraries; that these were significant factors in the consideration of the overall impact of the development which cumulatively at that time justified special circumstances to warrant a departure from the Local Plan. Since the original decision, outline planning permission has now been granted for up to 250 dwellings on the land to the north west and north east of the site which adds further weight to the suitability of the site as an extension to Lime Tree Village.

The Rugby Borough Council Core Strategy has been adopted and the NPPF has been published since the original decision. However, in the light of the previous planning history and other key planning decisions in the locality, it is judged that the development as a whole together with the variation would satisfy the three dimensions of sustainable development (economic, social and environmental roles) and accord with the policies contained within these documents.

Policy CS15 refers to Green Infrastructure Allocations and the broad area around the site is earmarked for habitat conservation with the provision for managed public access through existing rights of way. The Polo Field has no public rights of way through it but lies within a buffer zone around the existing assets of Fox Covert and Cawston Spinney to the south. The supporting text to Policy CS15 states that the priority of the allocation is for the protection of existing assets. The previous approval and the current variation application retains a strip of land along the north western edge of the site to act as an ecological foraging area as well as a Green Infrastructure link to which the WCC Ecology Section and Natural England raised no concerns, subject to a Landscape & Ecological Management Plan which was secured via a s106 legal agreement.

Since the approval of the previous scheme policy CS17 has been adopted which requires proposals of this scale to incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%. Under the original submission high levels of insulation, water conservation, sustainable drainage, low energy lighting and communal village composter were features that would be incorporated into the scheme. The applicant's agent has also confirmed that their intention is to put solar panels on to Pipewell Grange, the care home element of the original scheme, in order to assist in achieving the required 10% carbon reduction. The principle of the installation of the solar panels has been subsequently agreed when approving conditions under the original application, but the applicant's agent is agreeable to the imposition of a carbon reduction condition to resolve the finer details at a later stage on this current submission. On this basis, it is considered that the amended scheme would be able to comply with the requirements of policy CS17.

Other issues, such as highway safety, Class C2 use and extra care concept, need, energy conservation, ecology, trees, landscaping, affordable housing, open space, archaeology, flooding, drainage, noise, air quality, contamination and waste management matters were considered in relation to the previous application and were judged to be acceptable subject to conditions, informatives and the provision of a Section 106 legal agreement.

The Government guidance related to minor material amendments advises that an approval would, in effect, be a new permission and that a new decision notice, including all relevant conditions should be issued. Therefore the conditions on the original approval should be replicated in relation to this application where they still remain relevant. In many cases the pre-commencement conditions have been approved and works have begun on site, therefore, the wording of the conditions have been altered to reflect this change.

Recommendation:

Subject to the completion of a deed of variation to the original Section 106 legal agreement to take account of this variation application which previously includes the securing an off-site financial contribution towards libraries and affordable housing provision; restrictions on use class, age, minimum care package and selling; provision of private open space; travel plan; and a habitat species and landscape improvement and management plan; the variation application be approved subject to updated conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R15/1503

DATE VALID

23/07/2015

ADDRESS OF DEVELOPMENT

PLOT 28, LIME TREE VILLAGE (Polo Field Extension)
OFF THURLASTON DRIVE
CAWSTON LANE
RUGBY
CV22 7SE

APPLICANT/AGENT

Mrs Meghan Rossiter
Tetlow King Planning Limited
Unit 2, Eclipse Office Park
High Street
Staple Hill
Bristol
BS16 5EL
On behalf of , Lime Tree Village Limited

APPLICATION DESCRIPTION

Variation of condition 2 of approval application ref 665 dated 17th August 2011 (Extension to Lime Tree Village to form 30 bed care home, 47 extra care cottages, 12 extra care apartments with associated communal facilities, open space & car parking) to allow the erection of a larger extra care cottage on Plot 28 (Class C2).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

The development approved by application ref 665 commenced prior to 17th August 2014.

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 following plans and documents:

Site Location Plan; HT.3B-A1.p; HT.3B-B2.e; HT.3B-B2.p; HT-3B-CR1.pe; C100 Rev D; C101 Rev C; C103 Rev E; C104 Rev D; C105 Rev B; C106 Rev A; C107 Rev C; C108 Rev C; C109 Rev C; C150 Rev E; C151 Rev A; CP01 Rev A; CP01-A.pe; CP02-A.pe; CP02-B.pe; CP02-C.pe; CP03-A.pe; CP04-A.pe; CS01-A.pe; LP01; ML01; SK102; SK103; SK104; SK105; SK201 Rev A & TL01 received by the Local Planning Authority on 19th October 2009;

Site Plan received by the Local Planning Authority on 20th October 2009;

CH.e Rev A; CH.p2 Rev C; CH.s1 Rev A & CHs2 Rev A received by the Local Planning Authority on 9th November 2009;

HT.2B-A1.pe Rev A; HT.2B-A2.pe Rev A; HT.2B-A3.pe Rev A; HT.2B-A4.pe Rev A; HT.2B-A5.pe Rev A; HT.2B-A6.pe Rev A; HT.2B-A7.pe Rev A; HT.2B-A8.pe Rev A; HT.3B-A1.e Rev A; HT.3B-B1.pe Rev A; CH.p1 Rev E & SL01 Rev C received by the Local Planning Authority on 13th July 2010;

HT.3B-CR2.pe Rev B received by the Local Planning Authority on 15th July 2010;

C102 Rev L received by the Local Planning Authority on 2nd August 2010;

Archaeological Desk Based Assessment by CgMs Consulting dated March 2009 & Archaeological Evaluation Report by John Moore Heritage Services dated June 2009;

Care Needs Assessment ref C:\RC\M7\1102-04.RPT;

Code for Sustainable Homes Pre-Assessment (Level 3) Rev A & Care Home BREEAM Multi-Residential 2008 Pre-Assessment Reports;

Column & Prado Lighting (principle of);

Design & Access Statement (excluding layout & materials in part);

Engineering Appraisal & Substructure Design Philosophy dated May 2009;

Flood Risk Assessment dated May 2009;

Landscape Assessment ref 09.794.R.2;

Preliminary Geo-Environmental & Geo-technical Assessment ref 0903014.001.01 dated June 2009;

Protected Species Report dated 28/03/2009 & Wildlife Assessment dated July 2009;

Site Waste Management Plan;

Supporting Statement ref C:\RC\M7\1102-03.RPT;

Transport Statement ref: 0901-13/PR/01;

Tree Report ref IFS.09.794 dated 09/03/2009;

Tree Survey & Root Protection Plan ref 09.794.001;

all of the above received by the Local Planning Authority on 19th October 2009;

West Midlands Sustainability Checklist Rev A received by the Local Planning Authority on 30th June 2010;

Supplementary Materials & Colours Document (dated 07/07/10) received by the Local Planning Authority on 13th July 2010; &

Landscape Strategy ref 09.794.003B received by the Local Planning Authority on 9th August 2010;

Design and Access Statement Addendum for Plot 28 by Thrive Architects received by the Local Planning Authority on 18th June 2015;

Plan refs RETI150203 PL28.e, PL28.p & SL.01 (Plot 28) received by the Local Planning Authority on 13th July 2015; &

Plan ref RETI150203 SL.02 (Plot 28) received by the Local Planning Authority on 23rd July 2015.

REASON:

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

CONDITION 3:

The development shall be carried out in accordance with the external material details approved by the Local Planning Authority under Condition 3 of application 665 ref R11/2016 on 23rd January 2014.

REASON:

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

CONDITION 4:

The development shall be carried out in accordance with the external window, door, roof light and solar panel details approved by the Local Planning Authority under Condition 4 of application 665 ref R11/2016 on 23rd January 2014.

REASON:

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

CONDITION 5:

The development shall be carried out in accordance with the boundary treatment details approved by the Local Planning Authority under Condition 5 of application 665 ref R11/2016 on 23rd January 2014.

REASON:

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

CONDITION 6:

The landscaping scheme shall be carried out in accordance with the Tree Report ref IFS.09.794 dated 09/03/2009 received by the Local Planning Authority on 19th October 2009 and the Landscape Strategy ref 09.794.003B received by the Local Planning Authority on 9th August 2010, as amended by the details/plans approved by the Local Planning Authority under Condition 6 of application 665 ref R11/2016 (2) on 6th January 2012.

REASON:

In the interests of visual amenity.

CONDITION 7:

The landscaping scheme and phasing plan shall not be carried out other than in accordance with the approved details as stated in Condition 6 and 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:

In the interests of visual amenity.

CONDITION 8:

Tree protection methods shall be undertaken in accordance with the Tree Report ref IFS.09.794 dated 09/03/2009 received by the Local Planning Authority on 19th October 2009 unless otherwise agreed in writing with the Local Planning Authority and as amended by the details approved by the Local Planning Authority under Condition 8 of application 665 ref R11/2016 (2) on 6th January 2012.

REASON:

To ensure the health and well-being of the existing trees on site and in the interests of visual amenity.

CONDITION 9:

The ecological mitigation measures shall be carried out in accordance with principles outlined in the Protected Species Report dated 28/03/2009 and the Wildlife Assessment dated July 2009 both received by the Local Planning Authority on 19th October 2009, and by those approved by the Local Planning Authority under Condition 9 of application 665 ref R11/2016 (2) on 6th January 2012.

REASON:

To protect and enhance the ecological value of the site.

CONDITION 10:

The disposal of surface water and foul sewage shall be carried out in accordance with the details approved by the Local Planning Authority under Condition 10 of application 665 ref R11/2016 (1) on 14th November 2011.

REASON:

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

CONDITION 11:

No building shall be erected or trees planted within 3 metres of the 150mm foul sewer and within 4 metres either side of the edge of the 100mm pressurised/rising foul sewer which cross the site unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To maintain essential access for maintenance, repair, renewal and to protect the structural integrity of the public sewerage system.

CONDITION 12:

The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) ref E2080097, prepared by the HCD Group dated May 2009 and received by the Local Planning Authority on 19th October 2009 and the following mitigation measures detailed within the FRA:

- a) limiting the rate of surface water run-off generated by the site to discharge at a rate of not more than the existing Greenfield rate of 36.4 l/s as calculated in the FRA;
- b) provision of attenuation storage volume on the total site to retain the 100-year 30% flow event volume assuming the discharge rate given above;
- c) demonstration that the detailed surface water system proposed will also provide water quality improvements by implementing the Suds methods as outlined in the FRA; &
- d) details of how the entire surface water scheme shall be maintained and managed after completion.

REASON:

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

CONDITION 13:

The layout/formation of the builder's compounds and/or construction access routes shall be carried out in accordance with the details approved by the Local Planning Authority under Condition 13 of application 665 ref R11/2016 on 3rd April 2014.

REASON:

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

CONDITION 14:

The siting and associated works relating to the creation and formation of the builder's compounds and/or construction access routes shall be carried out in accordance with the details approved by the Local Planning Authority under Condition 14 of application 665 ref R11/2016 on 3rd April 2014.

REASON:

In the interests of the amenities of the locality and to ensure that any impact on potentially important archaeological remains is safeguarded.

CONDITION 15:

Prior to the first occupation of the first unit, the existing access to the site shall be upgraded to provide a visibility splay with an 'x' distance of 2.4 metres with 'y' distances of 120 metres. No structure, tree, shrub or hedgerow shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.9 metres above the level of the public highway carriageway (including the existing hedgerow adjacent the site along the north-eastern side of Cawston Lane).

REASON:

In the interests of highway safety.

CONDITION 16:

The external lighting details shall be carried out in accordance with the details approved by the Local Planning Authority under Condition 16 of application 665 ref R11/2016 (1) on 14th November 2011.

REASON:

In the interests of visual amenity and to avoid unnecessary light pollution.

CONDITION 17:

The noise construction survey and assessment with associated mitigation measures shall be implemented in accordance with the details approved by the Local Planning Authority under Condition 17 of application 665 ref R11/2016 (1) on 14th November 2011.

REASON:

In the interests of the residential amenity of adjacent properties.

CONDITION 18:

Prior to the installation of any refrigeration and air handling plant, details of its design, installation and operation shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interests of the residential amenity of adjacent properties.

CONDITION 19:

The development hereby approved shall be carried out in accordance with the air quality assessment and associated mitigation measures approved by the Local Planning Authority under Condition 19 of application 665 ref R11/2016 on 16th May 2013.

REASON:

In the interests of health and safety.

CONDITION 20:

The development hereby approved shall be carried out in accordance with the site investigation/contaminated land assessment and associated mitigation measures approved by the Local Planning Authority under Condition 20 of application 665 ref R11/2016 on 23rd January 2014.

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/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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, and where remediation is necessary a remediation scheme must be prepared 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, and 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 the details above.

REASON:

To ensure that the 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 21:

The car and cycle parking provision as detailed on the approved plans shall be made available for use prior to the first occupation of the first unit and shall be permanently retained for such purposes and not used for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure adequate parking facilities are provided on site at all times.

CONDITION 22:

Other than the walls, gates, fences, railings or other means of enclosure approved under Condition 5 above and notwithstanding the provision of the Town & Country (General Permitted Development) (England) Order 2015, as amended, or any order revoking or re-enacting that Order, no wall, gate, fence, railing or other means of enclosure shall be erected, constructed or placed within the application site edged red unless otherwise agreed in writing with the Local Planning Authority.

REASON:

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

CONDITION 23:

During the construction period, adequate measures shall be taken to prevent deleterious matter being carried on to all nearby highways, including the private access road of Thurlaston Drive, Lime Tree Village.

REASON:

In the interests of highway safety.

CONDITION 24:

The development shall not be first occupied unless and until details of the equipment and technology to be incorporated to achieve carbon emission reductions, including the submission of an Energy Performance Certificate, have been submitted to and approved in writing by the Local Planning Authority. 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 the approved details and shall be retained in working order in perpetuity.

REASON:

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

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:

The applicant is advised to raise awareness with future residents in relation to the presence of water voles within the vicinity of the site, a protected species under the Wildlife & Countryside Act 1981 (as amended), particularly that care should be taken by individuals and their pets from disturbing this species and its habitat.

INFORMATIVE 3:

Severn Trent Water advises that there are public sewers located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. Should you need to contact Severn Trent Water, they can be contacted on 0116 234 3834.

INFORMATIVE 4:

The applicant should refer to pollution prevention guideline (No. 3) which is available via the Environment Agency's website <http://www.environment-agency.gov.uk>.

INFORMATIVE 5:

All waste drains serving the kitchen area should be provided with grease traps and detritus traps prior to discharge to the sewer and extract fans and ducting serving the kitchen area should be fitted with suitable degreasers and deodorisers.

INFORMATIVE 6:

The applicant 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:-

- i) Minimise any disturbance or negative impact (in terms of noise, dirt and inconvenience) sometimes caused by construction sites to the immediate neighbourhood;
- ii) Eradicate offensive behaviour and language from construction sites;
- iii) 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.ccscheme.org.uk

INFORMATIVE 7:

The applicant is advised that 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 -18.00

Saturday 8.30 -13.00

NO WORK ON SUNDAYS & BANK HOLIDAYS.

Reference number: R15/2189

Site address: The Work Services Unit Depot, Hunters Lane, Rugby, CV21 1DH.

Description: Certificate of lawfulness for the proposed development of solar panels to roof of the Work Services Unit Depot.

Case Officer Name & Number: Lizzie Beresford 01788 533762.

Description of application

This application is being presented to the Planning Committee as the applicant is Rugby Borough Council.

This application is for a Certificate of Lawfulness, it is not an application for planning permission; therefore the issues to be assessed are different than when dealing with applications for planning permission.

The applicant is seeking to establish that the proposed works can be carried out as permitted development without requiring planning permission from the Local Planning Authority. The legislation that relates to permitted development, the 'The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J', is the only matter that can be considered in the determination of the application. No consideration can therefore be given to planning policies or other material considerations.

The proposed works include the installation of solar panels on 4x buildings at the Work Services Unit Depot on Hunters Lane.

On the buildings with a flat roof, the panels are proposed to be 1.6m in length and 0.65m in height at their highest point. No panel will be within 1m of the edge of the building at any point.

On the buildings with a pitched roof, the panels are proposed to be 1.65m in length and will not protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope. No panel will be within 1m of the edge of the building at any point.

A total of 228 panels will be installed across the four buildings, providing a total output of the installation is 44 kilowatts.

Description of site

The RBC Works Services Unit occupies a site on Hunters Lane, a service road accessed off Newbold Road. The site comprises multiple buildings including an office building, service garages, storage areas and a two storey porta cabin office unit. There are also designated parking areas, service yards and vehicle storage areas. Access to the site is usually limited to RBC personnel.

At present there are no solar or PV installations within the site. Power and heating is achieved using mains electricity and central heating (in the main office building only).

The buildings to be equipped with the installations are the main office building (to the South of the site, near the main entrance), the garage bay block at the end of the main service building (towards the centre of the site), and two detached garage bays (identified on the plans as Blocks 12 and 13).

In terms of visual prominence, whilst the main office building can be seen from both Hunters Lane and Newbold Road, the other buildings cannot be seen except from within the WSU site itself or from the adjacent commercial site.

The site is not located within a conservation area, designated as a scheduled ancient monument or contains any listed buildings.

Third party comments

As the only matters to be considered in this application are of a legal nature it is not necessary for neighbour consultations to be carried out. This is in accordance with National Planning Practice Guidance (2014).

Technical comments

Legal Services Consider certificate can be granted.

Planning policies & guidance

- The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J.
- National Planning Practice Guidance 2014

Determining Considerations

As detailed above the only matter that can be considered is whether the proposed works can be carried out as permitted development.

The proposed solar panels are considered in relation to Class J – installation or alteration etc. of solar equipment on non-domestic premises.

Class J states that permitted development would be classed as:

The installation, alteration or replacement of—

- (a) Microgeneration solar thermal equipment on a building;
- (b) Microgeneration solar PV equipment on a building; or
- (c) Other solar PV equipment on the roof of a building, other than a dwelling house or a block of flats.

The cases where development is not permitted are detailed below:

J1.

- a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;
- b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);
- c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;
- d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

- e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or
- f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

J2.

Development is not permitted by Class J(a) or (b) if—

- a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;
- b) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or
- c) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

J3.

Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt.

Conclusion

In accordance with the Council's Constitution, the Legal Services Manager has been consulted. As the criteria and conditions detailed above are in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J, it is considered that the proposals constitute permitted development and a Lawful Development Certificate can be granted.

In addition to this, the NPPG states that if the Local Planning Authority is satisfied that the appropriate legal tests have been met, it will grant a Lawful Development Certificate.

Recommendation

Grant certificate.

DRAFT DECISION

APPLICATION NUMBER

R15/2189

DATE VALID

29/10/2015

ADDRESS OF DEVELOPMENT

Work Services Unit Depot
 Hunters Lane
 Rugby
 CV21 1DH

APPLICANT/AGENT

Mrs Angeline Murungu
 Rugby Borough Council
 Town Hall
 Evreux Way
 Rugby
 Warwickshire
 CV21 2RR
 On behalf of Mr Balbir Bassi, Rugby Borough Council

Rugby Borough Council hereby certify that on 11/11/15 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto were lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

The proposals are in accordance with Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore constitute Permitted Development.

FIRST SCHEDULE:

Installation of solar panels to roofs of four buildings at the Work Services Unit Depot.

SECOND SCHEDULE:

The Work Services Unit Depot, Hunters Lane, Rugby, CV21 1DH.

Notes:

1. This certificate is issued solely for the purpose of sections 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule were lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule. Any operations which are materially different from those described or which relate to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.
5. If the applicant is aggrieved by the alteration to the description/site plan given in the First Schedule that accompanies this decision they may appeal to the Secretary of State under Section 195 of the Town and Country Planning Act 1990 (as amended). You must use a Certificate of Lawful Use or Development Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate please state the appeal form you require. Please note, only the applicant possesses the right of appeal.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	11 th November 2015
Report Title	Planning Appeals Update
Portfolio	
Ward Relevance	All
Prior Consultation	None
Reporting Director	Head of Planning and Recreation
Contact Officer	Greg Vigars Tel: Ext.3621
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	<p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p>
Statutory/Policy Background	The Planning Appeals procedure which came into effect on 6 th April 2009.
Summary	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2015 to 31/03/2015.

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

Planning Committee – 11th November 2015

Planning Appeals Update

Report of the Head of Planning and Recreation

Recommendation

The report be noted.

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

1.1 Appeals determined

During the last quarter from 1st of July to 30th of September a total of 3 planning appeals were determined, of which 0 were allowed, 3 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 30th September there were 14 planning appeals and 5 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date of Meeting: 11th November 2015
Subject Matter: Planning Appeals
Originating Department: Head of Planning and Recreation

LIST OF BACKGROUND PAPERS

* There are no background papers relating to this item.

(*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st July 2015 - 30th September 2015

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Gable End Green Lane Wibtoft Lutterworth LE17 5BB	Erection of a first floor side extension.	Chris Davies R14/2193 APP/E3715/D/15/3017351	Delegated Refusal 18/02/2015 Householder Appeals Service	Dismissed 28/07/2015
Land Rear of 17 Westgate Road Rugby CV21 3UD	Erection of a detached three-bed dwelling with associated integral garage, parking, access and landscaping.	Richard Redford R14/0879 APP/E3715/W/15/3005998	Delegated Refusal 15/01/2015 Written Reps	Dismissed 28/07/2015
Dundykes Draycote Road Draycote CV23 9RB	Erection of single storey annexe	Chris Kingham R15/0404 APP/E3715/D/15/3033501	Delegated Refusal 08/04/2015 Householder Appeals Service	Dismissed 14/09/2015

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

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.09.2015

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Land at Cestersover Farm Lutterworth Road Churchover CV23 0QP	A wind farm comprising 4 no. wind turbines of up to 126.5m tip height. The proposed development also includes a single, permanent free-standing meteorological mast (80m), a temporary communications mast (10m), a sub-station compound containing a control building, electricity transformers, underground cabling, drainage improvements, channel crossings associated with a series of on-site tracks and turning heads, two site entrances with site access upgrades, 2 no. temporary construction compound, assist crane hard standings, and two temporary guyed meteorological/power performance masts (80m), with each wind turbine having a micro-siting tolerance of up to 50m.	Nathan Lowde R12/2009 APP/E3715/A/14/2227479	Committee Refusal 23/04/2014	Public Inquiry (02/09/2015) (Awaiting Decision to be taken by the Secretary of State on or before 18th January 2016)
The Poppies Mile Tree Lane Bulkington Coventry CV2 1NT	Retrospective permission for the change of use of the mobile homes from traveller site to open residential	Richard Redford R14/2278 APP/E3715/W/15/3028959	Committee Refusal 20/02/2015	Hearing
119 Lytham Road Rugby CV22 7PH	Erection of a pair of semi-detached dwellings	Jo Orton R13/2049 APP/E3715/W/15/3016540	Delegated Refusal 13/10/2014	Householder Appeals Service

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
50 Hardy Close Bilton Rugby CV22 7JA	Retention of a 0.9m high fence	Brian Slater R15/0102 APP/E3715/W/15/3049250	Delegated Refusal 02/03/2015	Householder Appeals Service
Hollybank Farm Southam Road Leamington Hastings Rugby CV23 8AA	Retention of a temporary agricultural worker's dwelling (renewal of planning permission R11/2330 for a temporary dwelling for an agricultural worker in connection with the operation at Hollybank Farm, dated 10 January 2012).	Chris Davies R15/0137 APP/E3715/W/15/3095234	Delegated Refusal 13/03/2015	Hearing
Willow Lodge Hayway Lane Broadwell CV23 8HH	Retrospective application for the erection of a log store shed in the location of a previous LPG fuel store area	Ruari McKee R15/0509 APP/E3715/D/15/3127890	Delegated Refusal 08/04/2015	Written Reps
31 Betony Road Rugby CV23 0FB	Retrospective permission for a 1m high closed board wooden fence for a temporary period of up to 18 months (re-submission of R14/0781 refused on 22 July 2014).	Richard Redford R15/0865 APP\E3715\D\15\3129164	Delegated Refusal 15/06/2015	Householder Appeals Service
Marvin House Farm Green Lane Lutterworth LE17 5BB	FULL: Change of Use from Agricultural to storage of 12 Caravans	Duncan Jordan R15/0697 APP/E3715/W/15/3129359	Delegated Refusal 11/05/2015	Written Reps
30 Viaduct Close Rugby CV21 3FD	Erection of a replacement detached garage with storage over (resubmission of planning application reference R14/2321).	Ruari McKee R15/0938 APP/E3715/D/15/3129985	Delegated Refusal 12/06/2015	Householder Appeals Service
Site Rear of Glenfern Glenfern Gardens Ryton on Dunsmore CV8 3EA	Erection of a detached bungalow with integrated garage	Nathan Lowde R15/0756 APP/E3715/W/15/3130623	Delegated Refusal 12/05/2015	Written Reps
Land at Gipsy Lane Gipsy Lane Hinckley	Retrospective application for retention of new stables and menage, including hardstanding (alterations to Approved R13/0497)	Richard Redford R15/0334 APP/E3715/W/15/3130827	Delegated Refusal 14/05/2015	Written Reps

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
The Chalet Hinckley Road Wolvey Hinckley LE10 3HQ	Retrospective application for retention of new stables, including access road and hardstanding	Richard Redford R15/0175 APP/E3715/W/15/3131299	Delegated Refusal 14/05/2015	Written Reps
Land at Former Allotment Plott Lane Stretton-on-Dunsmore CV23 9HR	Full: New dwelling house	Lizzie Beresford R14/2164 APP/E3715/W/15/3129275	Delegated Refusal 11/12/2014	Written Reps
Land at Gipsy Lane Gipsy Lane Hinckley	Retrospective application for retention of new stables and menage, including hardstanding (alterations to Approved R13/0497)	Richard Redford Enforcement Notice Appeal for R13/0497 APP/E3715/C/15/3132197	Delegated Approval 01/05/2013	Written Reps
Land at Gipsy Lane Gipsy Lane Hinckley	Retrospective application for retention of new stables and menage, including hardstanding (alterations to Approved R13/0497)	Richard Redford Enforcement Notice Appeal for R13/0497 APP/E3715/C/15/3132198	Delegated Approval 01/05/2013	Written Reps
Land Adjacent The Chalet Hinckley Road Wolvey Hinckley LE10 3HQ	Retrospective application for retention of new stables, including access road and hardstanding	Richard Redford Enforcement Notice Appeal for R13/0007 APP/E3715/C/15/3132547	Delegated Approval 28/01/2013	Written Reps
Land Adjacent The Chalet Hinckley Road Wolvey Hinckley LE10 3HQ	Retrospective application for retention of new stables, including access road and hardstanding	Richard Redford Enforcement Notice Appeal for R13/0007 APP/E3715/C/15/3132548	Delegated Approval 28/01/2013	Written Reps
Land Adjacent The Chalet Hinckley Road Wolvey Hinckley LE10 3HQ	Retrospective application for retention of new stables, including access road and hardstanding	Richard Redford Enforcement Notice Appeal for R13/0007 APP/E3715/C/15/3132617	Delegated Approval 28/01/2013	Written Reps

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Spinney Farm Main Street Withybrook Coventry CV7 9LX	Erection of a new 6 bay stable with associated feed and tack rooms and creation of a menage (amendment to previously approved application R13/2310)	Richard Redford R14/0618 APP/E3715/C/15/3132713 APP/E3715/C/15/3132714	Delegated Approval 24.04.2015	Written Reps

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	11 November 2015
Report Title	Delegated Decisions – 24 September 2015 to 14 October 2015
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Dan McGahey 3774
Report Subject to Call-in	Y
Report En-Bloc	N
Forward Plan	N
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Head of Planning and Culture under delegated powers
Risk Management Implications	N/A
Financial Implications	N/A

Environmental Implications N/A

Legal Implications N/A

Equality and Diversity N/A

Options N/A

Recommendation The report be noted.

Reasons for Recommendation To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers

Rugby Borough Council

Planning Committee – 11 November 2015

**Delegated Decisions – From 24 September 2015 To 14 October
2015**

Report of the Head of Planning and Recreation

Recommendation

The report be noted.

1. BACKGROUND

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

Name of Meeting: Planning Committee
 Date Of Meeting: 11.11.2015
 Subject Matter: Delegated Decisions – 24.09.2015 to 14.10.2015
 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 24.09.2015 TO 14.10.2015

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R15/0775 Refused 25.09.2015</i>	4 Livingstone Avenue Long Lawford Rugby Warwickshire	Erection of five dwellings (existing dwelling to be demolished) (outline application to include access with appearance, landscaping, layout and scale reserved)
<i>R15/1317 Refused 30.09.2015</i>	New Barn Farm Coventry Road Cawston Rugby	Retention of change of use of B1 unit and associated storage to retail (A1) use (resubmission of R15/0566)
<i>R15/0454 Refused 06.10.2015</i>	133 Rugby Road Binley Woods Coventry	Proposed two storey side extension, a part single storey part two storey rear extension together with a single storey front extension.
Applications Approved		
<i>R15/1769 Approved 24.09.2015</i>	10 Bush Hill Lane Flecknoe Rugby	Proposed first floor side extension
<i>R15/1750 Approved 24.09.2015</i>	73 The Heath Rugby	Demolition of existing and erection of a replacement single storey extension
<i>R15/1757 Approved 24.09.2015</i>	55 Vernon Avenue Rugby	Erection of a single storey rear extension
<i>R15/1551 Approved 25.09.2015</i>	54 Heather Road Binley Woods Coventry	Two storey side extension with a car port at ground level and a bedroom with ensuite above.
<i>R15/1779 Approved 29.09.2015</i>	Ivy House Farm Lower Street Willoughby Rugby	Erection of a part single storey, part two storey side extension, including provision of a first floor balcony.
<i>R15/1799</i>	Wharf Farm	Erection of two outbuildings for storage

<i>Approved</i> 30.09.2015	Kilsby Lane Hillmorton Rugby	purposes.
<i>R15/1734</i> <i>Approved</i> 30.09.2015	10 Coventry Road Brinklow Rugby	Outline planning permission for a detached dwelling with all matters reserved other than access.
<i>R15/1001</i> <i>Approved</i> 30.09.2015	Mobile Home College View Farm Oxford Road Princethorpe Rugby	Use of land for temporary stationing of mobile home for equestrian workers (Renewal of a previously approved planning permission for use of land for temporary stationing of mobile home for equestrian workers (retrospective application) granted 5th January 2012 under planning application reference number R11/2341)
<i>R15/1743</i> <i>Approved</i> 30.09.2015	165 Lawford Lane Bilton Rugby	Continuation of use of the playroom area to a hairdressing business (change of use previously granted for a temporary period of two years under planning reference number R13/0564 approved 10th May 2015)
<i>R15/1747</i> <i>Approved</i> 30.09.2015	19 Livingstone Avenue Long Lawford Rugby	Erection of a first floor rear extension and a mono-pitched roof over part of the existing single storey rear extension. (Resubmission of a previously approved scheme under planning ref. no. R15/1031 granted 13th July 2015)
<i>R15/1802</i> <i>Approved</i> 30.09.2015	The Haybarn Easenhall Road Harborough Parva Rugby	Variation of conditions from planning applications R11/2434 and R11/2435 to alter the two side openings on the roadside, install three additional rooflights, remove two gable windows and install patio doors on the west elevation in oak effect UPVC (part retrospective)
<i>R15/1728</i> <i>Approved</i> 01.10.2015	Toft Manor Southam Road Toft Rugby	Retrospective Change of use of part of fleece sorting shed to café including part of the paddock area to an external seating area for the café.
<i>R15/1818</i> <i>Approved</i> 01.10.2015	50 Hampden Way Bilton Rugby	Proposed single storey side extension.
<i>R15/1770</i> <i>Approved</i> 02.10.2015	15 High Street Rugby	Change of use of existing retail unit (use class A1) to tanning salon (sui generis).

<i>R15/1746 Approved 05.10.2015</i>	15 Rugby Road Clifton Upon Dunsmore Rugby	Erection of single storey rear extension with first floor side extension
<i>R15/1842 Approved 05.10.2015</i>	Victoria Cottage Shepherd Street Marton	Erection of single storey rear /side extension and detached garage (re-submission of R15/0790)
<i>R15/1355 Approved 05.10.2015</i>	Stable at Home Farm Cottage Watling Street Clifton upon Dunsmore	Change of use from a redundant stable building to a dwelling
<i>R15/1846 Approved 06.10.2015</i>	74 Claremont Road Rugby	Conversion of existing residential dwelling to two residential flats.
<i>R15/0625 Approved 07.10.2015</i>	Hi Speed Services Courier House Watling Street Rugby	Demolition of existing building and proposed replacement warehouse building with ancillary offices (combined use of B1 (Offices), B2 (light Industry) and B8 (Storage and Distribution)), together with associated service yard area and installation of a solar PV panel array along the full extent of the roof on the south-west elevation.
<i>R15/1870 Approved 07.10.2015</i>	27 Brookfield Drive Wolvey	Erection of a two storey rear extension
<i>R15/1777 Approved 08.10.2015</i>	5 Saxon Close Binley Woods Coventry	Waiver of condition 3 of planning permission R08/0016 dated 3/3/2008 to allow the retention of a side facing window
<i>R15/1694 Approved 08.10.2015</i>	48 David Road Bilton Rugby	Erection of part two storey and single storey side and rear extension, single storey rear extension, alterations to frontage to accommodate additional parking space, new boundary pier to match existing piers, provision of 3 no steps to rear to accommodate change in site levels , and installation of roof light to provide sun pipe to first floor and extension of roof canopy to front elevation
<i>R15/1853 Approved 08.10.2015</i>	Brick Hill Farm Barn Birdingbury Road Leamington Hastings	Erection of single storey outbuilding

<i>R15/1854 Approved 08.10.2015</i>	71 Chaucer Road Rugby	Erection of a single storey extension to rear elevation
<i>R15/1855 Approved 08.10.2015</i>	53 Constable Road Hillmorton Rugby	Erection of a two storey side extension.
<i>R15/1744 Approved 09.10.2015</i>	52 Cedar Avenue Ryton on Dunsmore Coventry	Conversion of the garage to living accommodation (partly retrospective).
<i>R15/1699 Approved 09.10.2015</i>	10 Draycote Rugby	Erection of a fence (part retrospective)
<i>R15/1804 Approved 09.10.2015</i>	Oakdale Nurseries Rugby Road Brandon	Variation of Condition 2 of Approval R11/0786 (Redevelopment of Garden Centre including the erection of a new building with open sales area and service yard, car parking, landscaping and associated works) dated 27th March 2015 in order to allow the proposed floor levels of the building to be raised by 0.5 metres.
<i>R15/1742 Approved 09.10.2015</i>	2 Edyvean Close Rugby	Erection of garden annexe
<i>R15/1834 Approved 09.10.2015</i>	30 Bilton Road Rugby	Proposed external works to a Listed Building
<i>R15/1477 Approved 09.10.2015</i>	Rear of 66 Stephen Street Rugby	Conversion of the outbuilding including a single storey side extension to form a separate dwelling and associated parking.
<i>R15/1771 Approved 09.10.2015</i>	Field Barn Smeaton Lane Coombe Fields Coventry	Extension to existing outbuilding to allow the building to be used as a garage
<i>R15/1839 Approved 09.10.2015</i>	58 Hillmorton Road Rugby	Erection of a detached garage
<i>R15/1837 Approved 13.10.2015</i>	113 Lower Street Hillmorton Rugby	Erection of a side extension and provision of decking area to the side and rear of the property.

<i>R15/1790 Approved 13.10.2015</i>	55 Wordsworth Road Rugby	Proposed two storey side and single storey rear extension
<i>R15/1873 Approved 14.10.2015</i>	Land South of London Road at SP422728 London Road Dunsmore Heath Stretton-on-Dunsmore	Change of use of existing agricultural building to form a single dwelling house, together with external alterations, including the provision of Solar Panels to the rear roof slope elevation and the provision of a new access road and vehicular access off Rugby Road. (Amendment to approved planning application R14/1124 dated 13/08/2014 to include a revised access drive and minor internal and external alterations).
<i>Prior Approval Applications</i>		
<i>R15/1690 Prior Approval Not Required 29.09.2015</i>	Central Reservation Adjacent 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]Order 2015 for the upgrade of the existing base station comprising the replacement of the existing 11.8 m high column [height including shrouded antennas] with minor relocation with a 12.5 m high colum [height including antennas], associated 1 no equipment cabinet and ancillary works thereto
<i>R15/1775 Prior Approval Not Required 30.09.2015</i>	10 Great Balance Brinklow Rugby	Prior Approval application for a single storey rear extension projecting 3.5 metres from the original rear elevation of the dwelling, 6.12 metres in width, 2.3 metres to the eaves with a maximum height to the ridge of 3.5 metres.
<i>Prior Notification</i>		
<i>R15/1806 Prior Notification of Agriculture or Forestry Development 30.09.2015</i>	Bungalow Farm Smeaton Lane Stretton under Fosse Rugby	Agricultural prior approval for the erection of a heat source to serve the chicken farm.
<i>Listed Building Consents</i>		
<i>R14/0728 Listed Building Consent 28.09.2015</i>	HM Prison Service College Newbold Revel Stretton under Fosse Rugby	Listed Building Consent for the installation of a hydraulic lift from the ground to the second floor and associated works to include the localised partial removal of small areas of existing floors where necessary, erecting

		partitions and minor decoration/re-decoration to match existing.
<i>R15/1835 Listed Building Consent 09.10.2015</i>	30 Bilton Road Rugby	Listed Building Consent for internal alterations to include minor structural works
Advertisement Consents		
<i>R15/1725 Advertisement Consent 25.09.2015</i>	Vodafone UK 70 Church Street Rugby	Advertisement consent for the retention of existing fascia sign and projecting sign and new internal promotion sign
Approval of Details/ Materials		
<i>R14/0970 Approval of Details 24.09.2015</i>	Church Farm London Road Ryton-on-Dunsmore Coventry	Outline application for the demolition of the existing structures and erection of 6 new dwellings with all matters reserved
<i>R14/0970 Approval of Details 24.09.2015</i>	Church Farm London Road Ryton-on-Dunsmore Coventry	Outline application for the demolition of the existing structures and erection of 6 new dwellings with all matters reserved
<i>R15/1056 Approval of Details 25.09.2015</i>	Wolvey House Farm Wolds Lane Wolvey	Full: Erection of a wooden stable block & construction of a menage
<i>R15/1324 Approval of Details 28.09.2015</i>	222 Hillmorton Road Rugby	Extensions and alterations to dwelling
<i>R15/1453 Approval of reserved matters 29.09.2015</i>	Unit 1 (Plot 5) Rugby Gateway Employment Over View Way Rugby	Erection of building for Class B8 - storage, warehouse and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<i>R13/2044 Approval of Details 29.09.2015</i>	Land rear of Cromwell House Fosse Way Princethorpe Rugby	Outline planning permission for the erection of 4 no. dwellings (all matters reserved except access)

<p><i>R14/0970</i> <i>Approval of Details</i> 30.09.2015</p>	<p>Church Farm London Road Ryton-on-Dunsmore Coventry</p>	<p>Outline application for the demolition of the existing structures and erection of 6 new dwellings with all matters reserved</p>
<p><i>R13/1169</i> <i>Approval of Details</i> 01.10.2015</p>	<p>Coventry and Warwickshire NHS Ambulance Trust Ambulance Station Brownsover Lane Brownsover Rugby</p>	<p>Erection of 29 dwellings with associated access, parking, landscaping and works.</p>
<p><i>R11/1297</i> <i>Approval of Details</i> 02.10.2015</p>	<p>Elliotts Field Retail Park Leicester Road Rugby</p>	<p>Redevelopment of Retail Park to include the demolition of existing units B1 to C2 and the erection of 12 new (class A1) retail units (with ancillary class A3); replacement structural frame to unit A2, the sub division of unit A2 and the installation of mezzanine floor space; external alterations to unit A1; erection of 2 new cafe (class A3) units; reconfiguration of the car park layout; alterations and improvements to the access including 2 no. new service and delivery access off Old Leicester Road; alterations and enhancements to landscaping and associated works.</p>
<p><i>R14/0217 and</i> <i>R15/0883</i> <i>Approval of Details</i> 02.10.2015</p>	<p>Unit DC7, Prologis Ryton Sites A & B, Former Peugeot Site Oxford Road Ryton on Dunsmore</p>	<p>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).</p>
<p><i>R15/0453</i> <i>Approval of Details</i> 02.10.2015</p>	<p>61 Overslade Lane Rugby</p>	<p>Erection of two detached dwellings and associated parking (Amendment to a previously approved scheme under planning reference number R14/0329 granted 18th March 2014 to include a shed for each dwelling)</p>
<p><i>R13/1612</i> <i>Approval of Details</i> 05.10.2015</p>	<p>Land North of Technology Drive Technology Drive Rugby</p>	<p>Outline planning application with means of access for consideration (all other matters reserved for subsequent approval) for up to 9,964sq.m (gross internal area) including mezzanines of non-food, bulky goods retail with associated car parking, service areas and</p>

		landscaping.
<i>R11/1297 Approval of Details 05.10.2015</i>	Elliotts Field Retail Park Leicester Road Rugby	Redevelopment of Retail Park to include the demolition of existing units B1 to C2 and the erection of 12 new (class A1) retail units (with ancillary class A3); replacement structural frame to unit A2, the sub division of unit A2 and the installation of mezzanine floor space; external alterations to unit A1; erection of 2 new cafe (class A3) units; reconfiguration of the car park layout; alterations and improvements to the access including 2 no. new service and delivery access off Old Leicester Road; alterations and enhancements to landscaping and associated works.
<i>R14/0814 Approval of Details 06.10.2015</i>	Church Lawford Nursery and Garden Centre Church Lawford Garden Centre Kings Newnham Road Church Lawford	Erection of 9 dwellings with associated works including access, parking and landscaping. Demolition of existing buildings.
<i>R13/0124 Approval of Details 07.10.2015</i>	Warwickshire College Lower Hillmorton Road Hillmorton Rugby	Outline application for Class C3 residential development of up to 131 dwellings and provision of 0.4 hectare of land for the provision of a Class C2 Extra Care facility, with associated works and landscaping. All matters reserved except for access.
<i>R14/2017 and R15/0883 Approval of Details 08.10.2015</i>	Unit DC7, Prologis Ryton Sites A & B Former Peugeot Site Oxford Road Ryton-on-Dunsmore	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.
<i>R14/0970 Approval of Details 09.10.2015</i>	Church Farm London Road Ryton-on-Dunsmore Coventry	Outline application for the demolition of the existing structures and erection of 6 new dwellings with all matters reserved
<i>R10/1271 and R15/1453 Approval of Details 09.10.2015</i>	Unit 1 (Plot 5) Rugby Gateway Employment Over View Way Rugby	Erection of building for Class B8 - storage, warehouse and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<i>R10/1272 and</i>	Unit 1 (Plot 5)	Erection of building for Class B8 - storage,

<i>R15/1453 Approval of Details 12.10.2015</i>	Rugby Gateway Employment Over View Way Rugby	warehouse and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
Approval of non-Material Changes		
<i>R10/1272 and R14/1703 Approval of Non Material Changes 29.09.2015</i>	Unit 4 (Rugby Gateway Employment) 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>R14/1910 Approval of Non Material Changes 01.10.2015</i>	Land at Draycote Water Entrance Southam Road Kites Hardwick	Demolishing of existing 5 residential properties and associated outbuildings and erection of 6 detached properties together with associated works.
<i>R13/0032 Approval of Non Material Changes 06.10.2015</i>	202 Montague Road Rugby	Erection of a two storey and single storey rear, first floor side, single storey and a first floor front extensions and a porch.
<i>R11/2016 Approval of Non Material Changes 07.10.2015</i>	Lime Tree Village Cawston Lane Rugby	Discharge of conditions 3-6, 9, 10, 13, 14, 17, 19 & 20 of E2E Ref 665 - Extension to Lime Tree Village to form a Continuing Care Retirement Community (Use Class C2) incorporating a 30 bed Care Home, 47 Extra Care Cottages (Use Class C2), 12 Extra Care Apartments (Use Class C2) associated communal facilities, open space and car parking facilities.
<i>R15/0651 Approval of Non Material Changes 14.10.2015</i>	Land off Ivy Grange and Rear of 18 The Green The Green Bilton Rugby	Erection of 7 dwelling houses together with car parking, roads, sewers and associated works.
Withdrawn/ De-registered		
<i>R15/0619 Withdrawn 09.09.2015</i>	Stretton Fields Farm Hydes Lane Hinckley	Temporary permission for retention a mobile home for equestrian purposes for a period of 3 years previously consented reference APP/E3715/A/11/2158522
<i>R15/1680 Withdrawn 29.09.2015</i>	6 Reservoir Road Brownsover Rugby	Installation of new vehicular access

<i>R15/1247 Withdrawn 05.10.2015</i>	70 Hoskyn Close Hillmorton Rugby	Erection of a garage and associated works
<i>R15/1948 Withdrawn 08.10.2015</i>	Ashlawn Corn Store Ashlawn Road Rugby	Certificate of lawfulness for the proposed development of solar panels to roof of Ashlawn Corn Store.
<i>R15/1949 Withdrawn 08.10.2015</i>	1-37 Albert Square Rugby	Certificate of lawfulness for the proposed development of solar panels to roof of RBC building on Albert Square.
<i>R15/1950 Withdrawn 08.10.2015</i>	John Barford Car Park James Street Rugby	Certificate of lawfulness for the proposed development of solar panels to roof of the John Barford Car Park.
<i>R15/1951 Withdrawn 08.10.2015</i>	Lesley Souter House Hillmorton Road Rugby	Certificate of lawfulness for the proposed development of solar panels to roof of Lesley Souter House.
<i>R15/1952 Withdrawn 08.10.2015</i>	The Queen's Diamond Jubilee Centre Bruce Williams Way Rugby	Certificate of lawfulness for the proposed development of solar panels to roof of the Queen's Diamond Jubilee Centre.
<i>R15/1953 Withdrawn 08.10.2015</i>	Rugby Art Gallery Museum and Library Little Elborow Street Rugby	Certificate of lawfulness for the proposed development of solar panels to the rear roof slope of the Rugby Art Gallery, Museum and Library.
<i>R15/1954 Withdrawn 08.10.2015</i>	Tanser Court Done Cerce Close Rugby	Certificate of lawfulness for the proposed development of solar panels to the roof of Tanser Court.
<i>R15/1955 Withdrawn 08.10.2015</i>	Town Hall Evreux Way Rugby	Certificate of lawfulness for the proposed development of solar panels to the roof of the Rugby Town Hall.
<i>R15/1956 Withdrawn 08.10.2015</i>	Works Services Unit Depot 94 Newbold Road Rugby	Certificate of lawfulness for the proposed development of solar panels to the roof of the Works Services Unit Depot.