

18th December 2015

PLANNING COMMITTEE - 6TH JANUARY 2016

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 6th January 2016 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 2nd December 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 – 5th November – 2nd December 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 – 11) 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 – 6th January 2016

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	R15/2009	Buildings J & K, Coton House, Lutterworth Road, Churchover, Rugby Demolition of existing buildings J & K and erection of 2 dwellings and garages with associated works.	3
2	R15/2012	Buildings J & K, Coton House, Lutterworth Road, Churchover, Rugby Demolition of curtilage listed buildings J & K.	18
3	R15/1990	Land at Coton House, Lutterworth Road, Churchover, Rugby, CV23 0AA Formation of an acoustic bund and relocation of sewage treatment plant with associated access track.	26
4	R15/1621	63 Lime Tree Avenue, Bilton, CV22 7QT Erection of four new dwellings including the demolition of an existing integral garage and erection of a new double garage with associated access.	38
5	R15/2512	John Barford Car Park, James Street, Rugby, CV21 2SL. Certificate of lawfulness for the proposed development of solar panels to roof of the John Barford Car Park.	49

Reference number:

R15/2009

Site address:

Buildings J & K, Coton House, Lutterworth Road, Churchover, Rugby

Description :

Demolition of existing buildings J & K and erection of 2 dwellings and garages with associated works.

Case Officer Name & Number:

Richard Holt 01788 533867

This application is being reported to Planning Committee for completeness as it is the planning application that accompanies the listed building application to demolish two curtilage listed buildings.

Description of Site:

Buildings H, J & K lie approximately 45 metres south east of the Grade II listed former Stable Block and in the terms of listed building legislation are judged to lie within the curtilage of the former Stable Block so are curtilage listed. The buildings also lie approximately 160 metres south west of Coton House a Grade II* listed building.

The original Stable Block was constructed in the late 18th Century with buildings H, J & K being built in the late 19th Century/early 20th Century. Buildings H, J & K are laid out in a linear fashion parallel to the main former Stable Block building and are situated on land approximately 2 metres lower. Extensive parkland and gardens lie to the south, west (beyond the former Stable Block) and north, however, works relating to the first phase of residential development approved under the hybrid scheme to the south west have now commenced (18 dwellings). In addition, to the immediate east were a mix of single and two storey late 19th Century buildings with an extensive array of more contemporary 20th Century buildings that have now been demolished and the site cleared. This area will form part of the second phase of housing (38 dwellings).

Building H lies just outside the application site to which this latest application relates. Buildings J & K are understood to be constructed from common brick which is then painted white with a blue slate roof. Building J has a small, lead-clad ventilator on the ridge with black timber double doors to the south western elevation whilst the north-western elevation of Building K is characterised by horizontal timber cladding also painted white. There are a mix of timber and metal windows painted white in Buildings J & K.

Building J has a 'L-shaped' configuration measuring approximately 2.5 metres to the eaves and 5 metres to the ridge. Building K is rectangular in shape measuring approximately 3.5 metres to the eaves and 6.5 metres to the ridge. The surviving parts of Buildings J & K do not appear to have been significantly altered in appearance since construction, although Building J did house an electrical transformer and switch gear system for this particular part of the site with the remaining sections being used for the storage of machinery and electrical and plumbing parts.

Description of Proposals:

This full application relates to the demolition of the existing buildings known as J & K and the erection of one 2-bed dwelling and one 5-bed dwelling with associated garaging and works. The new dwellings will be constructed on the footprints of buildings J & K and will be

comparable in their scale and form with Building J rising to approximately 2.7 metres to the eaves and 5.3 metres to the ridge whilst Building K will rise to approximately 3.8 metres to the eaves and 6.5 metres to the ridge.

New build Building J will be single storey whilst new build Building K will be two storey with dormer windows and rooflights serving the first floor. Both buildings will be constructed from red multi brick with slate roofs and timber windows and doors and have a small ridgeline lead clad ventilator. A detached double garage with pitched roof will also be provided for new Building K and a single pitched roof garage to new Building J, both rising to approximately 4.2 metres to the ridge. A further 2 parking spaces will be provided for new Building J and 4 parking spaces for new Building K. Both properties will have enclosed external amenity space.

Vehicular access for new Building J will be via the small courtyard of parking for the new dwellings serving Plots 47-50 whilst for new Building K it will be directly off one of the internal access roads serving the second phase of new build residential development.

A Planning Statement, Heritage Assessment, Heritage Assessment Addendum, Structural Report and Environmental Contamination Report have also been submitted in connection with the proposal.

Relevant Planning History:

The overall site has an extensive planning history dating back to 1949. It is understood that from the late 1940s the site was used as a training centre with associated accommodation for students and apprentices working at nearby industrial premises. The former Stable Block was significantly altered in the late 1940s, particularly in relation to fenestration treatments and internally to form residential accommodation. The site then became the Post Office Management and Training Centre in the 1970s and extensive works were carried out in the mid to late 1970s. A variety of proposals have been subject to planning permission and listed building consent since then as the site has developed.

The fire at Coton House itself was in June 2010 and in January 2012 the Post Office closed the Management Centre.

Since 2013 a series of listed building and planning applications have been submitted across the site. The most relevant to this current application are listed below:

R12/1353 - 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). Approved 09/05/2014

R13/0928 - Listed Building Application for the partial demolition of the Stable Block Building and for the demolition of structures within the curtilage of the Stable Block Building. Approved 27/03/2014

R14/2069 - Listed Building Application for the partial demolition & rebuild and conversion of building H into a 3-bed dwelling, building J into a 2-bed dwelling and building K into a 4-bed dwelling. Pending

R15/2012 – Listed Building Application for the demolition of curtilage listed buildings J & K.
Pending

Technical Consultees:

WCC Ecology	No objection, subject to conditions and informative
Natural England	No comments
WCC Archaeology	Holding comments, await formal response
WCC Highways	No objection
RBC Environmental Services	No objection, subject to conditions and informatives
Severn Trent Water	No objection, subject to an informative

Historic England has commented solely on the associated listed building application.

Third Party Consultations:

Churchover Parish Council	No comments received to date.
Neighbours	No comments received to date.

Relevant Planning Policies & Guidance:

Rugby Borough Council Local Plan 2006 – Saved Policies:

GP2	Landscaping	Complies
E6	Biodiversity	Complies
E17	Development Affecting Parks & Gardens & Other Elements of the Historic Landscape	Complies
T5	Parking Facilities	Complies

Rugby Borough Council Core Strategy 2011:

CS1	Development Strategy	Complies
CS11	Transport & New Development	Complies
CS16	Sustainable Design	Complies

National Guidance & Policies:

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

Managing Significance in Decision Taking in the Historic Environment (HEGPAP 2), Historic England 2015

The Setting of Heritage Assets (HEGPAP 3), Historic England 2015

Other:

Assessment of Proposals:

General Principles:

The application site lies within the countryside and Policy CS1 considers that new development in the countryside will be resisted and only where national policy on countryside locations allows will development be permitted. Para 55 of the National Planning Policy Framework (NPPF) stipulates that planning should avoid isolated new homes in the countryside unless there are special circumstances such as the re-use of redundant or dis-used buildings which lead to an enhancement to the immediate setting.

This proposal is for the demolition and erection of two buildings so is not the re-use of existing buildings. Planning permission under the hybrid application, R12/1353, covering the entire site granted consent for Buildings J & K to be converted into residential units, but owing to the findings from both a structural survey and environmental contamination survey the applicants consider this is no longer a feasible option. Annex 2 of the NPPF states that previously developed land comprises of land which is or was occupied by a permanent structure, including the curtilage of the developed land. Based on the presence of Buildings J & K within the curtilage of the former Royal Mail Management Centre at Coton House the site is judged to be previously developed land.

Paragraphs 47 & 49 of the NPPF refers to Local Planning Authorities significantly boosting the supply of housing and that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF requires that local planning authorities demonstrate a five year housing land supply (plus 5% moved forward from later in the plan period to ensure choice and competition in the market). Where there has been a record of persistent non-delivery of housing, local planning authorities are then required to increase this buffer to 20% (again moved forward from later in the plan period). The Council has undertaken monitoring for 2013/14 and updated its position in November 2014. This shows that the Council can only demonstrate 4.13 years land supply with a shortfall of 558 dwellings. The figures for 2014-2015 are envisaged to remain at approximately 4 years, so still below the 5 year target.

Where the required land supply cannot be demonstrated by the planning authority the NPPF is specific, at paragraph 49, that relevant local policies for the delivery of housing must then be considered to be out of date and housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF identifies three dimensions to sustainable development, economic, social and environmental. Although the site is within a countryside location and the NPPF seeks to safeguard the intrinsic character and beauty of such locations, the specific position of the dwelling would be on previously developed land between existing dwellings and immediately adjacent to the approved scheme to build 60 new dwellings. Therefore, based on the individual characteristics of the site it is not considered that when assessed holistically that the erosion of the countryside would be to such an extent that it would undermine the countryside policies of the Development Plan. In addition the new dwellings lie within the original hybrid planning application site boundary and replace two buildings on the same footprint which had already received planning permission to be used for residential purposes.

Whilst it is accepted that the site is remote from facilities and services and the occupants of the new dwellings would have a heavy reliance on private vehicles, the principle of two dwellings in this particular location had already been established and were already

contributing to the economic benefit in construction terms that their previous conversion would have brought when redeveloping the entire Coton House complex. Therefore, based on the extant permission to convert the buildings into two dwellings of a similar scale and bulk this particular proposal in this instance is more akin to replacement dwellings than entirely new build on a virgin site so is not considered to undermine planning policies designed to create sustainable patterns of development and not be in conflict with the overall principles of Policy CS1 and the NPPF.

Heritage Assessment/Impact on Listed Buildings:

Policy CS16 states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The original Heritage Assessment notes that Coton House and grounds are of significance primarily as a result of their survival as an example of a medium sized country house, with its associated structures, gardens and parkland, primarily dating from 18th & 19th centuries. The significance is archaeological, architectural and historic but it notes the level of change that has occurred to the various buildings and the grounds has reduced its architectural significance. However, Coton House itself remains of high architectural and historic interest which is noted by its Grade II* status.

A structural survey covering Buildings J & K was submitted with the proposal. Building J shows signs of subsidence in the foundations with cracking to the walls, around window and door reveals and there has been slight roof spread. Building K has suffered potential decay to the roof truss ends owing to missing guttering whilst timber posts that are used in the construction of the building are decaying and have moved and cracks have occurred to some of the walls owing to ground movement. Overall, the structural report concludes by stating that whilst there are indications of structural movement these problems are not insurmountable and Buildings J & K are capable of conversion without substantial reconstruction.

Accompanying the application was also a contamination survey which included Buildings J & K. This identified the presence of PCBs (Polychlorinated Biphenols) probably resulting from leakage from the electrical transformer and switch gear system that use to be in Building J. Due to the carcinogenic properties of PCBs and that remediation measures are likely to be problematic with risk to future occupants the report considers that Buildings J & K should be demolished.

The original Heritage Assessment covering the Coton House complex identified Buildings J & K as having interest by their form, materials and detailing and that they were curtilage listed structures owing to their location but were of only local architectural and historic interest. The Heritage Assessment considered that owing to the demolition of other buildings between the former Stable Block and Buildings J & K the significance of Buildings J & K lose much of their historical context and their loss would represent less than substantial harm and such harm would be outweighed by the proposal's overall benefit to the historic environment.

The Heritage Assessment Addendum report also considers Buildings J & K to be of limited heritage value and that they make a very minor contribution to the significance of the Grade II listed former Stable Block and neutral contribution to the setting of Coton House, Grade II* listed. It considers their loss will have a slight effect on the ability to appreciate the late 19th Century development of the estate and owing to the replacement buildings proposed will

result in a very minor, if not negligible, effect on the significance of the listed buildings. The demolition of Buildings J & K would also bring about a public benefit by purifying the land to remove traces of PCBs and the report considers that whilst the Buildings could be retained this would be a less than appropriate solution as without a viable alternative could deteriorate into a dangerous state.

Following the demolition of Buildings J & K it is proposed to erect two replacement buildings. The Heritage Assessment Addendum describes how the new buildings have been designed in a manner to replicate and emulate the existing Buildings J & K in all factors, including height, footprint and general form. Key features and detailing from the existing buildings will also be replicated such as slate roofs and lead clad ridgeline ventilators, but it is acknowledged that fenestration details will vary due to the intended internal layout of the new buildings. This report considers that these carefully executed facsimiles would have a very minor, if not negligible, effect on the significance of the surrounding listed and curtilage buildings, including the surrounding parkland and gardens, and the position, form, materials and detailing of the new buildings will to some degree pay homage to historic form and layout of this part of the Coton House site and respect retained Building H.

Whilst the loss of any historic building is regrettable and requires significant consideration, overall the limited significance of these heritage assets and based on the harm caused being less than substantial, the public benefits that will be arise from the redevelopment of the site clearly outweigh this harm and significance. Therefore, the proposal is considered to accord with policy CS16, the NPPF and Historic England guidance.

Archaeology:

An archaeological desk top assessment was submitted for the Coton House site as part of the hybrid application. Whilst this acknowledged building works during the 19th & 20th Centuries would of resulted in considerable destruction of earlier archaeological remains or historic landscape features there are still undeveloped areas across the site, but it is very unlikely that any archaeological remains survive that warrant statutory protection. Since the approval of the hybrid application further archaeological reports have been submitted to the Local Planning Authority and Warwickshire County Council Archaeological Unit, which included a Historic Building Recording Survey of Buildings J & K.

The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, should be submitted. Historic England guidance advises that where a heritage asset is thought to have archaeological interest the potential knowledge which may be unlocked by investigation may occasionally be harmed by even minor disturbance thus damaging the significance of the asset. It advises that expert advice may be needed but that a proportionate approach should be maintained.

WCC Archaeology previously identified that the site is within an area of archaeological potential as identified in the archaeological desk-based assessment accompanying the Hybrid Application, R12/1353. Various trial trenches have been undertaken across the first phase of the residential scheme, to the south west of the application site and no archaeological findings of significance were uncovered just evidence primarily of 19th Century activity. The applicants have submitted a plan which indicates the location of future trial trenches which will run through the location of both new build garages which are to serve Buildings J & K.

Although WCC Archaeology have not followed up their original holding comments since October 2015, it is considered reasonable to seek a pre-commencement archaeological condition to at least cover the areas of the intended garages as identified by the applicants as future archaeological trial trench sites. It is considered that as Buildings J & K date from the late 19th / early 20th Centuries and the replacement buildings will be on the same

footprint apart from the garages the requirement of further pre-determinative archaeological surveys would be unreasonable in this instance.

In the light of the above the proposed development is considered to accord with policy CS16, the NPPF and Historic England guidance.

Design:

The NPPF states that good design is indivisible from good planning and should contribute positively to making places better for people. However, it also considers that decisions should not attempt to impose architectural styles or particular tastes and not stifle innovation, originality or initiative but also reinforce local distinctiveness.

The replacement Buildings J & K will be of a traditional appearance constructed from red brick with arched brick headers to many of the windows and doors. As detailed in the Heritage Assessment Addendum the new buildings have been designed in a manner to replicate and emulate the existing Buildings J & K in all factors, including height, footprint and general form including with key features such as the use of slate for the roofs and lead clad ridgeline ventilators. In addition, the new build garages will have pitch roofs and detailing and materials to complement the replacement Buildings J & K.

Specific details in relation to external facing materials for the dwellings, including the windows and doors, along with boundary treatments will be addressed via pre-commencement conditions to ensure a sympathetic palette of materials are used in keeping with the area.

Overall the design and appearance of the new dwellings would not unduly harm the setting of the significance of the heritage assets across the Coton House site, including both Building H and the former Stable Block, and would not harm the visual appearance of the surrounding parkland. However, owing to the unique setting of the proposed dwellings in a countryside location within the grounds of Coton House and adjacent to the aforementioned curtilage listed buildings, it is considered that alterations to the properties in the future could harm the visual amenity of the area. Conditions are therefore proposed removing some permitted development rights from the property.

It is understood that the intention is to use Air Source Heat Pumps (ASHP) for each dwelling as the site is located off the gas network so the applicant has had to look at alternative ways to supply a source of heat to the properties. No specific details have been submitted with the application but it is considered that they will be able to be accommodated within the curtilage of the site relatively discreetly alongside normal domestic paraphernalia and thus can also be controlled by condition.

Therefore, the proposal is considered to accord with this aspect of policy CS16 and the NPPF.

Landscaping, Trees & Ecology:

Whilst there are no soft landscape features, including trees within the application site, the structural report submitted with the application does make reference to the large number of trees to the east of Buildings J & K which may have impacted on soil moisture content and caused some of the cracks in the buildings, especially Building K. The trees to the immediate east are scheduled to be retained and form part of the Arboricultural Survey and Tree Protection Plan submitted as part of the hybrid application. However, notwithstanding the presence of PCBs as detailed above, the structural report concluded that the underpinning of the foundations to Buildings J & K would address this matter. Therefore, the construction of new build properties will result in more substantial foundations than the existing buildings and as root protection areas of the existing trees lie immediately adjacent to or outside the area to be developed no adverse impact on their health is envisaged.

Therefore, the proposal is considered to accord with saved policies E17 & GP2, policy CS16 and the NPPF.

The site lies outside the designated Strategic Green Infrastructure Network but does form part of an EcoSite. Bat surveys and mitigation measures have been conducted in the past across the site which indicated that whilst no bats were recorded roosting within Buildings J & K, a common pipistrelle bat roost was present in Building H immediately adjacent to the site. As these surveys are over 12 months old a further bat survey is advised by Warwickshire County Council Ecology Unit prior to the demolition of Buildings J & K. Owing to the number of bat roosts that have been identified across the Coton House site in existing buildings, this request is not considered unreasonable, especially as the buildings are intended to be demolished.

However, owing to extensive ground clearance works that have taken place around the site together with investigative works associated with the foundations and PCBs contamination of Buildings J & K, along with the tight application site boundary, the request for a further amphibian and nesting birds survey by condition is considered unreasonable. Nevertheless, a note to applicant is judged to be sufficient in this particular instance as it is ultimately governed by separate legislation. Natural England have raised no comments and overall, subject to the above condition and informatives, the proposal would comply with saved policy E6 and the NPPF.

Highways & Parking:

Appendix 2 of the Planning Obligations Supplementary Planning Document 2012 advises that 2-bed dwellings should have 1.5 off street parking spaces whilst 5-bed dwellings should have at least 3 off street parking spaces. Building J (2-bed) will have 3 parking spaces allocated to it including the garage, whilst Building K (5-bed) will have 6 parking spaces allocated to it including the double garage. It has been previously accepted that the overall Coton House site development will rely heavily on the private car owing to the lack of alternative modes of transport serving the site and that it would be preferred that both occupants and visitors had the ability to park in designated areas rather than sporadically throughout the site in order to reduce potential friction between future residents over parking. In addition, this particular section of the site is more compact than other less dense parts of the development so defined parking areas is even more critical. Overall the parking levels would not be visually detrimental to the character and appearance of the site and plans submitted show that cycle parking could either be provided within the associated garaging or dwellinghouse itself.

Access to the site will be via the private existing driveway flanked by lime trees off the A426 and the formation of these new build units rather than the conversion of existing buildings is not considered to adversely impact on the highway network and WCC Highways has raised no objection.

Overall the proposal is considered to accord with saved policy T5, policy CS11 and the NPPF.

Noise, Air Quality, Contamination & Amenity:

The principle of residential units through the conversion of Buildings J & K was established as part of the hybrid application, R12/1353. Therefore, the construction of new build dwellings on the footprint of the existing buildings of a similar bulk and form is acceptable in principle. The closest direct habitable room window to window distance will be between Building K and Plot 55 at 17.5 metres. However, this is at ground floor level across an access road and the window on Building K is a small secondary window. Other habitable room direct window to window distances range between 25 to 30 metres or above but owing to a combination of factors, such as at ground floor, boundary treatments, across roadways

or shared car parking areas the relationship between Buildings J & K and other proposed plots is judged to be acceptable.

Glazing specification details for each plot on a façade by façade basis have been produced through acoustic modelling by the applicant's noise specialist. For Buildings J & K this will result in internal noise levels at 25db by the windows with the ability to have continuous mechanical ventilation systems in place. Environmental Services accept this approach and are content for this matter to be addressed by condition.

As detailed above, accompanying the application was a contamination survey which included Buildings J & K. This identified the presence of PCBs (Polychlorinated Biphenols) probably resulting from leakage from the electrical transformer and switch gear system that use to be in Building J. Due to the carcinogenic properties of PCBs and that remediation measures are likely to be problematic with risk to future occupants the report considers that Buildings J & K should be demolished. Whilst the principle of demolishing the buildings has been established above, Environmental Services have stipulated that owing to previous contamination identified within and around the buildings a contaminated land investigation survey is required post demolition of the buildings to ensure no contamination remains on site. However, they accept this can be controlled by condition.

As part of the hybrid application an Asbestos Management Survey was conducted and approved. Whilst the survey was only limited to those materials easily accessible for sampling and did not include intrusive access hidden within the fabric of the buildings, asbestos nevertheless was found. As Buildings J & K are now intended to be removed the risk of exposure to asbestos is greater during the demolition process. However, Environmental Services have advised that whilst the applicant/developer will need to take appropriate precautions this would be covered by the Health & Safety Executive as the enforcing authority. Therefore, it is considered that a note to applicant would be sufficient in this instance.

Overall, subject to the imposition of conditions, the proposed development would accord with policy CS16 and the NPPF.

Other Matters:

Policy CS16 states that sustainable urban 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 applicant's agent has stated that the disposal of surface water will be to a pond/lake to the south of the site whilst foul drainage will be managed via a private sewage treatment plant on site. The need to meet Code Level 4 water conservation standards will no longer be applicable following the Deregulation Act 2015 and this matter will be addressed by Building Regulations. Overall the proposal is considered to comply with Policy CS16.

Overall, the proposal is considered to accord with the Development Plan, the NPPF and Historic England guidance. However, as it is linked to a listed building application for the demolition of curtilage listed Buildings J & K any decision to approve the application would not be issued until a response had been received from the National Planning Casework Unit on the listed building application.

Recommendation:

Subject to the response of the National Planning Casework Unit with regard to listed building application R15/2012, the Head of Planning & Recreation be granted delegated powers to approve the planning application R15/2009, subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R15/2009

DATE VALID

06/10/2015

ADDRESS OF DEVELOPMENT

BUILDINGS J & K, COTON HOUSE
LUTTERWORTH ROAD
CHURCHOVER
RUGBY
CV23 0AA

APPLICANT/AGENT

Mr Mark Gay
Cala Homes (Midlands) Limited
Cala House
Arleston Way
Solihull
West Midlands
B90 4LH
On behalf of Mr Mark Gay, CALA Homes
(Midlands) Limited

APPLICATION DESCRIPTION

Demolition of existing buildings J & K and erection of 2 dwellings with associated garaging and works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development (within the application site boundary) shall be carried out in accordance with the plans and documents detailed below:

Overall Site Plan - Blocks J & K ref 189A96 JK03 Rev B;

Proposed Site Plan - Blocks J & K ref 189A96 JK04 Rev B; &

Garages ref JK09 Rev A;

all of the above received by the Local Planning Authority on 2nd December 2015;

Site Plan - Glazing & Ventilation Specification plan ref 189A96 GVS1 and accompanying spreadsheet (PLOTS J & K ONLY) received by the Local Planning Authority on 21st October 2015;

J Block Existing Plan ref JK12;

J Block Existing Elevations ref JK13;

K Block Plan ref JK14;

K Block Elevations ref JK15;

Structural Report on Former Stables & Buildings H, J & K ref NR/DNS/35917-RP001 Rev D dated August 2014 by Alan Wood & Partners; &

Buildings H, J & K G.F. Structural G.A. plan ref 35917 102;

all of the above received by the Local Planning Authority on 6th October 2015;

Existing Site Plan - Blocks J & K ref 189A96 JK02 Rev A; &

Location Plan ref 189A96 JK01 Rev A;

both of the above received by the Local Planning Authority on 22nd September 2015;

J Block Plans ref JK05;

J Block Elevations ref JK06;

K Block Plans ref JK07;

K Block Elevations ref JK08;

Heritage Assessment ref 2668/3 dated March 2013 by Woodhall Planning & Conservation;

Heritage Assessment Addendum dated August 2015 by Heritage Collective; &

Geo Environmental Group letter to Cala Homes dated 3rd June 2015 ref MR-WMO-0406, GEG-14-355, re PCB Sampling Buildings H, J & K;

all of the above received by the Local Planning Authority on 28th August 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:

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

REASON:

In the interest of local amenities, including the setting of adjacent heritage assets and impact on surrounding trees.

CONDITION 4:

Notwithstanding the plans approved above under Condition 2, 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, including details of windows, rooflights, doors, headers, cills and reveal depths, together with samples of the facing bricks and roofing material, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality and to protect the setting of adjacent heritage assets.

CONDITION 5:

In accordance with the approved plans detailed in Condition 2 above, full details of the fencing, railings and gates (including elevations and acoustic fencing details, if applicable) and drive way surface treatments, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall not be carried out other than in accordance with the approved details and the dwelling shall not be first occupied until the boundary treatments have been installed, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality and character, appearance and integrity of the setting of the adjacent historic assets.

CONDITION 6:

Prior to first occupation of Buildings J & K, the associated garaging and parking spaces hereby approved shall be made available for the parking of vehicles and thereafter retained as such in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure a satisfactory level of off-street car parking is available at all times and in the interests of local amenities.

CONDITION 7:

Notwithstanding Schedule 2, Part 14 of the Town and Country Planning (General Permitted Development)(England) Order 2015, or any order revoking or re-enacting that order, prior to the installation of any air/water source heat pumps at the dwelling, full details of their design and location shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality and to protect the setting of adjacent heritage assets.

CONDITION 8:

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

REASON:

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

CONDITION 9:

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, 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 10:

The glazing and ventilation details as approved by Condition 2 above, shall be implemented prior to the first occupation of that dwellings and then remain in place in perpetuity.

REASON:

To safeguard the residential amenity of future occupants.

CONDITION 11:

The development hereby permitted (including demolition) shall not commence until a detailed schedule of bat mitigation measures (to include an updated bat survey inspection of the existing buildings including activity surveys if necessary, timing of works, replacement roost details and monitoring) 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:

The applicant/developer is advised that this application should be read in conjunction with listed building consent, R15/2012.

INFORMATIVE 2:

The applicant/developer is advised that during the demolition, clearance and construction works protected species, such as amphibians (eg great crested newts) and nesting birds may be disturbed. Should any evidence of protected species, such as amphibians and nesting birds, be found during such works development shall cease immediately and contact made with Warwickshire County Council Ecology Unit on 01926 418060.

INFORMATIVE 3:

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE 4:

The applicant/developer's attention is drawn to the previously approved Asbestos Management Survey ref 1521635 dated May 2011 by Santia received by the Local Planning Authority on 1st July 2013 in connection with hybrid application R12/1353 for the Engineers Block (incorporating Buildings J & K). Whilst the Health & Safety Executive are the enforcing authority with regard to ensuring appropriate precautions are followed in connection with asbestos, the applicant/developer is advised that the value and usefulness of an asbestos survey can be seriously undermined where either the client or the surveyor imposes restrictions on the survey scope or on the techniques/methods used by the surveyor. Information on the location of all Asbestos Containing Materials (ACMs), as far as reasonably practicable, is crucial to the risk assessment and management. Any restrictions placed on survey scope will reduce extent to which ACMs are located and identified; incur delays and consequently make managing asbestos more complicated, expensive and potentially less effective.

It should be noted that demolition contractors are required to inspect a site. Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with. Asbestos contaminated waste is required for removal to a designated waste management facility licensed to take asbestos. A consignment note for the national inspectorate is required for each load and a paper trail of waste movements kept.

INFORMATIVE 5:

The applicant/developer is advised that existing trees which lie to the east of the application site are subject to the details previously approved as part of the Arboricultural Impact Assessment ref 8631_AIA.001 dated March 2013 by Aspect Arboriculture received by the Local Planning Authority on 5th April 2013 under hybrid planning application R12/1353.

INFORMATIVE 6:

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The Warwickshire County Council Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

INFORMATIVE 7:

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and the applicant/developer is advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Reference number:

R15/2012

Site address:

Buildings J & K, Coton House, Lutterworth Road, Churchover, Rugby

Description :

Demolition of curtilage listed buildings J & K.

Case Officer Name & Number:

Richard Holt 01788 533867

This proposal is being reported to Planning Committee as it is a listed building application for the demolition of two curtilage listed buildings.

Description of Site:

Buildings H, J & K lie approximately 45 metres south east of the Grade II listed former Stable Block and in the terms of listed building legislation are judged to lie within the curtilage of the former Stable Block so are curtilage listed. The buildings also lie approximately 160 metres south west of Coton House a Grade II* listed building.

The original Stable Block was constructed in the late 18th Century with buildings H, J & K being built in the late 19th Century/early 20th Century. Buildings H, J & K are laid out in a linear fashion parallel to the main former Stable Block building and are situated on land approximately 2 metres lower. Extensive parkland and gardens lie to the south, west (beyond the former Stable Block) and north, however, works relating to the first phase of residential development approved under the hybrid scheme to the south west have now commenced (18 dwellings). In addition, to the immediate east were a mix of single and two storey late 19th Century buildings with an extensive array of more contemporary 20th Century buildings that have now been demolished and the site cleared. This area will form part of the second phase of housing (38 dwellings).

Building H lies just outside the application site to which this latest application relates. Buildings J & K are understood to be constructed from common brick which is then painted white with a blue slate roof. Building J has a small, lead-clad ventilator on the ridge with black timber double doors to the south western elevation whilst the north-western elevation of Building K is characterised by horizontal timber cladding also painted white. There are a mix of timber and metal windows painted white in Buildings J & K.

Building J has a 'L-shaped' configuration measuring approximately 2.5 metres to the eaves and 5 metres to the ridge. Building K is rectangular in shape measuring approximately 3.5 metres to the eaves and 6.5 metres to the ridge. The surviving parts of Buildings J & K do not appear to have been significantly altered in appearance since construction, although Building J did house an electrical transformer and switch gear system for this particular part of the site with the remaining sections being used for the storage of machinery and electrical and plumbing parts.

Description of Proposals:

This application relates to the entire demolition of the existing curtilage listed structures known as Buildings J & K.

Buildings J & K will be replaced by two new residential buildings of similar scale and form on the same footprint as the existing buildings. That particular proposal will be assessed under the associated planning application, R15/2009, which is the subject of a separate report.

A Planning Statement, Heritage Assessment, Heritage Assessment Addendum, Structural Report and Environmental Contamination Report have also been submitted in connection with the proposal.

Relevant Planning History:

The overall site has an extensive planning history dating back to 1949. It is understood that from the late 1940s the site was used as a training centre with associated accommodation for students and apprentices working at nearby industrial premises. The former Stable Block was significantly altered in the late 1940s, particularly in relation to fenestration treatments and internally to form residential accommodation. The site then became the Post Office Management and Training Centre in the 1970s and extensive works were carried out in the mid to late 1970s. A variety of proposals have been subject to planning permission and listed building consent since then as the site has developed.

The fire at Coton House itself was in June 2010 and in January 2012 the Post Office closed the Management Centre.

Since 2013 a series of listed building and planning applications have been submitted across the site. The most relevant to this current application are listed below:

R12/1353 - 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). Approved 09/05/2014

R13/0928 - Listed Building Application for the partial demolition of the Stable Block Building and for the demolition of structures within the curtilage of the Stable Block Building. Approved 27/03/2014

R14/2069 - Listed Building Application for the partial demolition & rebuild and conversion of building H into a 3-bed dwelling, building J into a 2-bed dwelling and building K into a 4-bed dwelling. Pending

R15/2009 - Demolition of existing buildings J & K and erection of 2 dwellings with associated garaging and works. Pending

Technical Consultees:

Historic England	Comments	Proposed replacement buildings are acceptable subject to conditions to ensure that appropriate high quality materials and detailing are used.
Twentieth Century Society	Comments	
WCC Ecology		No objection, subject to conditions and informative

WCC Archaeology Holding comments, await formal response

RBC Environmental Services No comments

Third Party Consultations:

Churchover Parish Council No comments received to date.

Neighbours No comments received to date.

Relevant Planning Policies & Guidance:

Rugby Borough Council Local Plan 2006 – Saved Policies:

E6 Biodiversity Complies

E17 Development Affecting Parks & Gardens & Other Elements of the Historic Landscape
Complies

Rugby Borough Council Core Strategy 2011:

CS16 Sustainable Design Complies

National Guidance & Policies:

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

Managing Significance in Decision Taking in the Historic Environment (HEGPAP 2), Historic England 2015

The Setting of Heritage Assets (HEGPAP 3), Historic England 2015

Other:

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

Assessment of Proposals:

Policy CS16 states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The original Heritage Assessment notes that Coton House and grounds are of significance primarily as a result of their survival as an example of a medium sized country house, with its associated structures, gardens and parkland, primarily dating from 18th & 19th centuries. The significance is archaeological, architectural and historic but it notes the level of change that has occurred to the various buildings and the grounds has reduced its architectural significance. However, Coton House itself remains of high architectural and historic interest which is noted by its Grade II* status.

A structural survey covering Buildings J & K was submitted with the proposal. Building J shows signs of subsidence in the foundations with cracking to the walls, around window and door reveals and there has been slight roof spread. Building K has suffered potential decay

to the roof truss ends owing to missing guttering whilst timber posts that are used in the construction of the building are decaying and have moved and cracks have occurred to some of the walls owing to ground movement. Overall, the structural report concludes by stating that whilst there are indications of structural movement these problems are not insurmountable and Buildings J & K are capable of conversion without substantial reconstruction.

Accompanying the application was also a contamination survey which included Buildings J & K. This identified the presence of PCBs (Polychlorinated Biphenols) probably resulting from leakage from the electrical transformer and switch gear system that use to be in Building J. Due to the carcinogenic properties of PCBs and that remediation measures are likely to be problematic with risk to future occupants the report considers that Buildings J & K should be demolished.

The original Heritage Assessment covering the Coton House complex identified Buildings J & K as having interest by their form, materials and detailing and that they were curtilage listed structures owing to their location but were of only local architectural and historic interest. The Heritage Assessment considered that owing to the demolition of other buildings between the former Stable Block and Buildings J & K the significance of Buildings J & K lose much of their historical context and their loss would represent less than substantial harm and such harm would be outweighed by the proposal's overall benefit to the historic environment.

The Heritage Assessment Addendum report also considers Buildings J & K to be of limited heritage value and that they make a very minor contribution to the significance of the Grade II listed former Stable Block and neutral contribution to the setting of Coton House, Grade II* listed. It considers their loss will have a slight effect on the ability to appreciate the late 19th Century development of the estate and owing to the replacement buildings proposed will result in a very minor, if not negligible, effect on the significance of the listed buildings. The demolition of Buildings J & K would also bring about a public benefit by purifying the land to remove traces of PCBs and the report considers that whilst the Buildings could be retained this would be a less than appropriate solution as without a viable alternative could deteriorate into a dangerous state.

Historic England note the presence of PCBs and the advice given by the Council's Environmental Services Section in relation to the demolition of Buildings J & K. They acknowledge that it would be extremely unlikely with the contamination that anybody would be willing to purchase the buildings and it would seem that the contamination cannot be removed except by demolition. Historic England consider that the replacement buildings are acceptable provided high quality materials and detailing are used.

Following the demolition of Buildings J & K it is proposed to erect two replacement buildings. The Heritage Assessment Addendum describes how the new buildings have been designed in a manner to replicate and emulate the existing Buildings J & K in all factors, including height, footprint and general form.

Whilst the loss of any historic building is regrettable and requires significant consideration, overall the limited significance of these heritage assets and based on the harm caused being less than substantial, the public benefits that will be arise from the redevelopment of the site clearly outweigh this harm and significance particularly by removing contamination from the area and by providing two new high quality dwellings. Furthermore, as identified in the Heritage Assessments the significance of the buildings in historical terms has been reduced because of the removal of other buildings which use to lie between Buildings H, J & K and the former Stable Block. Therefore, the proposal is considered to accord with policy CS16, the NPPF and Historic England guidance.

An archaeological desk top assessment was submitted for the Coton House site as part of the hybrid application. Whilst this acknowledged building works during the 19th & 20th Centuries would have resulted in considerable destruction of earlier archaeological remains or historic landscape features there are still undeveloped areas across the site, but it is very unlikely that any archaeological remains survive that warrant statutory protection. Since the approval of the hybrid application further archaeological reports have been submitted to the Local Planning Authority and Warwickshire County Council Archaeological Unit, which included a Historic Building Recording Survey of Buildings J & K.

The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, should be submitted. Historic England guidance advises that where a heritage asset is thought to have archaeological interest the potential knowledge which may be unlocked by investigation may occasionally be harmed by even minor disturbance thus damaging the significance of the asset. It advises that expert advice may be needed but that a proportionate approach should be maintained.

WCC Archaeology previously identified that the site is within an area of archaeological potential as identified in the archaeological desk-based assessment accompanying the Hybrid Application, R12/1353. Various trial trenches have been undertaken across the first phase of the residential scheme, to the south west of the application site and no archaeological findings of significance were uncovered just evidence primarily of 19th Century activity. The applicants have submitted a plan which indicates the location of future trial trenches which will run through the location of both new build garages which are to serve new Buildings J & K.

WCC Archaeology has not followed up their original holding comments since October 2015 requesting that the application not be determined until they have commented further. However, a Historic Building Recording Survey of Buildings J & K has been completed by the applicant's archaeological advisors which WCC Archaeology have seen and a pre-commencement archaeological condition to cover the areas of the proposed garages, as identified by the applicants as future archaeological trial trench locations, will be imposed on the associated planning application. In the light of this, it is considered unreasonable to impose an archaeological condition on this listed building proposal.

When considering proposals to demolish heritage assets it is also key to ensure that proposals are in place to restore or redevelop the site. A planning application has been submitted for two new dwellings and their overall design and appearance would not unduly harm the setting of the significance of the heritage assets across the Coton House site, including both Building H and the former Stable Block, and would not harm the visual appearance of the surrounding parkland.

In the light of the above the proposed development is considered to accord with policy CS16, the NPPF and Historic England guidance.

Bat surveys and mitigation measures have been conducted in the past across the site which indicated that whilst no bats were recorded roosting within Buildings J & K, a common pipistrelle bat roost was present in Building H immediately adjacent to the site. As these surveys are over 12 months old a further bat survey is advised by Warwickshire County Council Ecology Unit prior to the demolition of Buildings J & K. Owing to the number of bat roosts that have been identified across the Coton House site in existing buildings, this request is not considered unreasonable, especially as the buildings are intended to be demolished. However, this can be adequately addressed by the accompanying planning application for the demolition of the buildings and therefore does not need to be included in this particular decision. Nevertheless, a series of note to applicants is advised in relation to bats, amphibians and nesting birds in relation to this application and thus the proposal would comply with saved policy E6 and the NPPF.

As the proposal involves the entire demolition of curtilage listed buildings J & K, the application will need to be referred to the National Planning Casework Unit for consideration.

Overall, the proposal is considered to accord with the Development Plan, the NPPF and Historic England guidance, but as detailed above the proposal would need to be referred to the National Planning Casework Unit.

Recommendation:

Subject to the referral of the application to the National Planning Casework Unit, as the development results in the entire demolition of curtilage Grade II listed buildings, the Head of Planning & Recreation is granted delegated powers to approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R15/2012

DATE VALID

06/10/2015

ADDRESS OF DEVELOPMENT

BUILDINGS J & K, COTON HOUSE
LUTTERWORTH ROAD
CHURCHOVER
RUGBY
CV23 0AA

APPLICANT/AGENT

Mr Mark Gay
Cala Homes (Midlands) Ltd
Cala House
Arleston Way
Solihull
West Midlands
B90 4LH
On behalf of Mr Mark Gay, CALA Homes
(Midlands) Limited

APPLICATION DESCRIPTION

Demolition of curtilage listed buildings J & K.

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 18 of the Planning (Listed Building and Conservation Area) Act 1990.

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:

Heritage Assessment ref 2668/3 dated March 2013 by Woodhall Planning & Conservation;

Heritage Assessment Addendum dated August 2015 by Heritage Collective; &

Geo Environmental Group letter to Cala Homes dated 3rd June 2015 ref MR-WMO-0406, GEG-14-355 re PCB Sampling Buildings H, J & K;

all of the above received by the Local Planning Authority on 28th August 2015;

Existing Site Plan - Blocks J & K ref 189A96 JK02 Rev A received by the Local Planning Authority on 22nd September 2015;

Location Plan ref 189A96 JK01 Rev A received by the Local Planning Authority on 25th September 2015;

J Block Existing Plan ref JK12;

J Block Existing Elevations ref JK13;

K Block Plan ref JK14;

K Block Elevations ref JK15;

Structural Report on Former Stables & Buildings H, J & K ref NR/DNS/35917-RP001 Rev D dated August 2014 by Alan Wood & Partners; &

Buildings H, J & K, G.F Structural G.A. plan ref 35917 102;

all of the above received by the Local Planning Authority on 6th October 2015;

Overall Site Plan - Blocks J & K ref 189A96 JK03 Rev B received by the Local Planning Authority on 2nd December 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 demolition works hereby permitted shall not be undertaken before a contract for the carrying out and completion of the works for the redevelopment of the site with new Buildings J & K (as approved by planning application R15/2009) has been entered into and a copy of that contract has been submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure the setting, character, appearance and integrity of remaining listed buildings on site are preserved.

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 also relates to planning application R15/2009 and shall be read in conjunction with that application.

INFORMATIVE 2:

Bats and birds can be found in many buildings, even those that initially appear to be unsuitable. Previous bat surveys across the Coton House site have identified bat roosts in adjacent buildings. Whilst a further bat survey will be addressed as part of the planning application, R15/2009, the applicant/developer is advised that bats and their roost sites are protected under the 1981 Wildlife & Countryside Act, the Countryside & Rights of Way Act 2000 & the Conservation of Habitats & Species Regulations 2010 and are also deemed a European Protected Species. Should any evidence of bats, or their roosts, or nesting birds, be found during the demolition period, the development should cease immediately and contact be made with Warwickshire County Council Ecology Unit on 01926 418060.

INFORMATIVE 3:

The applicant/developer is advised that during the demolition and clearance works protected species such as amphibians (eg great crested newts) and nesting birds may be disturbed. Should any evidence of protected species, such as amphibians and nesting birds, be found during such works development shall cease immediately and contact be made with Warwickshire County Council Ecology Unit on 01926 418060.

Reference number: R15/1990

Site address: Land at Coton House, Lutterworth Road, Churchover, Rugby, CV23 0AA

Description : Formation of an acoustic bund and relocation of sewage treatment plant with associated access track.

Case Officer Name & Number: Richard Holt 01788 533687

This application is being reported to Planning Committee as it relates to a full application for a major development.

Description of Site:

Coton House is a Grade II* listed building dating from late 18th Century. It has a parkland setting and is surrounded by many mature trees extending to around 50 hectares. Coton House itself is set back approximately 400 metres from A426 Lutterworth/Leicester Road and accessed by a long drive lined by mature lime trees. Approximately 200 metres to the west of Coton House is the Grade II listed former Stable Block.

Between Coton House and the former Stable Block use to be an array of 20th century buildings but these have now been demolished and the site has been cleared. The western part of the site is currently being developed with the first phase of residential housing approved by the hybrid scheme, R12/1353 (18 dwellings). The central part of the site between the former Stable Block and Coton House has received planning permission for the second phase of dwellings equating to 38 dwellings.

At the southernmost edge of the site to which this application relates comprises of existing bunding and soft landscaping with an existing private sewage/water treatment plant with reed beds and a large pond and trees beyond. Access to this part of the site is via an existing track that runs along the southern and western edge of the Coton House site and then joins up with the main access road to the A426.

The land drops by approximately 6 metres across the site from west to east and by approximately 8 metres from north to south. To the far south is the M6 Motorway with the urban edge of Rugby beyond. To the north and west is the A426, whilst to the east are open fields. Churchover village lies approximately 1 kilometre (0.6 miles) north west of Coton House.

Description of Proposals:

This is a full application that relates to the formation of approximately a 300 metre long bund which varies in width between 5 to 36 metres and in height between 1.5 to 7 metres (owing to existing ground level changes which drop by approximately 2.5 metres in certain parts where the bund will be formed). A 1 to 1.8 metre high acoustic fence will run along the top of the bund. This bund is annotated as Bund 1 on the submitted plans. It should be noted that Bund 2 has already received planning permission as part of the hybrid application R12/1353 and the associated landscape plans approved as part of the reserved matters application for the second phase of development, R15/0371.

Bund 1 will have a volume equating to approximately 15,750 cubic metres of which 7,750 cubic metres will be generated from work on site with the remaining 8,000 cubic metres being imported from off-site sources.

As part of the proposals a new private sewage treatment plant will be installed comprising of two underground tanks and associated aboveground metal control kiosk. The tanks will be located in the southwestern part of the site approximately 1 metre underground and measure between 2.5 metres and 3 metres in depth and between 8.5 metres and just over 10 metres in length.

Foul sewage piping will run into the tanks from the north and then out at the southern end into the pond which in turn will then discharge into a tributary of the River Avon.

A new access track will connect into the existing track around the western and south western edge of the site to provide access by maintenance vehicles to the sewage treatment works along with a vehicular turning area.

A Planning Statement, Heritage Assessment, Heritage Assessment Addendum, Noise Assessment, Ecological Appraisal with associated Addendum and Arboricultural Report has also been submitted in connection with the proposal.

Relevant Planning History:

The overall site has an extensive planning history dating back to 1949. It is understood that from the late 1940s the site was used as a training centre with associated accommodation for students and apprentices working at nearby industrial premises. The site then became the Post Office Management and Training Centre in the 1970s and extensive works were carried out in the mid to late 1970s. A variety of proposals have been subject to planning permission and listed building consent since then as the site has developed.

The fire at Coton House itself was in June 2010 and in January 2012 the Post Office closed the Management Centre.

Since 2013 a series of listed building and planning applications have been submitted across the site. The most relevant to this current application are listed below:

R12/1353 - 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). Approved 09/05/2014

R14/1794 – Application for Reserved Matters for 18 dwellings relating to appearance, landscaping and scale (Phase 1).
Approved 08/04/2015

R15/0371 – Application for Reserved Matters for 38 dwellings relating to appearance, landscaping and scale (Phase 2).
Approved 14/07/2015

R15/1124 - Formation & partial retention of an acoustic bund to south of Coton House with landscaping.
Pending.

R15/1892 - Substitution of two houses and erection of further 6 dwellings with associated garaging, works and formation of an acoustic bund.
Pending.

Technical Consultees:

Health & Safety Executive	Do not advise against development on safety grounds
National Grid	Comments re proximity of pipelines/apparatus
Historic England	No comments
WCC Ecology	No objection, subject to conditions and informatives
Natural England	No objection
WCC Archaeology	Holding comments, await formal response
Highways England	No objection
WCC Highways	No objection
Environment Agency	No objections, subject to an informative
WCC Flooding & Drainage	Comments awaited
RBC Environmental Services	No objection, subject to conditions and informatives
RBC Tree Officer	No objection, subject to conditions

Third Party Consultations:

Churchover Parish Council	No comments received to date.
Neighbours	No comments received to date.

Relevant Planning Policies & Guidance:Rugby Borough Council Local Plan 2006 – Saved Policies:

GP2	Landscaping	Complies
E6	Biodiversity	Complies
E17	Development Affecting Parks & Gardens & Other Elements of the Historic Landscape	Complies

Rugby Borough Council Core Strategy 2011:

CS1	Development Strategy	Complies
CS11	Transport & New Development	Complies
CS16	Sustainable Design	Complies

National Guidance & Policies:

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

The Setting of Heritage Assets (HEGPAP 3), Historic England 2015

Other:

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

Assessment of Proposals:

General Principles:

The application site lies within the countryside and Policy CS1 considers that new development in the countryside will be resisted and only where national policy on countryside locations allows will development be permitted.

Annex 2 of the National Planning Policy Framework (NPPF) states that previously developed land comprises of land which is or was occupied by a permanent structure, including the curtilage of the developed land. Based on the presence of the existing sewage treatment works, bunding and reed beds, plus the fact that the site formed part of the hybrid planning application site boundary the site is judged to be previously developed land.

A combination of bunds, primarily for acoustic purposes, were previously approved adjacent to Plots 15-18 and Plots 19-24 extending to approximately 275 metres in length as part of the hybrid application and the subsequent reserved matters applications for the first two residential phases. The original hybrid application also approved a below ground installation of a private sewage treatment plant. Therefore, the principle of bunding and a sewage treatment works in this location has already been established.

Furthermore, the provision of acoustic bunds on site in order to mitigate for the noise primarily from the M6 motorway was judged to be a key requirement of redeveloping the site for residential purposes. In addition, owing to the site not being able to connect into a public sewer network the provision of a private sewage treatment plant is a necessity. Therefore, based on the planning history of the site, the principle of remodelling the bunding and re-siting of the sewage treatment works is considered acceptable.

The height of the approved bunds adjacent to Plots 15-18 was approximately 3 metres high with a 1 metre high acoustic fence on top whilst the approved bunds adjacent to Plots 19-24 were 4 metres high with a 1 metre high acoustic fence on top. Adjacent to Plots 15-18 the bund is proposed to rise to approximately 3 metres above the finished floor level of those plots and will have a 1.8 metre high acoustic fence on top. Adjacent to Plots 19-24 the bund is proposed to rise to approximately 4.5 metres above the finished floor level of those plots and will have a 1.8 metre high acoustic fence on top. Whilst there are increases in the overall height of the bunds compared to those previously approved, along with the increase in height of the acoustic fencing on top, these are not considered to be that significantly different to that approved.

However, the route of the bunds will run more southerly across the existing sewage treatment plant and reed beds and their width will be significantly greater than those previously approved, which will require the importation of approximately 8,000 cubic metres of earth to the site. Owing to this increase in width a 1.8 metres to 3 metres high retaining wall will need to be constructed on the southern and western edge of the bund to facilitate vehicular access to the sewage treatment works. Based on the drop in ground levels to the south, the increase in width will in effect result in the bund rising to approximately 7 metres in height in certain locations when viewed from the south.

The ground levels across the actual application site fall by approximately 3 metres but in the centre rise by approximately 2 metres owing to the existing bunding on site adjacent to the reed beds. Extensive bunding can result in the appearance of alien unnatural features across the landscape, particularly in countryside locations. However, the proposed bunding will be viewed in associated with the new residential development across the site and

replaces existing or already approved bunding in the southern portion of the site. In addition, as assessed below the bunding is a key part of creating an acceptable living environment for future residents and the principle of its provision has already been established. Extensive soft landscaping will also aid the assimilation of the bund to some extent with the existing landscaping on site.

No existing residential properties will lie close to the site. The closest new build dwellings that have been approved to the bunding will be Plots 15-25. The dwelling on Plot 16 will be the closest to the bund lying approximately 8.5 metres from the rear elevation to the bottom of the bund and approximately 15 metres from the rear elevation to the acoustic fence on top of the bund. However, whilst Plot 16 will be the closest to the bund, the bund in this location will only be 2.4 metres high with the 1.8 metres high acoustic fence on top. These distances are considered acceptable and would still result in an acceptable outlook and amenity for future residents and accord with policy CS16.

However, the main reason for the re-siting of the bunding is to free up additional land to the immediate north for potentially further residential development. A separate application, ref R15/1892, has been submitted for 6 extra dwellings (plus two substitutions) to the Local Planning Authority. Whilst this application together with the current proposal for the bunding will be assessed on their own individual merits, the separation distances referred to above in terms of residential amenity will be similar or greater in this revised housing scheme so are likely to be considered acceptable.

Policy CS16 states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The original Heritage Assessment notes that Coton House and grounds are of significance primarily as a result of their survival as an example of a medium sized country house, with its associated structures, gardens and parkland, primarily dating from 18th & 19th Centuries. The significance is archaeological, architectural and historical but it notes the level of change that has occurred to the various buildings and the grounds has reduced its architectural significance. However, Coton House itself remains of high architectural and historic interest which is noted by its Grade II* status.

In the original Heritage Assessment specific reference to the bunding was not mentioned and was assessed as part of the overall new built development across the site. The Heritage Assessment Addendum report considers that the changes to the acoustic bund are minor and do not represent a material departure from the bund of the consented scheme and is not capable of resulting in an effect on the significance of Coton House, the former Stable Block, or the parkland to any greater extent than previously identified.

Whilst the western and eastern sections of the revised bunding will remain as per the approved plan, the position of the central section of the bunding, which has the largest width, will be relocated further south than the approved line of bunding further away from the heritage assets of both Coton House and the former Stable block. The closest points of the bund will be approximately 130 metres from Coton House and 75 metres from the former Stable Block. The largest and widest part of the bund in centre will now lie approximately 150 to 200 metres away from the aforementioned heritage assets compared with the previously approved central bund section at between 80 to 170 metres away.

Therefore, whilst it is acknowledged above that the bund and associated acoustic fencing will mean it is getting both taller and wider than the approved bunds, the relocating of the part of the bund which has the most impact further southwards away from the key built

heritage assets on lower land, which forms part of existing bunding, the sewage treatment plant and the reed beds, the harm on their setting is no greater than previous and would result in a very minor, if not negligible, effect on the significance of the listed buildings. Furthermore, Historic England has assessed the proposals and wishes to make no specific comments.

Therefore, the proposal is considered to accord with policy CS16, the NPPF and Historic England guidance.

An archaeological desk top assessment was submitted for the Coton House site as part of the hybrid application. Whilst this acknowledged building works during the 19th & 20th Centuries would have resulted in considerable destruction of earlier archaeological remains or historic landscape features there are still undeveloped areas across the site, but it is very unlikely that any archaeological remains survive that warrant statutory protection. Since the approval of the hybrid application further archaeological reports have been submitted to the Local Planning Authority and Warwickshire County Council Archaeological Unit.

The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, should be submitted. Historic England guidance advises that where a heritage asset is thought to have archaeological interest the potential knowledge which may be unlocked by investigation may occasionally be harmed by even minor disturbance thus damaging the significance of the asset. It advises that expert advice may be needed but that a proportionate approach should be maintained.

WCC Archaeology previously identified that the site is within an area of archaeological potential as identified in the archaeological desk-based assessment accompanying the Hybrid Application, R12/1353. Various trial trenches have been undertaken across the first phase of the residential scheme, to the south west of the application site and no archaeological findings of significance were uncovered just evidence primarily of 19th Century activity. The applicants have submitted a plan which indicates the location of future trial trenches, however, this does not include all of the bund application site. Therefore, whilst WCC Archaeology have not followed up their original holding comments since October 2015, it is considered reasonable to seek a pre-commencement archaeological condition in this instance.

In the light of the above the proposed development is considered to accord with policy CS16, the NPPF and Historic England guidance.

The increase in the width of the bunds will require the importation of approximately 8,000 cubic metres of material. This in turn would equate to approximately 1,000 heavy goods vehicle movements based on a standard sized tipper lorry. The vehicle movements created by this development and their impact on the nearby highway network would be for a limited period and thus both Warwickshire County Council Highways Section and Highways England consider that there would be no material impact on the highway network and raise no objection to the proposals. In addition, adequate turning space has been shown on the submitted plans for maintenance vehicles serving the private sewage treatment works. Overall the proposal is considered to accord with saved policy T5, policy CS11 and the NPPF.

In conjunction with the application to provide 6 extra dwellings and 2 plot substitutions an arboricultural report has been received. This report also covers the application site for the bunding. The key parkland trees identified in both this latest report and previous arboricultural reports are to remain. However, a group of 7 yew trees 4-6 metres tall will be removed along with some conifers as well as a group of small sapling trees on the existing bund adjacent to the reed beds. The arboricultural report does acknowledge that some of the root protection areas of the identified trees on site would be encroached, however, this

would be marginal and it concludes that the level of encroachment is acceptable and that identified tree protection measures will ensure that the proposed works do not impact on the health, longevity and stability of the trees. The Council's Arboricultural Officer has confirmed that they are content with the findings of the report and that there would be minimal impact upon the overall character of the site as a whole and re-planting should maintain and enhance the site. Extensive soft landscaping to the bunding will be required and therefore, subject to the imposition of conditions the proposals would accord with saved policies E17 & GP2, policy CS16 and the NPPF.

The site lies outside the designated Strategic Green Infrastructure Network but does form part of an EcoSite. An Ecological Appraisal and an Addendum to that report has been submitted which concludes that whilst bat activity and roosts have been identified close to the site they are either being retained in situ or lost and mitigated for under a derogation licence with Natural England. Barn owl activity has also been recorded nearby but the appraisal considers they will be unaffected by the scheme. Although the evidence of badgers and reptiles on site has not been found, Warwickshire County Council Ecological Unit consider that owing to the pond in the southernmost part of the site previously identifying the presence of great crested newts a condition seeking protection and mitigation measures would be required. This is considered reasonable and subject to its imposition the proposal would comply with saved policy E6 and the NPPF. In addition, Natural England have raised no objection.

An updated noise assessment has been produced which incorporates the revised bunding. The report considers that exposed residential facades are likely to be subject to noise levels which are consistent with those predicted in the noise assessment which accompanied the approved hybrid scheme. As before, it is considered that through the provision of suitable glazing/ventilation adequate protection can be given to future occupants of dwellings across the Coton House site. The Council's Environmental Services Section agrees with the findings of the report subject to the revised bunding being formed in accordance with the details submitted.

The material imported into the site will need to be chemically tested to ensure it is suitable for its end use. However, it is also understood that the Environmental Services Section has been contacted by the applicant to officially seek the ability to place materials from the site that contain traces of chrysotile asbestos in the bund below a level of one metre. It is understood that the amount of such material would equate to approximately 65 cubic metres and would have a brightly coloured geotextile warning layer on top. It is acknowledged that it is more sustainable to retain such material on site than export it elsewhere and extensive discussions have taken place between Environmental Services and the applicant to formulate an agreed approach. This will need to include a method statement, brightly coloured membranes, placement of material in the centre of the bund and appropriate capping. As a condition will be required to ensure the acceptability of the material imported into the site, a condition can also cover the submission of an appropriate method statement associated with the asbestos containing materials. Environmental Services are content with this approach and therefore the proposed development would accord with policy CS16 and the NPPF.

The Council's Environmental Services Section have advised that a permit may be required from the Environment Agency owing to the potential large discharge of treated sewage into the water network. Whilst this particular aspect will be governed by separate legislation, the Environment Agency have advised that controlled waters at the site are of low environmental sensitivity and raise no objections to the proposals.

Overall, the proposal is considered to accord with the Development Plan, the NPPF and Historic England guidance and therefore is recommended for approval subject to conditions and informatives.

Recommendation:

Approve subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R15/1990

DATE VALID

05/10/2015

ADDRESS OF DEVELOPMENT

LAND AT COTON HOUSE
LUTTERWORTH ROAD
CHURCHOVER
RUGBY
CV23 0AA

APPLICANT/AGENT

Mr Mark Gay
Cala Homes (Midlands) Limited
Cala House
Arleston Way
Shirley
Solihull
West Midlands
B90 4LH
On behalf of Mr Mark Gay, Cala Homes
(Midlands) Limited

APPLICATION DESCRIPTION

Formation of an acoustic bund and relocation of sewage treatment plant with associated access track.

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 (within the application site boundary) as detailed below:

Proposed Acoustic Bund plan ref 14089-121 B;

Heritage Assessment ref 2668/3 dated March 2013 by Woodhall Planning & Conservation;

Heritage Assessment Addendum - Acoustic Bund dated August 2015 by Heritage Collective;

Noise Modelling Report ref 1011331-RPT-AS-02 Rev A dated 27/08/2015 by Cundall Johnston & Partners;

Ecological Appraisal dated August 2015 by FPCR;

all of the above received by the Local Planning Authority on 28th August 2015;

Location Plan ref 189A96 Bund 01;

Noise Attenuation Bund plan ref M00292\BUND\BOUNDARY Rev A;

Proposed Acoustic Bund Sections plan ref 14089-123 A;

General Arrangement Plan for PT40 ref PT40+CSAF400N20 Scheme Rev A;

Sewage Treatment Plant SAF Kiosk Datasheet ref SAF3270K-A;

all of the above received by the Local Planning Authority on 24th September 2015;

Typical Section Through Earth Retained Structure plan ref M00292/ENG/300 received by the Local Planning Authority on 5th October 2015;

Addendum to Ecological Appraisal dated November 2015 by FPCR received by the Local Planning Authority on 5th November 2015;

Noise Attenuation Bund General Arrangement Plan ref M00292\BUND\GA Rev A received by the Local Planning Authority on 2nd December 2015;

Arboricultural Report & Pre-Development Tree Condition Survey ref 1115-1826 dated November 2015 by Ruskins Group Consultancy received by the Local Planning Authority on 8th December 2015;

Email from the applicant, Cala Homes, to the Local Planning Authority dated 5th October 2015 [13:06] re bund volumes; &

Email and accompanying plan from the applicant, Cala Homes, to the Local Planning Authority dated 2nd December 2015 [14:49] re bunds.

REASON:

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

CONDITION 3:

The development hereby permitted shall proceed in accordance with the detailed mitigation measures for great crested newts as set out in the Ecological Appraisal & Addendum to Ecological Appraisal for the Noise Attenuation Bund Application prepared by FPCR as detailed in Condition 2 above. The approved mitigation measures shall be implemented in full. If there are any subsequent amendments to the strategy these shall be submitted to and agreed in writing by the Local Planning Authority.

REASON:

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

CONDITION 4:

All tree protection measures and tree works identified within the arboricultural report and pre-development tree condition survey as detailed in Condition 2 above, relating to the approved design details (including the erection of protective fencing to create construction exclusion zones) must be implemented prior to the construction phase and to the satisfaction and written approval of the Local Planning Authority. All tree works must be carried out in accordance with BS3998:2010 (Tree work - Recommendations). Protective measures must 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. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

REASON:

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

CONDITION 5:

No works or development shall take place 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 the substantial construction of the bunding. This scheme shall include details of the quantity, size, species, position and the proposed time of planting of all trees, shrubs, hedges and bushes to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 5 years from the date of planting, any tree/shrub/hedge/bush is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedge/bush 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 maintain and enhance continuity of tree cover within the site.

CONDITION 6:

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

REASON:

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

CONDITION 7:

No development shall commence until a detailed method statement in connection with the disposition of asbestos containing materials within any part of the proposed bunding has been submitted to and approved in writing by the Local Planning Authority. The method statement shall then be implement in full in accordance with the approved details.

REASON:

In the interests of health and safety.

CONDITION 8:

All site won and imported material to site for the bunding, hereby approved, shall require full chemical validation testing to ensure the material is suitable for the proposed end use. Unless otherwise agreed in writing with the Local Planning Authority, prior to the construction of any part of the bunding full details of the methodology and testing techniques to be used in the chemical validation testing shall be submitted to and approved in writing by the Local Planning Authority. The chemical validation testing and any associated report shall then be carried out in accordance with the approved details.

REASON:

In the interests of health and safety and 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, residents, neighbours and other offsite receptors.

CONDITION 9:

The aboveground sewage treatment plant metal kiosk approved as part of Condition 2 above shall be finished externally in a dark green colour prior to it first being brought into use, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure a satisfactory appearance.

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 applicant/developer is advised that in connection with Condition 4 above, a pre-commencement site meeting should be arranged with the Council's Arboricultural Officer and the applicant/developer's designated arboricultural consultant responsible for the site to inspect the tree protection measures. They can be contacted on 01788 533634.

INFORMATIVE 2:

The applicant/developer's attention is drawn to the comments of National Grid attached to this decision notice.

INFORMATIVE 3:

In addition to Condition 8 above, the applicant/developer's attention is drawn to potential risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency's Guiding Principles for Land Contamination at <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

The applicant/developer is also advised to familiarise themselves with the Environment Agency's advise in connection with the discharge of treated sewage at:

www.gov.uk/small-sewage-rules

INFORMATIVE 4:

The applicant is advised that a European protected species licence from Natural England is required to undertake the works detailed in Condition 3 above. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523.

INFORMATIVE 5:

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 6:

In view of the composition of the surrounding habitat, care should be taken when clearing the ground prior to development and storing materials on site. If any evidence of specially protected species such as adder, grass snake, slow worm or common lizard is found, work should stop while WCC Ecological Services (01926 418060) or Natural England is contacted. Section 9 (Part 1) of the Wildlife and Countryside Act 1981, makes it is an offence to intentionally or recklessly kill or injure any of the species listed above.

Reference number: R15/1621

Site address: 63 Lime Tree Avenue, Bilton, CV22 7QT

Description: Erection of four new dwellings including the demolition of an existing integral garage and erection of a new double garage with associated access.

Case Officer Name & Number: Jo Orton – 01788 533549

Introduction

This application is to be considered at Planning Committee due to the significant community interest.

Description of the Site

This application relates to a long narrow site located within Bilton at the rear of 63 Lime Tree Avenue. The site currently contains the existing detached residential dwelling with integral garage, tennis courts in need of some improvements and associated gardens. This property has a gabled roof and is constructed from roof tiles with elm boarding and white render to the elevations. The rear of the site is mostly grassed with a hit and miss post and rail fence which separates the residential curtilage from the paddock land which contains a brick built stable block.

To the south and west of the application site lies open countryside which forms part of a large scale housing development to Bilton, which has had outline planning permission granted. This land is separated from the application site by 1 metre high hit and miss post and rail fence and contains a number of mature trees and vegetation along the boundary. The east of the application site looks out into the open countryside and contains a number of mature trees along with a hit and miss post and rail fence screening the outlook onto the application site.

The land to the north and east of the application site adjoin detached properties which run along Lime Tree Avenue and the Old Laurentians Rugby Football Club which also contains a cricket ground. There are a number of existing mature trees and vegetation which run along the site boundary including hit and miss post and rail fencing.

The surrounding area consists of a range of detached properties set back from the main road frontage and consists of a variety of architectural styles.

Description of the Proposals

This is a full planning application which originally proposed the erection of five new dwellings, however negotiations with developer have occurred during the application process and the dwellings proposed has been reduced to 4. The proposals are also to include the demolition of the existing integral garage and the erection of a new integral garage to the existing dwelling including an associated access off Lime Tree Avenue.

The site plan provided shows the existing access into the site being utilised to provide a new shared access drive which will be in place of the existing integral garage. The site plan also shows the layout of the 4 new dwellings in relationship to the existing dwelling which all benefit from substantial plots including the associated gardens areas including either detached or integral garages including provision for offsite road parking to the front of the properties.

During the course of the application further amendments were requested and received which reduced the site of the garage to the existing property to enable a gabled roof to be incorporated to provide a uniform finish which will remain in keeping with the existing

property, demolished the existing side elevation with provision for a rear extension to compensate the loss to allow for a larger access and preventing the loss of the TPO tree.

There is no relevant planning history on this site.

Technical Responses

Environmental Services – No objections subject to conditions

Tree Officer – No objections subject to conditions

Work Services (Refuse) – No objections

WCC Ecology – No objections subject to conditions

WCC Highways – No objections subject to conditions

WCC Archaeology – No objections subject to conditions

Environment Agency – No objections

Third Party Responses

Responses Submitted on Original Plans

Neighbours – Objection – 42 Letters

- The application should be revised to preserve the main trees within Lime Tree Avenue.
- Tree Preservation Order has been placed on the trees to prevent such applications being submitted.
- A development of 5 additional houses will perhaps mean 10/20 additional cars. During rush hour the junction of Lime Tree Avenue/Alwyn Road/Main Street is very difficult to use because of traffic volumes.
- Extra traffic will increase danger for pedestrians and cyclists.
- RBC has given outline planning permission to Helical Bar Plc. for the field adjacent to the Applicant's land. Access from any building at 63 Lime Tress Avenue should be through the Helical Bar field, to the Cawston Island.
- Lime Tree Avenue is a narrow, un-adopted road, with a much appreciated uniqueness for the town.
- Proposed development will result in an increase in noise generated between neighbouring properties from vehicle movement.
- Size of development on the land available.
- Concerns over the drainage of the site if a grass field is developed.
- Trees provide an excellent habitat for wildlife including long eared and possibly short eared owls and bats.
- Legality over the number of proposed dwellings.
- Should the planning application be approved would this result in a number of other applications being received.
- Effect on construction traffic to properties along Lime Tree Avenue.
- Allowing the development will fundamentally change the nature of the Avenue to a series of small estates.
- The major increase in dwellings in the area has addressed housing needs in a planned way and therefore difficult to understand why the development is necessary.
- Loss of public amenity.
- Lime Tree Avenue's special character is renowned in Rugby and to approve the deliberate removal of a healthy lime tree would be unforgivable.
- The area has already been spoiled through over-development.

- The Avenue is narrow and unlit and not suitable for a major programme of works.
- Damage caused to the trees through the vibration of construction machinery and therefore should not be put at risk.

Dunchurch Parish Council – No objections to proposals

Responses Submitted on Amended Plans

Neighbours – Objection – 13 letters

- Issue with vehicles coming down Lime Tree Avenue with limited turning area within the avenue when travelling down the road.
- No fire hydrants within the tree section of Lime Tree Avenue.
- No way for a fire appliance to be able to gain direct access to these four new houses.
- Safety concerns for local residents who use Lime Tree Avenue.
- Approving the application would set a precedent for other who wish to develop their land.
- Who will pay for the repair and maintenance on Lime Tree Avenue should permission be granted.
- Potential damage to protected trees whilst the development is being carried out.
- Should this application and the Helical Bar development proceed the number of properties within the area will significantly increase.
- If an application is made to carry out works to the Lime Trees then they should be refused.
- Access into the site means that it is almost impossible for lorries to turn around and negotiate the site and concern over how lorries would unloading of building materials and the disruption that this would be caused
- Lime Tree Avenue is being used for parking following approval of large scale development.
- Turning head and access is not suitable for heavy goods and commercial lorries.
- Alternative access points could have been used which would not run through Lime Tree Avenue.
- Approval of the application will fundamentally change the nature of the avenue with the number of dwellings being over development.
- Increase in noise and disturbance to residents.
- Risk to the foundations of existing properties with heavy construction traffic.
- Overlooking into the neighbouring properties from the proposed new dwellings.
- Pollution exposure from the location of the bin store.
- Unlit avenue used by pedestrians which is not suitable for a major programme of works.
- Covenant on the land which denies development.
- Location of the bin stores will be an unsightly addition.

Dunchurch Parish Council – have replied saying that they have no objections to the proposal however we are mindful this development could have a detrimental impact on neighbours in Lime Tree Avenue and urge the planning authority to consider any objections from them thoroughly.

Relevant Planning Policy and Guidance

National Planning Policy Framework (2012)

Policy 6: Delivering a Wide Choice of High Quality Homes

Policy 7: Requiring Good Design

Core Strategy (2011)

Policy CS1: Development Strategy

Policy CS11: Transport and New Development

Policy CS16: Sustainable Design

Policy CS17: Sustainable Buildings?

Supplementary Planning Documents (2012)

Planning Obligations

Sustainable Design and Construction

Determining Considerations

The main considerations in respect of this application are the principle of development, character and design of the area, impact on residential amenity and highway safety.

Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy and that it must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy.

Paragraph 49 of the National Planning Policy Framework (NPPF) states where an authority is unable to demonstrate a five-year supply of housing, relevant policies for the supply of housing should not be considered up-to-date. The authority is currently only able to demonstrate 4.13 years of supply. As such, the NPPF is the policy context for the proposal. Where a council cannot demonstrate a five year housing land supply, NPPF paragraph 14 sets out a presumption in favour of sustainable development, stating permission should be granted for proposals unless any adverse impacts of doing so would significantly outweigh the benefits.

The application dwelling and Plot One are located within the Rugby Urban Area as defined in Policy CS1 and as such the primary focus for new residential development through extensions to the urban area. Plots Two – Five are however located within the countryside and are not defined by a settlement boundary and are considered to be the most unsuitable locations for development and only where national policy on countryside locations apply will development be permitted.

Whilst located within the countryside the application site is considered to be a sustainable location, as it is located on the edge of Bilton which is located within Rugby Urban Area. Furthermore, the site immediately adjacent to the urban area has had outline permission granted for the erection of up to 250 dwellings.

Although Policy CS1 can only give limited weight as part of the determination of this application, it specifies that the Rugby Urban Area is the primary focus for meeting strategic growth targets; this is because the Rugby Urban Area is the most suitable location for growth within the Borough. Weight is therefore given to the proximity of the site to the urban area when considering whether it is a sustainable location as the required by the NPPF. Given the outline planning consent granted for up to 250 dwellings and the location adjacent to the urban area, the application site can therefore be considered to be within a sustainable location given its accessibility to Rugby Town Centre.

This application is therefore considered to be in accordance with Policy CS1 of the Core Strategy.

Character and Design

Policy CS16 of the Core Strategy states that development will only be allowed where proposals are of a scale, density and design that would not cause material harm to the qualities, character and amenity of the area in which they are situated.

Section 7 of the NPPF states that high quality and inclusive design is a key factor in making places better for people in terms of quality and character of the environment and private amenity. Paragraph 58 also mentions that proposals should add to the overall quality of the area, not just for the short term but over the lifetime of the development and respond to local character.

The proposed street scene is linear in appearance given the constraints of the site being located on an oblong shaped site which is accessed off a private driveway off Lime Tree Avenue. The new dwellings will have a varied architectural style, which will be in keeping with the variety of properties within the existing street scene, and will add character to the proposed development.

The revised layout which sees the removal of one dwelling taken the number proposed down to four alleviates the look and overdevelopment of the site with the four dwellings benefiting from generous garden areas and off street parking facilities.

New Lime trees have been proposed to be planted along the existing access from Lime Tree Avenue to act as a continuation from the existing street scene, whilst also softening the impact from the stretch of hardstanding proposed through the creation of the access. This is further achieved through the planting of new shrub along either side of the access road.

Concerns were originally raised by the Tree Officer over the removal of a protected Lime tree to the front of the application site which would have resulted in a detrimental impact on the group order and the health of neighbouring trees. An updated tree report was submitted to the Local Planning Authority in conjunction with the revised layout plan which retains all of the protected Lime Trees. The new layout includes the relocation of the bin store so that it is set a further 2 metres away from the protected Lime Trees. The driveway reconfiguration shows it located within the root protection area of Lime trees, therefore some incursions into the root protection area however subject to condition and details of no-dig surfacing being submitted there is no objection from the Tree Officer.

This application is therefore considered is therefore considered to be in accordance with Policy CS16 of the Core Strategy.

Impact on Residential Amenity

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

Extensions and Alterations to No.63

No. 61 Lime Tree Avenue is located to the north east of the application dwelling and is detached. There are windows located to the ground/first floor rear and side elevation of this dwelling which are visible from the application site, the residential curtilage of this property is defined by a 2 metre high close boarded fence. In terms of the extensions and alterations to No. 63 there are currently no windows located to the side elevation of this property which could overlook No. 61. However the proposal includes three ground floor windows serving a

cloak room, coats room and kitchen with two first floor windows to serve a bathroom and en-suite. Given the separation distance from the side elevation of the application site and the side elevation of the neighbouring property consisting of at least 15 metres, combined with the height of the existing boundary treatment and that the first floor windows will be obscure glazed, there will be no materially adverse impacts in terms of overlooking at the neighbouring property. Likewise the proposed extension projects approximately 3.5 metres from the existing rear elevation, given the separation distance of at least 16 metres there will be no adverse impact in terms of overbearing on the neighbouring property.

No.65 Lime Tree Avenue is located to the south west of the application dwelling and is detached. There are windows located to the ground/first floor of the front elevation of this property which are visible from the application site, the residential curtilage is defined by mature vegetation and a low level hit and miss boundary fence. In terms of the erection of the integral garage it is proposed to introduce a side window to the new entrance/reception room of No. 63.

Whilst there are currently no windows which overlook No. 65, given the separation distance of at least 15 metres between the side elevation of the neighbouring property and the side elevation of the application site, combined with 6 metres between the neighbouring property and the side elevation of the garage, there will be no adverse impacts in terms of overlooking/overbearing impact on this dwelling.

Erection of Four New Dwellings

The closest mentioned residential dwellings to the site are the aforementioned No. 61 and No. 65 Lime Tree Avenue which are both two storey detached dwellings. The first dwelling into the site is set back some 56 metres from the site boundary onto Lime Tree Avenue with off street parking provision, in the form of hard standing and a detached double garage, set an additional 14 metres back.

The amended plans demonstrate that the dwellings could be sited at least 33 metres from the house and at least 13 metres from the residential curtilage. The side elevation to the proposed property would serve a living room at ground floor level and bedroom and en-suite to the first floor. Given the separation distance that exists here, it is not considered that there will be any adverse impact in terms of overlooking or overbearing on the occupants of these properties.

Plots 2, 3 and 4 along with the vast majority of Plot 1 would overlook the cricket ground associated with the Laurentian Sports and Social Club and as such would not result in any adverse impacts in terms of overlooking or overbearing impacts.

Whilst the south west elevations currently overlook open countryside and would therefore not result in any impacts in terms of amenity issues on residential properties. Outline planning permission has been granted for the erection of 250 dwellings which may result in some amenity issues. As this permission is full planning permission and an application for the reserved matters detailing the final scheme has yet to be submitted it would be a requirement of the reserved matters application to ensure that there will be no impacts on the residential amenity of this scheme.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy.

Highway Safety

Saved Local Plan Policy T5 along with the SPD on Planning Obligations states that planning permission will only be granted for development incorporating satisfactory parking

arrangements. Paragraph 14 of the NPPF also states that decision taking should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable.

For a dwelling consisting of between 4 and 5 bedroom units a maximum of 3 parking spaces per unit are required. The proposal indicates parking for a maximum of 4 vehicles per unit with 2 being provided within the garages and 2 located to the front, as such; it is therefore considered that there will not be an adverse impact on parking within the vicinity.

Given the size of the development and its proximity to the urban edge, facilities and public transport it complies with NPPF Core Principle 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus development in locations which are or can be made sustainable'. This small-scale development is within close proximity to, and has access to, services and facilities with Bilton local centre and Rugby town being within close proximity to the site. On this basis the proposal complies with the principle of the NPPF.

Warwickshire Fire and Rescue have confirmed that they have no objections in relation to the proposal on the proviso that domestic sprinkler systems are fitted to each property. Whilst this cannot be conditioned an informative will be included on any approval which may be granted.

Warwickshire County Council (Highways) have confirmed that subject to a condition and informative' have confirmed that with the reduction in dwellings there will be a lower impact on the public highway and would there be acceptable in terms of leaving Lime Tree Avenue into the public road.

The applicant has confirmed that the road provided into the site will not be suitable for larger vehicles to access which has resulted in a bin store and fire hydrants being located within the application site. Concern has also been raised over the maintenance of Lime Tree Avenue, as this is a private road, these would be a civil matter between the land owners and the developers, as the Local Authority have no jurisdiction in these matters.

This application is therefore considered to comply with Saved Policy T5 of the Local Plan.

Other Considerations

Impact on Trees

Following initial objections received from Rugby Borough Council's Tree Officer regarding the removal of the protected Lime Trees an amended scheme was submitted which overcame this objection. The re-consultation carried out confirmed that the re-configuration of the drive will come within the root protection area of Lime Trees T6 and T7.

Therefore in this instance approximately 16% of unsurfaced root protection area (RPA) within T6 and 12% of unsurfaced RPA in T7 will become hard surfacing. This does have the potential to have a negative impact upon the rooting systems of the subject trees. Similarly there are incursions into the unsurfaced RPA's of T2 and T3 (19% and 15% respectively). This is acceptable (subject to a "no-dig" construction") as British standard 5837:2012 states that "new permanent hard surfacing should not exceed 20% of any existing ground within the RPA."

A condition has therefore been included which will detail how retained stock will be protected during the development phase.

Biodiversity

In response to initial comments received an initial Bat Survey was submitted for consideration by Warwickshire County Council (Ecology). The report states that evidence of bats, in the form of approx. 20 bat droppings was located within the main roof space of 63 Lime Tree Avenue, however no evidence of bats was found in the existing garage roof spaces.

A condition has been included which, in accordance with the submitted report, requests an additional bat survey to be carried out along with the provision of a detailed mitigation plan.

Conclusion

The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties and would not have an adverse impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and Core Strategy and is therefore recommended for approval subject to conditions.

Recommendation

Grant Permission Subject to Conditions

APPLICATION NUMBER

R15/1621

DATE VALID

21/08/2015

ADDRESS OF DEVELOPMENT

63 LIME TREE AVENUE
BILTON
RUGBY
CV22 7QT

APPLICANT/AGENT

Mr Dennis Singer
Swift Valey Partnership
Leire House
Leire
Lutterworth
Leicestershire
LE17 5EU
On behalf of , Rowgate Properties Limited

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: 1

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

CONDITION: 2

The development shall not be carried out other than in accordance with the plans Site Location Plan at a scale of 1:1250 and Drwg No. 5819/06C; 5819/012; 5819/022; 5819/023; 5819/024A; 5819/020; 5819/021; 5819/028C; 5819/029C; 5819/030C; 5819/025C; 5819/027C and 140651 received by the Local Planning Authority September 2015; Drwg No. 5819.02/C; 5819/03D; 5819/04B; 5819/05B; 5819/0C; 5819/08C; 5819/039; 5819/040; 5819/038; 5819/035; 5819/036; 5819/037; 5819/033; 5819/034; 5819/019A; 5819/041A and 5819/042 received by the Local Planning Authority October 2015.

REASON: 2

For the avoidance of doubt.

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: 3

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

CONDITION: 4

The accommodation for car parking shown on the approved plan 5819/02C shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles and shall not be used for any other purpose.

REASON:

In the interest of highway safety.

CONDITION: 5

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; C; D; E; F; G and H of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON: 5

In the interest of residential amenity.

CONDITION: 6

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

REASON: 6

In the interest of highway safety.

CONDITION: 7

No development shall take place until:

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

b) The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be

undertaken. A report detailing the results of this fieldwork is to be submitted to the planning authority.

REASON: 7

In the interest of archaeology

CONDITION: 8

Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation detailed in condition 7 above.

REASON: 8

In the interest of archaeology.

CONDITION: 9

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

REASON: 9

In the interest of archaeology.

CONDITION: 10

The development hereby permitted (including demolition or destructive works) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys - Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

REASON: 10

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

CONDITION: 11

The development hereby permitted shall not commence until a protected species method statement for amphibians, reptiles and nesting birds (to include timing of works) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

REASON: 11

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

CONDITION: 12

No works, development or demolition shall take place until an arboricultural method statement/tree protection plan (BS5837:2012 - Trees in relation design demolition and construction: Recommendations) for the protection of the 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 the details and positions of the Tree Protection Barriers and ground protection. b) a schedule of tree works for all the retained trees specifying pruning and other remedial or facilitation 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. d) the details of "no dig" construction methods to be implemented in root protection areas.

REASON: 12

To ensure that all retained tree stock is integrated successfully into the design and to maintain the overall continuity of Lime Tree Avenue.

CONDITION: 13

The development hereby permitted shall not be occupied until a Whole House Domestic Water Sprinkler System has been fitted to each property in accordance with BS:9251-2014.

REASON: 13

In the interest of fire safety.

Reference number: R15/2512

Site address: John Barford Car Park, James Street, Rugby, CV21 2SL.

Description: Certificate of lawfulness for the proposed development of solar panels to roof of the John Barford Car Park.

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 the roof of the John Barford Car Park, Rugby, CV21 2SL.

The John Barford Car Park has a flat roof. The panels are proposed to be 1.65m in length and 0.7m in height at their highest point. No panel will be within 1m of the edge of the building at any point.

A total of 1154 panels will be installed, providing a total output of the installation of 150 kilowatts.

Description of site

The application site takes the form of a Council owned car park located adjacent to an open surface car park located off Railway Terrace in Rugby town centre. The John Barford car park is three storeys in height, with a flat roof, and is constructed from brick. There are a number of openings to the side walls of the car park to allow light into the car park, which are secured with railings. An access road runs from Railway Terrace to the entrance/exit point to the John Barford car park.

In the area immediately surrounding the site are a number of buildings which take a variety of different forms, including shops, offices, pubs and churches.

At present there are no solar or PV installations within the site.

In terms of visual prominence, whilst the John Barford is clearly visible from Railway Terrace, Chapel Street and James Street, the solar panels will not be visible to the public as they will be positioned on a flat roof, 1m from the edge of the roof.

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

R15/2512

DATE VALID

14/12/2015

ADDRESS OF DEVELOPMENT

John Barford Car Park
James Street
Rugby
CV21 2SL

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 18/12/15 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 County 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 the roof of the John Barford Car Park in accordance with the plans (10010510172 John Barford Car Park and Toilets – Roof Plan and 10010510172 John Barford Car Park and Toilets Roof Plan - Elevations) submitted to the Local Planning Authority on 14th December 2015.

SECOND SCHEDULE:

John Barford Car Park, James Street, Rugby, CV21 2SL.



PLANNING DEPARTMENT,
TOWN HALL,
EVREUX WAY,
RUGBY,
CV21 2RR

ROB BACK
Head of Planning and Recreation

DATE: 18/12/15

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	6 th January 2016
Report Title	Delegated Decisions – 5 th November 2015 to 2 nd December 2015
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Dan McGahey 3774
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Head of Planning and Recreation 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 – 6th January 2016

Delegated Decisions – 5th November 2015 to 2nd December 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 him during the above period are set out in the Appendix attached.

Name of Meeting: Planning Committee
Date Of Meeting: 6th January 2016
Subject Matter: Delegated Decisions – 5th November 2015 to 2nd December 2015
Originating Department: Planning and Recreation

LIST OF BACKGROUND PAPERS

There are no background papers relating to this item.

DECISIONS TAKEN BY THE HEAD OF PLANNING AND RECREATION UNDER
DELEGATED POWERS FROM 05.11.2015 TO 02.12.2015

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R15/1310 Refused 05.11.2015</i>	Yardleys Meadow Stretton Road Wolston	Erection of a detached dwelling with car port, tack store and farm office.
<i>R15/2077 Advertisement Refusal 09.11.2015</i>	Land to the North-West of the junction of Newbold Road and Avon Mill Lane Rugby	Retention of a double-sided, pole mounted, non-illuminated sign at the entrance to Avon Mill Lane (resubmission of planning application reference R14/2371, refused on 13/03/15).
<i>R14/1848 Refused 10.11.2015</i>	Land to the West of Ash Fell 13 Hall Lane Wolvey Hinckley	Erection of a detached dwelling
<i>R15/0159 Refused 13.11.2015</i>	Hillcrest Farm Clayhill Lane Rugby	Formation of a new vehicular access to serve the new agricultural worker dwelling approved under R13/1441 dated 29/11/15
<i>R15/2157 Refused 16.11.2015</i>	Land at the rear of Orchard House Lawford Lane Bilton Rugby	Erection of a detached dwelling house and detached garage (resubmission of previously refused planning application R14/1774 dated 07/11/2014)
<i>R15/2056 Refused 27.11.2015</i>	Fosse Cottage Farm Rugby Road Rugby	Retention of an outbuilding and lean-to extension to shed (retrospective)
<i>R15/2205 Refused 02.12.2015</i>	Lodge Farm 301 Easenhall Road Harborough Magna	Erection of detached garage
Applications Approved		
<i>R15/1878 Approved 05.11.2015</i>	Gate Farm Main Street Bourton on Dunsmore Rugby	Retention of garden shed

<i>R15/1489 Approved 05.11.2015</i>	Rugby School Sports Centre Horton Crescent Rugby	Provision on an artificial hockey pitch to include drainage, fencing and floodlighting.
<i>R15/2048 Approved 05.11.2015</i>	2 St Johns Avenue Rugby	Erection of single storey side and rear extension
<i>R15/2075 Approved 05.11.2015</i>	Clifton Court Farm Lilbourne Road Clifton on Dunsmore Rugby	Retrospective planning permission for the change of use of existing barn to general storage (B8) in association with the vehicle repair workshop.
<i>R15/2061 Approved 05.11.2015</i>	19 High Street Hillmorton Rugby	Conversion of existing stable block to the rear of the dwelling to an ancillary annexe, and erection of a single storey side and rear extension to the dwelling.
<i>R15/1807 Approved 06.11.2015</i>	Land adjacent to former water works London Road Ryton on Dunsmore Rugby	Outline application for formation of a reserve power plant with some matters reserved.
<i>R15/2078 Approved 10.11.2015</i>	Enigma Beauty and Spa 14A Main Street Bilton Rugby	Retention of 2 No. roller shutters to shop front and side
<i>R15/1985 Approved 11.11.2015</i>	Jerome Court Cambridge Street Rugby	New dwelling comprising of two one-bedroom maisonette apartments with associated parking and amenity space.
<i>R15/0126 Approved 11.11.2015</i>	Rose Cottage Pailton Fields Farm Lutterworth Road Pailton Rugby	Extension and alterations to dwelling.
<i>R15/1903 Approved 11.11.2015</i>	Sharon Sawbridge Road Grandborough Rugby	Erection of a single storey side/rear and a two storey rear extension.
<i>R15/2089 Approved 11.11.2015</i>	15 Woodlands Road Binley Woods	Part retention, part erection of a detached double garage

<i>R15/2081 Approved 11.11.2015</i>	36 Collingwood Avenue Bilton Rugby	Erection of a single storey flat roof rear extension.
<i>R15/2113 Approved 11.11.2015</i>	Manor Farm Cosford Lane Rugby	Proposed change of use of agricultural land to leisure land to include the formation of 2x astroturf tracks and the formation of access track, a toilet block, 20foot storage container, 2mx3mx3m block building and ancillary works.
<i>R15/1925 Approved 11.11.2015</i>	9 Park Road Rugby	Single storey rear extension (retrospective)
<i>R15/1829 Approved 11.11.2015</i>	23 Sheepcote Drive Long Lawford Rugby	Erection of single storey extension to existing garage
<i>R15/2076 Approved 12.11.2015</i>	1 Lawford Lodge Farm Cottage Coronation Road Church Lawford Rugby	Conversion of the outbuilding including a single storey side extension to form an ancillary annex to the main dwelling.
<i>R15/2147 Approved 13.11.2015</i>	102 Grove Road Ansty Rugby	Erection of detached dwelling within the grounds of 102 Grove Road.
<i>R14/0440 Approved 13.11.2015</i>	Stepnell Limited Lawford Road/Paynes Lane Rugby	Outline planning application for redevelopment of the site including erection of replacement buildings to be used for purposes within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 as amended, a replacement office building, access and highway works, landscaping and associated works.
<i>R15/2094 Approved 13.11.2015</i>	48 Hillmorton Road Rugby	Proposed vehicular access.
<i>R15/1480 Approved 13.11.2015</i>	Gate Farm Main Street Bourton-on-Dunsmore Rugby	Conversion of barns to form 3 residential dwellings including demolition of existing modern agricultural building and erection of a detached garage block.

<i>R15/2018 Approved 13.11.2015</i>	4 Gabor Close Rugby	Conversion of garage to games/hobbies room
<i>R15/2101 Approved 13.11.2015</i>	101 Constable Road Hillmorton Rugby	Proposed demolition of existing garage and erection of two storey side extension
<i>R15/2108 Approved 13.11.2015</i>	Mill Barn Clayhill Lane Long Lawford Rugby	Retention of a timber shed
<i>R15/2142 Approved 17.11.2015</i>	42 Watts Lane Hillmorton Rugby	Retention of a decking area to the rear of the garden
<i>R15/2121 Approved 17.11.2015</i>	9 Pope Street New Bilton Rugby	Erection of two storey side and rear extension - (resubmission of a previously approved scheme under R15/1294 granted 25th August 2015).
<i>R15/1880 Approved 17.11.2015</i>	33 Hibbert Close Rugby	Erection of a single storey front, two storey and single storey rear extension and creation of a hardstanding and turning area to the front garden area.
<i>R15/0421 Approved 18.11.2015</i>	Millboard Company Limited Ryton Lodge Farm Oxford Road Ryton on Dunsmore Coventry	Change of use and extension to existing building for the purposes of manufacturing decking products.
<i>R15/2153 Approved 18.11.2015</i>	65 Rugby Road Rugby	Retention of roof to two storey side extension (re-submission of R15/0835)
<i>R15/1222 Approved 18.11.2015</i>	25 Alicia Close Cawston Rugby	Partial change of use from residential dwelling (C3) to childminders (D1) during the hours of 7:00am and 6:15pm Monday to Friday (retrospective)
<i>R15/1967 Approved 19.11.2015</i>	18 Phipps Avenue Hillmorton Rugby	Erection of annex to rear of existing property.

<i>R15/2177 Approved 19.11.2015</i>	44 Steeping Road Rugby	Erection of conservatory to rear elevation
<i>R15/1083 Approved 19.11.2015</i>	Spicers Wood Coventry Road Rugby	Demolition of existing dwelling and attached outbuildings and erection of one new dwelling.
<i>R15/1972 Approved 23.11.2015</i>	4 Whiley Close Rugby	Erection of a single storey extension.
<i>R15/2208 Approved 23.11.2015</i>	65 Magnet Lane Bilton Rugby	Single storey rear extension.
<i>R15/1385 Approved 23.11.2015</i>	Blue Bell Woods Day Nursery Monks Road Binley Woods Coventry	Provision of a covered paved play area.
<i>R15/2028 Approved 23.11.2015</i>	St James House Coventry Road Hinckley	Extension to the existing dropped kerb and provision of hard surfacing to the front of the property (part retrospective)
<i>R15/2065 Approved 23.11.2015</i>	28 Bond End Rugby	Erection of vehicular access gates
<i>R15/2186 Approved 24.11.2015</i>	Russell House Leamington Road Rugby	Erection of a single storey rear extension
<i>R15/2203 Approved 24.11.2015</i>	50 Crick Road Hillmorton Rugby	Extensions and alterations to dwelling.
<i>R15/2221 Approved 24.11.2015</i>	16 Carlton Road Bilton Rugby	Erection of a conservatory to rear elevation.
<i>R15/1975 Approved 24.11.2015</i>	20 Bond End Rugby	Erection of two storey rear extension and proposed new dormer window to front elevation

<i>R15/2160 Approved 24.11.2015</i>	68 School Street Hillmorton Rugby	Ground floor side extension, to create a porch, downstairs toilet and kitchen extension.
<i>R15/2211 Approved 24.11.2015</i>	31 Sir Winston Churchill Place Coventry	Erection of a two storey side extension
<i>R15/1917 Approved 25.11.2015</i>	St Marks Court Pool Close Bilton Rugby	Replacement of a window to a door
<i>R15/2227 Approved 25.11.2015</i>	Museum of Country Bygones Trust Louisa Ward Close Marton	Renovation and modernisation of Marton Museum of Country Bygones, to include the installation of Solar Panels on the South East elevation.
<i>R15/2209 Approved 26.11.2015</i>	5 Eastlands Place Rugby	Erection of a single storey front and side/rear extension
<i>R15/1923 Approved 26.11.2015</i>	78 Ashlawn Road Rugby	Amendments to the erection of a garage / garden / utility room in the rear garden of the property (retrospective)
<i>R15/1877 Approved 26.11.2015</i>	Ashgrove Grove Farm Wolds Lane Wolvey Hinckley	Removal of condition 7 of planning permission R80/0023/7297/OP dated 29/09/1980 which restricts the occupation of the dwelling house limited to a person solely or mainly employed in the locality in agriculture or forestry including any dependant residing with such a person.
<i>R15/2140 Approved 26.11.2015</i>	114 Ashlawn Road Rugby	Erection of single storey rear extension
<i>R15/2030 Approved 26.11.2015</i>	47 Ashlawn Road Rugby	Erection of two storey side extension incorporating dormers, single storey rear extension and entrance porch
<i>R15/2158 Approved 26.11.2015</i>	Manor House Main Street Harborough Magna Rugby	Erection of a rear conservatory
<i>R15/2033 Approved 27.11.2015</i>	Land North of Burnthurst Lane Burnthurst Lane Princethorpe	Conversion of a barn into a residential dwelling

<i>R15/2112 Approved 27.11.2015</i>	133 Rugby Road Coventry	Proposed two storey rear and side extension and single storey side extension, front porch and infilling of the existing windows at ground floor and first floor levels along the boundary of No. 135 Rugby Road (resubmission of previously refused planning application ref: R15/0454 dated 06/10/2015).
<i>R15/2162 Approved 27.11.2015</i>	The Old Granary Burnthurst Lane Princethorpe Rugby	Conversion of outbuilding to a residential dwelling
<i>R15/2204 Approved 30.11.2015</i>	16 Sidney Road Rugby	Proposed two storey side and rear extension together with a single storey rear extension and the provision of a new roof over existing garage.
<i>R15/2246 Approved 30.11.2015</i>	58 Bagshaw Close Ryton-on-Dunsmore	Proposed single storey front extension.
<i>R15/2059 Approved 30.11.2015</i>	24 Crick Road Hillmorton Rugby	Demolition of Existing Bungalow and Garage and the Erection of Four New Dwellings with Garages
<i>R15/2172 Approved 30.11.2015</i>	Wren Court Frankton Road Birdingbury Rugby	Listed Building Consent for the installation of replacement windows
<i>R15/2134 Approved 30.11.2015</i>	102 Grove Road Ansty Rugby	Demolition of existing dwelling and erection of a new dwelling with integrated garage.
<i>R13/0889 Approved 01.12.2015</i>	Heathcote Farm Mill Lane Wolvey Hinckley	Demolition of existing dormer bungalow and construction of new four bedroom house
<i>R15/0214 Approved 01.12.2015</i>	Land adjacent to BJ House Bath Street Rugby	Retrospective application for a 2 storey building containing 4 no. one bedroom flats and demolition of existing boundary wall (amendments to approval R10/1713) (resubmission of R14/1798).

<i>R15/2200 Approved 02.12.2015</i>	Lang Hills Southam Road Toft Rugby	Erection of a single storey front and side extension for use as a garden room, utility room and double garage
Prior Approval Applications		
<i>R15/2099 Prior Approval Not Required 10.11.2015</i>	105 Clifton Road Rugby	Prior approval for the erection of a single storey rear extension.
<i>R15/2122 Prior Approval Not Required 12.11.2015</i>	18 Alicia Close Cawston Rugby	Prior Approval application for the erection of a single storey rear extension projecting 4.048 metres from the original rear elevation of the dwelling, 5.15 metres in width, 2.97 metres to the eaves with a maximum height of 3.665 metres.
<i>R15/1768 Prior Approval Required and Granted 16.11.2015</i>	Barn off Flecknoe Road Flecknoe Road Broadwell Rugby	PACU: Prior approval to convert the existing agricultural unit to residential (use class C3)
Prior Notification		
<i>R15/1919 Prior Notification of Proposed Demolition 18.11.2015</i>	Henry Doubleday Research Ryton Organic Gardens Wolston Lane Coventry	Prior notification of demolition of farmhouse
<i>R15/2401 Prior Notification of Agriculture or forestry development 27.11.2015</i>	Flecknoe Fields Farm Flecknoe Station Road Rugby	Prior Notification for the erection of a new steel framed agricultural building for the purpose of straw and crop storage.
Listed Building Consents		
<i>R15/1598 Listed Building Consent 06.11.2015</i>	Coombe Abbey Park Ltd Dovecote Cottage Brinklow Road Coventry	Listed Building Consent for the installation of a boiler and external flue
<i>R14/1536 Listed Building Consent 11.11.2015</i>	Manor House 28 Church Hill Stretton on Dunsmore Rugby	Listed Building Consent for Internal Works to the Dwelling, including the removal of two internal walls.

<i>R15/2159 Listed Building Consent 27.11.2015</i>	Manor House Main Street Rugby	Listed Building Consent for the erection of a rear conservatory
Advertisement Consents		
<i>R14/2077 Advertisement Consent 11.11.2015</i>	HI Logistics Europe UK (LG) Unit DC4 Prologis Ryton Imperial Road Oxford Road Ryton On Dunsmore Rugby	Retention of 2 non-illuminated fascia signs
<i>R15/2080 Advertisement Consent 27.11.2015</i>	Caffe Nero Unit 13 Elliotts Field Shopping Park Leicester Road Rugby	Installation of 2no. Internally Illuminated Fascia Signs and 3no. Internally Illuminated Hanging Signs
<i>R15/1785 Temporary Advertisement Consent 30.11.2015</i>	Former Peugeot Site Oxford Road (London Road side) Ryton-on-Dunsmore	Proposed installation of 4 temporary flag advertisements for marketing purposes.
Certificate of Lawful Use or Development		
<i>R15/2130 Certificate of Lawful Use or Development 12.11.2015</i>	Belvoir Becall Ltd 41 Newbold Road Rugby	Certificate of lawful development for the existing use of the building as an estate agent (use class A2).
<i>R15/2344 Certificate of Lawful Use or Development 19.11.2015</i>	Two Oaks 67 London Road Dunsmore Heath Rugby	Certificate of Lawfulness for Proposed Development for the erection of a single storey side extension to both sides of the dwelling.
Approval of Details/ Materials		
<i>R13/1255 Approval of Details 05.11.2015</i>	Church Farm London Road Ryton-on-Dunsmore Coventry	Conversion of hostel to two dwellings and erection of a detached double garage

<i>R15/1036 Approval of Details 05.11.2015</i>	Ashlawn School Ashlawn Road Rugby	Erection of a three storey extension.
<i>R13/0308 Approval of Details 09.11.2015</i>	Highwood Farm Coventry Road Brinklow Rugby	Proposed erection of on-farm anaerobic digestion plant with associated infrastructure and perimeter bund
<i>R13/1338 Approval of Details 09.11.2015</i>	3 Chapel Street Rugby	Change of use of first and second floor to one residential unit and alterations to front elevation at ground floor level
<i>R14/0970 Approval of Details 09.11.2015</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 09.11.2015</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 09.11.2015</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>R10/1972 and R14/2186 Approval of Details 11.11.2015</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>R10/1271 and R15/1467 Approval of Details 16.11.2015</i>	Unit 2 (Plot 3) Rugby Gateway Employment Waver 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 R15/1463 Approval of Details 17.11.2015</i>	Unit 3 (Plot 2) Rugby Gateway Employment Waver 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>R14/2229 and R13/0124 Approval of Details 17.11.2015</i>	Warwickshire College Royal L/Spa Land at Former Rugby College Site Lower Hillmorton Road Hillmorton Rugby	Erection of 131 dwellings with associated works and landscaping. (Approval of reserved matters in relation to outline planning permission R13/0124)
<i>R15/0903 Approval of Details 17.11.2015</i>	Glebe Rise Main Street Birdingbury Rugby	FULL: Construction of detached single-storey retirement dwelling and associated works including alterations to Glebe Rise.
<i>R10/1272 Approval of Details 17.11.2015</i>	Rugby Gateway Phase R4 Leicester Road Rugby	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.
<i>R14/0217 and R15/0883 Approval of Details 18.11.2015</i>	Unit DC7 Prologis Ryton Sites A & B Former Peugeot Site Oxford Road Ryton-on-Dunsmore	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).
<i>R10/1272 and R15/1467 Approval of Details 19.11.2015</i>	Unit 2 (Plot 3) Rugby Gateway Employment Waver 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 R15/1453 Approval of Details 19.11.2015</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.)

<p><i>R12/1353</i> <i>Approval of Details</i> <i>23.11.2015</i></p>	<p>Plots 1-18 and Plots 62-69 Land at Former Stables Coton House Lutterworth Road Churchover Rugby</p>	<p>A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p>
<p><i>R10/1272 and</i> <i>R15/1463</i> <i>Approval of Details</i> <i>25.11.2015</i></p>	<p>Unit 3 (Plot 2) Rugby Gateway Employment Waver Way Rugby</p>	<p>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.)</p>
<p><i>R14/0803</i> <i>Approval of Details</i> <i>27.11.2015</i></p>	<p>Memorare Cottage Leamington Road Princethorpe Rugby</p>	<p>Replacement of First Floor Accommodation over former Coach House and Stable to provide new Studio</p>
<p><i>R15/0315</i> <i>Approval of Details</i> <i>27.11.2015</i></p>	<p>Memorare Cottage Leamington Road Princethorpe Rugby</p>	<p>Replacement of First Floor Accommodation over former Coach House and Stable to provide new Studio (Listed Building Consent)</p>
<p><i>R11/0699</i> <i>Approval of Details</i> <i>02.12.2015</i></p>	<p>Rugby Radio Station A5 Watling Street Clifton Upon Dunsmore Rugby</p>	<p>Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary</p>

		schools; public art; green infrastructure including formal and informal open space and amenity space; retention of existing hedgerows, areas of ridge and furrow and grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, and diversions as necessary); sustainable drainage systems including ponds, lakes and water courses; a link road connecting the development to Butlers Leap, estate roads and connections to the surrounding highway, cycleway and pedestrian network; ground remodelling; any necessary demolition and any ground works associated with the removal of any residual copper matting, with all matters reserved for future determination except the three highway junctions on the A428, the two junctions on the A5 and the link road junctions at Butlers Leap and Hillmorton Lane.
Approval of non-Material Changes		
<i>E2E 665 (R11/2016) Approval of Non-Material Changes 09.11.2015</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>R15/1779 Approval of Non-Material Changes 27.11.2015</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>R15/0638 Approval of Non-Material Changes 01.12.2015</i>	Rugby School The James Pavilion The Close Barby Road Rugby	Proposed modifications to the 'James Pavilion' building comprising demolition of existing toilet and wall enclosing yard area, 2 storey rear extension to provide washrooms to changing rooms and first floor store room.