

15th July 2016

PLANNING COMMITTEE - 27TH JULY 2016

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 27th July 2016 in the Council Chamber, Town Hall, Rugby.

Site visit

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

4.15pm Land at Waldings Farm, Barby Lane, Rugby, CV22 5QJ

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 6th July 2016.

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 – 9th June – 29th June 2016.

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 2016/17 – 5) are attached.

Membership of the Committee:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Brown, Butlin, Cranham, Ellis, Gillias, Lewis, Sandison, Srivastava and Helen Taylor.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic 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 Services Officer named above.

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

Planning Committee – 27th July 2016

Report of the Head of Growth and Investment

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 | R15/2039 | Land at Waldings Farm, Barby Lane, Hillmorton, Rugby Residential development of up to 107 dwellings including vehicular access from Barby Lane, open space, landscaping, surface water attenuation pond, footpaths, cycleways and associated infrastructure (all existing buildings to be demolished) (outline planning application to include access with appearance, landscaping, layout and scale reserved). | 3 |
| 2 | R16/1249 | 11 Othello Close, Bilton, Rugby, CV22 6LX Provision of a rear dormer roof extension. | 65 |

Reference number: R15/2039

Site address: Land at Waldings Farm, Barby Lane, Hillmorton, Rugby

Description: Residential development of up to 107 dwellings including vehicular access from Barby Lane, open space, landscaping, surface water attenuation pond, footpaths, cycleways and associated infrastructure (all existing buildings to be demolished) (outline planning application to include access with appearance, landscaping, layout and scale reserved)

Case Officer Name & Number: Chris Kingham, 01788 533629

Site Description:

The application site comprises of 5.45 hectares of agricultural land to the west of Barby Lane and south of Westwood Road in Rugby. The land broadly has the appearance of an 'L' shape and can be divided accordingly into a northern and southern parcel of land.

The northern parcel of land consists of two grazing fields delineated by established hedgerows and a number of buildings collectively forming a farmstead known as Waldings Farm located to the southern boundary. The hedgerows to perimeter of the site are interspersed with mature trees along the site boundaries. The buildings making up the farmstead include a two-storey house, brick built farm buildings, pre-fabricated barn, corrugated iron store and two telecommunication masts. A number of mature conifers are located around the western perimeter of the buildings. An existing vehicular access point to gain access to the site and these buildings is located off Barby Lane to the northeast of the site. A Public Right of Way (RB29) also runs through the centre of the site from north to south.

The southern parcel of land is narrower in width than the northern parcel of land and has a curved shape with the land area reducing as it gets closer to Barby Lane. This southern parcel of land forms part of a larger agricultural field which appears to be in arable agricultural use. The southern boundary is therefore undefined and open to this field whilst the other boundaries are defined by established hedgerows.

Topographically, the site is set on a slope which drops down by approximately 15 metres from the northern to southern boundary across both parcels of land. There are also other localised changes in topography. The most notable of these is towards the eastern section of the northern parcel where levels drops down approximately 10 metres from the northwest to southeast.

To the north, the site is bordered by Ashlawn School, Public Right of Way RB29, Hillmorton Allotments and a number of residential dwellings which are collectively accessed off Westwood Road.

Ashlawn School occupies a large area of land running from Ashlawn Road to the north and the application site in the south. The school buildings are located towards the north and range from one to three storeys in height. The school then has a number of sports pitches which are located to the south of these buildings up to the boundary with the application site which is defined by an established hedgerow and metal fencing.

Hillmorton Allotments contain a number of well used plots which are accessed off Ashlawn Road. An established hedgerow is located along the boundary of the allotments with the application site.

Public Right of Way RB29 runs inbetween Ashlawn School and Hillmorton Allotments. This currently takes the form of an unsurfaced path with mature tree and hedgerow planting to the allotment side and fencing along the school side. It connects into Ashlawn Road to the north and the application site to the south.

The residential dwellings on Westwood Road take the form of detached buildings ranging from one to two storeys in height. The design, layout and appearance is also highly varied giving rise to a unique and diverse streetscene. Dwellings to the south side of Westwood Road have a number of windows within the southern elevations overlooking the application site. The gardens to these dwellings back onto the site with boundary treatments dominated by an established hedgerow.

To the east, the site is bordered by Barby Lane which provides a vehicular access link between Rugby town and Barby village. This road is subject to a 30mph speed limit by the existing site access with speed cushions laid down at the entrance to the urban area. There is a 60mph speed limit beyond the existing site access. The eastern boundary itself is defined by an established hedgerow interspersed within mature trees. A ditch is located alongside the hedgerow with land levels rising up from this towards Barby Lane creating a grass verge alongside the highway. A mature hedgerow is located adjacent to the highway on the opposite side of Barby Lane with open agricultural fields beyond this. Residential dwellings at Moat Farm Drive are located beyond the fields.

To the south of the site are open agricultural fields. The field boundaries are defined by established hedgerows whilst land levels drop down here from north to south to Rains Brook before then rising again.

To the west of the site are open agricultural fields. Ridgeway Farm is also located here and comprises of a residential dwelling and agricultural buildings. Outline planning permission for up to 96 dwellings has been granted on land adjoining the farm in December 2015 (ref: R14/0407) with a subsequent reserved matters application approved in May 2016 (ref: R15/2239). Beyond these fields is St Andrews Rugby Club and Rainsbrook Crematorium.

Relevant Planning History (Application Site):

R05/0151/07794: Outline application for three 1.5 storey detached dwellings. Refused 06/04/2005. Appeal dismissed 20/09/2005 (ref: APP/E3715/A/1181699).

Relevant Planning History (Within Vicinity of Application Site):

R15/2239: Land Adjacent Ridgeway Farm, Ashlawn Road, Hillmorton, Rugby, CV22 5QH. Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access. Approved 27/05/2016.

R14/0407: Land Adjacent Ridgeway Farm, Ashlawn Road, Hillmorton, Rugby, CV22 5QH. Outline planning application for demolition of agricultural buildings and use of land for residential development and associated works, including access. Approved 02/12/2015.

Technical Consultation Responses:

| | |
|---------------------------|--------------|
| Daventry District Council | No objection |
| Development Strategy | No objection |
| Environment Agency | No comment |

| | |
|-----------------------------------|--|
| Environmental Health | No objection subject to conditions |
| Highways England | No objection |
| Housing | No objection |
| Landscaping and Design | No objection |
| National Grid | No response |
| Natural England | No comment |
| NHS England | No comment |
| Northamptonshire CC Highways | No objection |
| Parks and Grounds | No objection subject to financial contributions |
| Ramblers Association | No objection subject to conditions |
| Severn Trent Water | No objection subject to a condition |
| Sport and Recreation | No objection subject to financial contributions |
| Stagecoach | Support |
| Tree Officer | No objection subject to conditions |
| Warwickshire Fire and Rescue | No objection subject to a condition |
| Warwickshire Police contributions | No objection subject to advisory notes and financial contributions |
| Warwickshire Wildlife Trust | No objection subject to conditions |
| WCC Archaeology | No objection subject to a condition |
| WCC Ecology | No objection subject to conditions |
| WCC Flood Risk | No objection subject to conditions |
| WCC Highways | No objection subject to conditions, financial contributions and advisory notes |
| WCC Infrastructure | No objection subject to financial contributions |
| WCC Planning | No response |
| WCC Rights of Way | No objection subject to informatives and planning obligation |
| Western Power Distribution | Comment |
| Works Services Unit | No objection subject to informatives |

Third Party Consultation Responses to Amended Proposal for up to 107 Dwellings:

Residents (49)

Objection

- Objections for original application for up to 110 dwellings remain the same.
- Three less houses makes no difference to original objections to 110 dwellings.
- Previous comments still stand as do not address concerns.
- Amendments only minor.
- Application unsustainable and inappropriate.
- Schools oversubscribed.
- Ashlawn School unable to admit number of pupils from area into Year 7 in September.
- New houses would place pressure on local schools already struggling to cope.
- Schools cannot expand more and reducing catchment area.
- No GP surgery in Hillmorton.
- Shortage of places at GP surgeries.
- Only one pharmacy.
- Dental practices oversubscribed.
- More services, especially A&E, should be provided at St Cross Hospital.
- No significant improvements proposed.
- Lack of facilities.
- Cumulative impact of developments on local infrastructure.
- Takes from existing community resources.
- Applicant should provide infrastructure.
- Access onto Barby Lane needs to be moved downhill away from bend.
- Access should be a mini-roundabout not priority junction which would help to reduce speeds.
- Existing speed calming measures on Barby Lane of little use.
- Significant traffic impact.
- Reduced number of dwellings will make little difference to amount of traffic generated.
- Negative impact on Barby Lane and Ashlawn Road junction.
- Would add to queues and delays turning Right from Barby Lane onto Ashlawn Road during rush hour and DIRFT shift change.
- A428 struggling to cope with new developments and expansion of DIRFT.
- Traffic lights or roundabout required at junctions of Ashlawn Road, Deerings Road, High Street and Barby Lane.
- Parents parking along Barby Lane to pick pupils up from Ashlawn School causing highway safety issues.
- Footpath improvement would result in increase in parents using Barby Lane.
- Bridges on Barby Lane will require attention owing to greater use.
- On-street parking in development could restrict emergency services access.
- Not on a bus route.
- Negative impact on traffic flows and accessibility.
- Traffic impact at peak times will add to existing problems.
- Unacceptable levels of pressure on transport corridors.
- Parking issues would arise from more residents parking near Hillmorton Green.
- Temporary traffic lights indicate chaos.
- Impact on ability to enter and exit property at peak times.
- Existing accidents.
- No provision for existing road network to cope with additional traffic.
- Little evidence cumulative impacts of other development taken into account.
- Traffic from Mast Site and DIRFT needs to be considered.
- Traffic projections and levels of queuing traffic understated.

- Adverse impact on highway safety.
- Would exacerbate existing parking problems at local shops and schools.
- Crossing road would be more dangerous for children.
- Increases danger to Ashlawn School pupils.
- Would result in rat runs developing on side roads.
- Turning right through Hillmorton Village would replicate dangers.
- Paddock junction would get worse even notwithstanding signalisation.
- Proposals elsewhere such as Crick Road will add to further traffic.
- Query who would upgrade the Public Right of Way.
- Public Right of Way from site to Ashlawn Road would become main route for residents to access local schools, services and facilities giving rise to extra noise and litter.
- Light pollution from Public Right of Way improvements.
- Public Right of Way improvements would harm wildlife habitat and particularly that of bats.
- Conflict of Public Right of Way users with allotment access.
- Risks allotment security.
- Increase in noise and disturbance.
- Increase in air pollution.
- Distribution of surface water a concern.
- Potential for flooding and boggy ground.
- Existing water laying at junction of Barby Lane and Ashlawn Road with history of Severn Trent Water sorting water problems along this stretch not encouraging.
- Query whether foul sewerage pump would be able to cope with additions to properties.
- Existing sewer capacity should be checked.
- Recent loss of two farms.
- Provides a natural haven for wildlife.
- Proposed ecological aspects bare minimum and would not provide realistic natural environment for wildlife.
- Impact on rural landscape.
- Loss of countryside.
- Visual impact on valuable landscape.
- Harmful impact on character of Hillmorton.
- Size development out of character and inappropriate.
- Fields provide residents with pleasure and chance to escape.
- Loss of green belt.
- Loss of aspect down Barby Lane from Ashlawn Road.
- High density not suitable for area.
- Should be no development to southeast especially on Rainsbrook Valley.
- No guarantees or details of tree planting proposed.
- Loss of village feel.
- Brownfield or town centre sites should be developed first.
- New houses should be built on brownfield sites away from existing towns to create new villages or towns.
- Development of green farmland should be a last option.
- Loss of grade 2 agricultural land.
- Do not need houses as there are other developments.
- Site not allocated for housing.
- No need for development in this part of town.
- Type and mix of properties for those on different incomes important.
- Social homes and genuine affordable homes required.
- Piecemeal approach to development short sighted and dangerous to locality.
- Sets a precedent for other development in area.

- Development Plan required for Rugby quickly to ensure infrastructure concerns dealt with.
- Proposal unacceptable in planning terms and cannot be justified by other benefits.
- Will have a 5 year land supply as Mast Site developed.
- Sites with existing outline permission should be built on.
- Should wait for Mast Site to be substantially developed to assess impact before allowing development here.
- Query why Council don't have a five year housing land supply despite number of new homes built.
- Local Plan Preferred Options Housing Target and Distribution Background Paper states southwest model network performs best for traffic handling and southeast where application site is located performs worst.
- Difficult to identify changes and revisions to documents.
- Applicant not listening to residents.

Cllr Jerry Roodhouse, Paddock Ward Councillor Objection

- Objections for original application for up to 110 dwellings remain the same.

Third Party Consultation Responses to Original Proposal for up to 110 Dwellings:

Residents (104) Objection

- Visual impact on outstanding landscape.
- Visual intrusion.
- Harm to rural landscape.
- Permanent loss of countryside and green spaces.
- Encroachment of countryside.
- Undesirable urban sprawl.
- Loss of proximity to countryside.
- Overbearing.
- High density development unsuitable.
- Not in character or keeping with local area.
- Character of village community would be lost.
- Poorly related to existing development.
- Hillmorton would be surrounded by new development.
- Intrusive extension of urban area into countryside.
- Would not be seen within context of existing development to north.
- No guarantees on proposed new tree planting.
- Loss of green areas to development around town.
- Site is agricultural land which is part of northern slope of Rainsbrook Valley.
- Northern slope of Rainsbrook Valley largely free from development.
- Development to edge Hillmorton clearly defined by hedges/trees and confined to flatter land rather than steep slopes providing distinction between urban area and countryside.
- Urban edges defined by Rainsbrook Valley should be protected.
- Countryside used by ramblers, dog walkers and horse riders so should protect for recreation.
- Should protect and enhance natural environment for many benefits.
- Change in levels would make development visible and intrusive from public rights of way, public vantage points and road network.
- Negative visual impact on approach from Barby.
- Need to protect areas of outstanding natural beauty close to Rainsbrook Valley.

- Negative impact on rural setting of Rainsbrook Valley and Oxford Canal Corridor.
- Valley to south Hillmorton attractive and highly valued landscape with many hedgerows, trees and well used public rights of way to Oxford Canal Walk.
- Natural England'S Natural Character Area NCA96 'Dunsmore and Feldon', Warwickshire Landscapes Project Dunsmore Regional Character Area and Rugby Landscape Character Assessment indicate this is distinctive landscape sensitive to change.
- Landscape and development context of site different to Ridgeway Farm site.
- Loss of views from properties on Westwood Road over countryside.
- Size of site, number of dwellings and height would have significant urbanising effect.
- Raising ground levels to accommodate drainage would have adverse impact on landscape.
- Impact of development on wider landscape major reason appeals dismissed even when Councils have no five year housing land supply.
- Allowing development would give rise to new application for farmstead on remaining land holding with associated impact on landscape.
- Countryside not suitable for housing.
- Areas of natural beauty should remain as countryside and be designated as parkland.
- Would spoil peace and tranquillity of new wood and crematorium.
- Heritage potential not being optimised.
- Health and high quality category 'A' Ash tree on northern boundary which should be protected.
- Increase in noise and disturbance.
- Construction noise.
- Would result in light pollution when there are currently no streetlights on Westwood Road.
- Improvements to Public Right of Way with potential tree loss and lighting giving rise to light pollution to residents and wildlife in addition to loss of privacy for residents.
- Increase in air pollution contrary to paragraph 123 of NPPF.
- Air quality assessments should be carried out at key junctions.
- Nitrogen dioxide levels would increase due to traffic congestion.
- Health issues from poor air quality.
- Increase in carbon emissions.
- Photovoltaic panels preferable to solar water heating panels as provide reliable electricity source all year.
- Drainage and water supply issues.
- Built development and hardstanding rather than natural features contributes to flooding and associated damage/costs.
- Flash flooding over fields and roads require special prevention measures.
- Need to pump foul water drainage not ideal.
- Query whether foul sewerage pump would be able to cope with additions to properties.
- Not demonstrated that development could adequately drain foul sewerage.
- Existing sewer capacity should be checked.
- Traffic impact in local area in relation to highway safety, traffic flows and accessibility.
- Exacerbation of existing problems caused by cars parked along Barby Lane whilst waiting to pick children up from school.
- School parking along Barby Lane obscuring driveways and creating single carriage road.
- Additional traffic would put pedestrians and school children at risk.
- Would add to chaotic parking around local shops.
- Adverse impact on highway safety.
- Existing difficulties exiting Barby Lane onto Ashlawn Road.

- Negative impact on junction of Barby Lane, Ashlawn Road, High Street and Deerings Road.
- Negative impact on junction of Ashlawn Road and Hillmorton Road.
- Existing traffic problems around Barby Lane, Ashlawn Road, Elms Drive, Deerings Road and Hillmorton Road and associated impacts would be exacerbated.
- Would worsen traffic congestion and delays around Paddox Pub junction.
- Need traffic lights or roundabout at key road junctions.
- Traffic lights at key road junctions would not work as evidenced by temporary lights.
- Paddox pub should be demolished to provide a roundabout.
- Extra traffic would exacerbate existing problems with traffic queues at end of Fisher Avenue.
- Would add to existing difficulties exiting Westwood Road onto Barby Lane.
- Safety between all road users a requirement of paragraph 35 of NPPF.
- Parents of schoolchildren would park within development by access with public right of way creating friction with future residents.
- Would result in increased vehicular movements to schools but no parking there.
- Development could result in 220 cars.
- Additional traffic movements to and from development along Barby Lane not appropriate.
- Insufficient parking for new dwellings and visitors proposed.
- On-street parking in development could restrict emergency services access.
- Construction process would result in heavy traffic along A428 and Barby Lane to site.
- Reduction in school bus passes by WCC will add to congestion on all routes to schools.
- Additional traffic around junctions resulting in accidents as people take more chances.
- Speed of traffic along roads above that allowed causing danger.
- Traffic in area already increased due to DIRFT development and crematorium.
- Traffic increase along main roads noticeable around DIRFT shift changes.
- Traffic will increase due to Ridgeway Farm development and potential developments at Hillside Estate, Mast Site, Ashlawn Road sites, former Ballast Pits and Wharf Farm.
- Unsustainable pressure on highway network.
- Will result in vehicles using the route through Barby village as a 'rat run' through to Daventry and M1 south.
- Appropriate infrastructure should be in place to accommodate increased volume of traffic.
- Proposed minor changes to road network by development would not mitigate against traffic.
- Site not on a bus route.
- Lack of public transport to serve site.
- Cycle times within transport assessment not accurate.
- Future residents unlikely to cycle due to busyness of roads causing safety issues.
- Roads in Hillmorton may become 'rat runs'.
- Existing and projected traffic has negative impact on residents of Duffy Place.
- Different Council's all need to work together to consider cumulative increase in traffic from developments in their respective areas.
- Lack of pedestrian crossing on A428/Ashlawn Road safety concern.
- Closest existing pedestrian crossing on Ashlawn Road too far from site.
- No significant works proposed to road infrastructure.
- Traffic queue length and time on Barby Lane with junction of Ashlawn Road would increase.
- Highway network cannot cope and no mitigation proposed.
- Addition to traffic congestion in town, retail areas and schools.

- Increased traffic danger to horses, riders, families and dog walkers.
- Negative cumulative impact on traffic from developments within the immediate and wider area.
- Traffic projections and levels queuing traffic understated in application documents.
- Impact of traffic from Mast Site understated.
- Impact on road network understated so contrary to policy CS11 and paragraph 32 of NPPF.
- Little evidence to show traffic from other developments including Mast site and DIRFT considered.
- Any remodelling of road infrastructure would impact on character of area and Hillmorton Green.
- Barby Lane narrow and not suitable for large development.
- Speed limit unlikely to be moved further down as no development either side of road.
- Traffic calming measures on Barby Lane have little effect on vehicle speeds.
- Site access not safe owing to position near curve in road and vehicle speeds.
- Site access should be moved further downhill away from bend.
- Should provide a mini-roundabout for site access.
- Upgrades to Public Right of Way RB29 from site to Ashlawn Road not certain.
- Would be difficult to upgrade Public Right of Way RB29.
- Future residents unlikely to use Public Right of Way RB29 so distances to services and facilities greater than what indicated within Transport Assessment.
- Loss of habitat for wildlife including rare birds, bats and animals.
- Impact on protected species including bats.
- Insufficient studies of value of habitat and roosting for bats in trees.
- Translocation of bats unlikely to be successful.
- Would cause harm to natural environment.
- Negative impact on bat population of Kilsby Lane Local Wildlife Site.
- Negative impact on wildlife in area and especially nearby Local Wildlife Sites.
- Improvements to Public Right of Way may cause harm to habitat of bats, birds and wildlife and bat survey therefore required.
- Council has already allocated land for housing to meet objectively assessed needs.
- Departure from development plan including Core Strategy.
- Contrary to NPPF.
- Does not satisfy economic, social and environmental roles required to be sustainable development as outlined in NPPF and therefore does not benefit from presumption in favour of sustainable development.
- Does not meet environmental role of sustainability set out in NPPF.
- Harm from development not outweighed by shortfall in housing land supply.
- Site not allocated for housing within Core Strategy.
- Site outside urban boundary.
- Site does not fall within broad location for future growth defined by policy CS5 of the Core Strategy.
- Emerging local plan will allocate sufficient land for new housing.
- Site not allocated for housing in emerging local plan which identifies sustainable locations for housing to north and southwest of Rugby.
- Housing Target and Distribution Background Paper (part of evidence base to Preferred Options Local Plan) considered sustainability of three broad locations for future development. Development to southeast of Rugby ruled out due to adverse transport implications and performing worst out of three options for increased congestion.
- Economic benefits from development would apply at this site or elsewhere in town.
- New houses not needed.
- Approving proposal would be contrary to emerging development plan.

- Contrary to policy CS12 of the Core Strategy as may result in unacceptable levels of pressure on transport corridors of Crick Road, High Street and Ashlawn Road.
- Outstanding planning permissions and allocations in Core Strategy for 4,753 dwellings.
- Currently have a total shortfall of 2,753 dwellings over 5 year period with a supply of 2,642 dwellings according to Housing Land Availability paper resulting in a shortfall of 111 dwellings. Council therefore has 5 year housing land supply if shortfall spread across whole plan period or a shortfall of 111 dwellings if provided over 5 years.
- Lack of 5 year housing land supply caused by low housing completions over past 4 years due to recession and availability/affordability of mortgages rather than lack of permissions.
- Contrary to policies CS1, CS11, CS12, CS13 and CS16 of the Core Strategy and policies GP2 and E6 of the Local Plan.
- Not within proposed rural allocations as detailed in emerging local plan.
- Outside existing development boundary and will erode open countryside contrary to emerging local plan.
- Criteria of policy ED3 of emerging Local Plan relating to employment development outside Rugby urban area should be applied to proposed housing development and contrary to it.
- Contrary to policy NE1 and NE4 of emerging Local Plan.
- Policies in Core Strategy restricting housing land supply have other functions such as safeguarding the character of land important to the setting of the town in accordance with paragraph 17 of NPPF.
- Barby and Onley Parish Council has Neighbourhood Plan at consultation with Daventry District Council which seeks to maintain separation of Parish from surrounding settlements, reduce traffic problems, improve highway safety and protect/enhance local landscape and significant views. Proposed development would be contrary to this.
- No evidence Hillmorton will stagnate and become unsustainable without further growth.
- Land not identified in plan for housing.
- Will have a 5 year land supply as Mast Site developed.
- Should wait for Mast Site to be substantially developed to assess impact before allowing development here.
- Development not necessary and inappropriate.
- Speed of expansion of concern.
- Query why Rugby needs to accept Coventry's housing shortfall.
- Town centre is dying.
- Not sustainable.
- Application for 3 houses on this site was refused in 2005 on appeal and considered to be unsustainable, an intrusion in countryside and contrary to policies. Policies have changed but still unsustainable and shouldn't benefit from presumption in favour sustainable development.
- None of circumstances Inspector gave at appeal for 3 houses on site has changed, i.e. that development would be unsustainable, intrusive within the countryside, harmful to appearance of area/setting of Hillmorton and would set a precedent had appeal been allowed.
- Previous Officer opinion for 3 houses on site still applies, i.e. that it would have significant adverse impact on visual amenities of locality and character of surrounding countryside.
- High density development not suitable for area.
- Local housing needs will be met by Mast Site with appropriate infrastructure provided.
- Should use previously developed brownfield land first before using countryside.

- Approval would set precedent for further development in countryside and on high grade agricultural land.
- No evidence affordable housing would be priced at an affordable level.
- Should provide houses for those on modest and fixed incomes.
- Query type of houses which will be provided and who they will be for.
- New houses should be built for existing Rugby residents.
- Grade 2 agricultural land used for grazing and rape seek so should be protected.
- Agricultural land classified as best and most versatile land by Natural England and so its use for housing is contrary to paragraph 112 of the NPPF.
- Low grade agricultural land should be used before high grade agricultural land on this site.
- No information regarding agricultural land quality and impact on farm holding submitted.
- Loss agricultural land harmful to environment and future food supply.
- Loss of light.
- Loss of privacy.
- Does not protect amenity of neighbouring occupiers contrary to policy CS16.
- Proximity of proposed dwellings to existing properties.
- Public Right of Way from site to Ashlawn Road would become main route for residents to access local schools, services and facilities giving rise to extra noise and litter.
- All primary schools within Rugby oversubscribed.
- Catchment area for Ashlawn School would reduce.
- No spare capacity in existing schools.
- Ashlawn School already extended and no further space to extend more.
- Schools in Hillmorton already oversubscribed.
- Pressure on local schools.
- Paddock school already extended to meet identified need.
- No local GP surgery.
- Dental provision in area already oversubscribed.
- Unsustainable pressure on local schools and medical practices.
- Development does not propose infrastructure improvements or investment towards infrastructure needs.
- Does not take account of other developments with permission which will place demand on local services and facilities.
- New infrastructure across town required to support new development.
- Should provide financial contribution to enhance community sporting facilities and secondary drainage to pitches at Rugby Town Junior Football Club.
- Community services cannot support additional rise in population.
- Increased pressure on St Cross Hospital, health, police, fire and ambulance services.
- No emergency cover at St Cross Hospital so will put further pressure on UHCW.
- Lack of provision of local services and community facilities or investment in these contrary to policy CS13.
- No community facilities proposed.
- No public consultation event by applicant.
- Misleading, inaccurate information and errors in documentation from applicant.
- Increase risk of crime and anti-social behaviour.
- Need for gas, electricity and sewers.
- Utility firms would only meet needs required under legislation and provide bare minimum.
- Query whether mobile phone masts on site would remain or be relocated and if so where.
- Would jeopardise Council's vow to be clean, green and safe.

Residents (1) Support

- Will help local area.

Cllr Noreen New, Paddock Ward Councillor Objection

- Local roads of Hillmorton Road, Ashlawn Road and High Street severely congested at peak times with new development planned on Mast Site adding extra traffic to these roads.
- Proposed development would add more traffic and pose safety concerns especially at junctions of Barby Lane, High Street, Deerings Road and Paddock junction.
- Would exacerbate existing poor air quality on Ashlawn Road due to queuing traffic resulting in health issues to vulnerable receptors.
- Local schools oversubscribed resulting in need for further expansion when struggling to find room for development on existing sites.
- Not enough GP's or health facilities in local area to cope with extra demand from development.
- Impact on landscape means loss of amenity to local area.
- Loss of agricultural land.
- Loss of habitat for local wildlife including protected species and bats.
- Development not sustainable in this area.

Cllr Jerry Roodhouse, Paddock Ward Councillor Objection

- Does not meet NPPF.
- Not sustainable development.
- Pre-application engagement literature was misleading.
- No public engagement with residents.
- Area not well served by GP's.
- Local schools are full.
- Changes character of Barby Lane.
- Bus service is not to a quality bus route standard.
- Does not meet sustainable transport options presented in NPPF.
- Concern about Barby Lane junction with A428 with modelling not taking account of increased pressure on A428 due to expansion at DIRFT with increasing flows so further work required.

Assessment of Proposal:

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

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Strategy 2011 and Rugby Borough Local Plan Saved Policies 2009 with the relevant policies outlined below.

Rugby Borough Core Strategy 2011

| | | |
|------|-------------------------------|--|
| CS1 | Development Strategy | Does not comply (see assessment below) |
| CS10 | Developer Contributions | Complies |
| CS11 | Transport and New Development | Complies |
| CS16 | Sustainable Design | Complies |
| CS17 | Sustainable Buildings | Complies |
| CS19 | Affordable Housing | Complies |

Rugby Borough Local Plan Saved Policies 2009

| | | |
|-----|--|----------|
| GP2 | Landscaping | Complies |
| E6 | Biodiversity | Complies |
| T5 | Parking Facilities | Complies |
| H11 | Open space provision in residential developments in the urban area | Complies |
| H12 | Open space provision in residential developments in the rural area | Complies |
| LR1 | Open space standards | Complies |
| LR3 | Quality and accessibility of open space | Complies |

Guidance

Housing Needs SPD (2012)

Planning Obligations SPD (2012)

Sustainable Design and Construction SPD (2012)

Material Considerations

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG)

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

Emerging Rugby Borough Local Plan (see paragraph below)

The Council is in the process of preparing further Development Plan Documents (DPDs) which will update the Core Strategy 2011 and progressively replace the Rugby Borough Local Plan Saved Policies 2009. Consultation on the Local Plan: Development Strategy Consultation document closed in July 2014 and consultation on the Rugby Borough Local Plan Preferred Options DPD closed in February 2016. The Council currently expects to adopt this DPD by July 2017. However, as it has yet to be submitted for examination and so is subject to change, it has been afforded little weight as a material consideration.

Key Issues

1. Principle of Development, Housing Need and Housing Land Supply
2. Land Designation and Use
3. Location and Accessibility
4. Landscape Character and Appearance
5. Trees and Hedgerows
6. Heritage and Archaeology
7. Access, Parking Provision, Traffic Flows and Highway Safety
8. Public Rights of Way
9. Ecology

10. Flood Risk and Drainage
11. Air Quality
12. Noise
13. Contamination
14. Economic Growth
15. Design, Layout and Visual Amenity
16. Residential Amenity (Light, Aspect and Privacy)
17. Open Space, Landscaping and Green Infrastructure
18. Sustainable Design and Construction
19. Infrastructure and Planning Obligations
20. Previous Appeal Decision for Three Dwellings
21. Planning Balance and Sustainability of Development

1. Principle of Development, Housing Need and Housing Land Supply

Policy Position

Policy CS1 of the Core Strategy outlines a sequential settlement hierarchy which seeks to ensure that development is directed to the most sustainable locations within the Borough. In this case the application site is located within the countryside which is classified as being the fifth out of six sequentially preferable locations for development. Paragraph 2.8 of the Core Strategy indicates that this is the most unsuitable location for development and will therefore only be permitted where national policy on countryside locations allows. It then clarifies that the only variation to this approach will be 'the exceptional delivery of housing to meet a specifically identified housing need or types of development that are intrinsically appropriate to a countryside setting'.

The proposal to build up to 107 dwellings on this area of designated countryside would not comply with policy CS1 and would therefore fail to be in accordance with the Development Plan. In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 there is consequently a presumption against granting planning permission unless material considerations indicate otherwise.

In this case the main material considerations arise from the National Planning Policy Framework (NPPF) which was published by the Government in 2012 following the adoption of the Core Strategy in 2011. It is consequently considered that the NPPF carries significant weight as a material consideration in the determination of this application.

Paragraph 49 of the NPPF is particularly relevant and outlines that policies relating to the supply of housing should not be considered up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites. To this end it is clear that the effect of policy CS1 is such that it seeks to influence the supply of housing land by restricting the locations where new housing may be developed. It is consequently necessary to consider whether the Council has a five year supply of deliverable housing sites which would result in policy CS1 being out-of-date.

Housing Need and Housing Land Supply

The NPPF sets out a need to significantly boost the supply of housing and therefore requires the Council to fully and objectively assess housing need across the housing market area in co-operation with neighbouring authorities (paragraphs 47, 157 and 159). There is also a requirement for the Council to identify a deliverable five year supply of housing land to meet this identified need (paragraph 47). However, to ensure choice and competition in the market

for land, a 5% buffer is further required and this increases to 20% where there is a persistent under delivery of new homes.

It is within the context of the above that the Council has adopted a Core Strategy which includes Strategic Development Targets for new development. In relation to residential development, the Core Strategy sets out that the Council will deliver 10,800 dwellings within the Borough between 2006 and 2026 with at least 9,800 dwellings accommodated within or adjacent to Rugby Town itself. This target equates to the development of 540 dwellings per year over the plan period. However, a Housing Land Supply Position statement published by the Council in December 2015 indicates that the number of dwellings erected within the Borough to date has failed to meet this target. It therefore calculates that the Council can only demonstrate a 3.78 year housing land supply with a shortfall of 775 dwellings over five years.

Implications of a Lack of a Five Year Housing Land Supply

As previously outlined, paragraph 49 of the NPPF states that policies relating to the supply of housing should not be considered up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites. As set out above, the Council cannot. Policy CS1 relates to the supply of housing and therefore cannot be considered up-to-date due to the absence of a five year housing land supply. Paragraph 14 of the NPPF is consequently relevant and sets out a presumption in favour of sustainable development. For decision-taking it explains that this means that where the development plan is absent, silent, or as is the case here, out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF, taken as a whole, or specific policies in the NPPF indicate development should be restricted.

The effect of the above is not such that policy CS1 should be ignored or disapplied but rather that consideration should be given as to what weight it holds in the decision. In this respect policy CS1 states that new development on land designated as countryside will be resisted and only allowed where permitted by national policy. Policy CS1 is therefore only being given limited weight in the assessment of this application and full weight is being given to the content of the NPPF.

It is consequently necessary to assess the proposal within the context of the presumption in favour of sustainable development as outlined in paragraph 14 of the NPPF. In this case there are no specific policies within the NPPF which indicate that development on this site should be restricted. In order to determine whether the proposal constitutes sustainable development it is therefore necessary to consider whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The assessment below consequently sets out the Council's considerations as to whether the proposed development would be 'sustainable development'.

Benefits of Proposed Housing

It is within the context of the above that it is necessary to recognise that there is a significant need for new houses within the Borough and that there is currently not a high enough level of supply of new houses to meet that need. This is consequently a matter which in itself carries significant weight in favour of the application because it would improve the number of available homes in the Borough and thereby contribute towards resolving current housing land supply issues. In addition, the applicant has indicated that they have a positive track

record of selling sites with planning permission to developers expeditiously rather than banking the land.

It is therefore considered that this is a deliverable site and one which would make a significant and positive contribution towards meeting the identified housing need in the Borough. This is consequently a matter which must be weighed within the overall planning balance of this case. However, as the applicant is placing an element of weight for the acceptability of their proposal on the Council's lack of housing land supply, the Local Planning Authority is anxious that any approval does then subsequently result in the commencement of a development in a timely manner which can contribute to housing need in the Borough. On this basis, it is considered reasonable to reduce the time the applicant can submit reserved matters from 3 years to 18 months.

Affordable Housing Provision

Policy CS19 of the Core Strategy and the Housing Needs SPD sets out that 40% of new homes should be affordable homes on sites with an area greater than 1 hectare or capable of accommodating more than 30 dwellings. These affordable homes should be provided in a range of different sizes, types and tenures.

The applicant has consequently proposed that up to 40% of all new homes on this site would be affordable housing in compliance with this policy. This equates to 43 new affordable houses if 107 dwellings are provided. In accordance with the Housing Needs SPD, 25% of these affordable houses would be intermediate housing and 75% would be social rented housing unless otherwise agreed in writing with the Local Planning Authority. Housing Services have not raised any objection to this provision and are satisfied that it would meet the needs of those who require affordable housing in this Borough.

Taking into account the significant need for affordable housing within this area, it is considered that the provision of affordable homes on this site is a matter which weighs significantly in favour of the application.

2. Land Designation and Use

The application site is currently utilised as agricultural land. Paragraph 112 of the NPPF (and reference ID: 8-026-20140306 of the NPPG) is therefore relevant and outlines the need to consider the economic and other benefits of the best and most versatile agricultural land. It goes on to indicate that where significant development of agricultural land is demonstrated to be necessary, the Council should seek to use areas of poorer quality land in preference to that of a higher quality (see paragraph 109 of the NPPF). This higher quality land represents that which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals. In this respect agricultural land is graded on a scale of 1 to 5 where the grades are: 1 (excellent); 2 (very good); 3a (good); 3b (moderate); 4 (poor); and 5 (very poor). The best and most versatile land are classified as being grades 1 (excellent), 2 (very good) and 3a (good).

Approach to Agricultural Land

The above policy position implies that a sequential approach should be considered where poorer graded land is potentially considered in advance of higher quality land. Although no sequential assessment has been undertaken by the applicant's with regard to agricultural land, the NPPF indicates that it is for Local Planning Authorities to judge the economic and other benefits of the best and most versatile agricultural land. This is consistent with the technical note produced by Natural England entitled 'Agricultural Land Classification:

protecting the best and most versatile agricultural land' (2012). This note emphasises the importance of such land as a natural resource which is vital to sustainable development. However, it does note that decisions rest with planning authorities and that the agricultural land classification is not the sole consideration.

Agricultural Land Classification within Warwickshire and Rugby

According to Natural England's statistics, approximately 12% of land (23,692 hectares) in Warwickshire falls in grades 1 (excellent) and 2 (very good). In Rugby Borough there is no grade 1 (excellent) land but there are 4,186 hectares of grade 2 (very good) land which equates to 11.8% of land within the Borough. The figures for grade 3 (good/moderate) land provided by Natural England do not split grades 3a (good) and 3b (moderate) but indicate that approximately 75.5% of land within the Borough (26,686 hectares) is grade 3 (good/moderate) land.

Agricultural Land Classification of Application Site

In respect of the application site a Soils and Agricultural Use and Quality of Land Report (2016) has been submitted. This indicates that the majority of the site (3.5 hectares or 78%) is classified as being grade 2 (very good) agricultural land with a smaller area of the site (0.4 hectares or 9%) being grade 3b (moderate) agricultural land. The remaining area of the site (0.6 hectares or 13%) constitutes non-agricultural land. It is consequently clear that the development of the application site would result in the loss of an area of the best and most versatile agricultural land. The amount of grade 2 (very good) land which would be lost by the proposed development is indicated to be 3.5 hectares which equates to approximately 0.08% of all grade 2 (very good) land in the Borough. This loss is considered minimal but is nonetheless contrary to the approach outlined in the NPPF which prioritises the use of poorer rather than higher quality land.

Assessment of Agricultural Land Classification

The Agricultural Land Classification Map of the West Midlands Region produced by Natural England provides an overview of agricultural land quality around the urban area of Rugby town. In broad terms, the land surrounding the town to the north and west is primarily grade 3 (good/moderate) land whereas land to the south and east (with the exception of grade 4 (poor) land for the Mast site) is grade 2 (very good) land. It is consequently apparent that the proposed development would potentially not be located in the most sequentially preferable location when the quality of agricultural land is considered in isolation of other factors. However, as evidenced by the emerging Local Plan, reality dictates that other factors are such that it is highly unlikely that new housing developments would only be located on areas of poorer quality land. That being the case it is highly probable that land classified as being the best and most versatile agricultural land will need to be used to meet Rugby's needs. It would consequently be inappropriate to curtail all development on such land and consideration must therefore be given to the merits of each site. In this respect the economic and other benefits of protecting this agricultural land from development are not clear and can principally only be based on assumptions rather than evidence.

Land Designation and Use Conclusions

Overall, it must be accepted that the proposed development would result in the loss of an area of the best and most versatile agricultural land rather than lower quality agricultural land. It is within this context that it is reasonable to conclude that the permanent and irreversible loss of this land to the proposed residential development is a matter weighs against it. However, due to the limited area concerned, the availability of other best and most versatile agricultural land within the Borough, the need for housing around the urban edge of Rugby, and in the context of a housing land shortage, it is considered that only limited weight

can be afforded to the loss of this area of best and most versatile agricultural land. Nonetheless, this harm of limited weight does still weigh against the proposed development and must therefore be considered within the overall planning balance.

3. Location and Accessibility

The core planning principles outlined in paragraph 17 of the NPPF set out the need for planning to 'Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'. It also seeks to ensure that planning 'takes account of the different roles and character of different areas, promoting the vitality of our main urban areas'. The NPPF consequently seeks to promote a mix of land uses within an area to minimise journey length times (paragraphs 37, 38 and 70). A range of local services and facilities should all be within walking and cycling distances of most properties. Policy CS11 of the Core Strategy and the Planning Obligations SPD is consistent with this and promotes the use of sustainable transport modes. Further guidance on acceptable walking and cycling distances to shops, services, facilities and employment areas are outlined within Manual for Streets, Building for Life 12 and the Institute of Highways and Transportation (IHT) publication 'Guidelines for Providing Journeys on Foot' (2000).

Location

In this case the application site is located on the edge of Rugby's urban area which both the Core Strategy and emerging Local Plan makes clear is the most sustainable location for new housing. Chapters 1 and 3 of the Core Strategy explain that this is because the town is considered to be the most sustainable location within the Borough for development, providing the best access to a range of services and facilities. Significant weight is therefore given to the proximity of the site to the urban area when considering whether it is a sustainable location in geographical terms as the NPPF requires.

Accessibility by Walking

In terms of accessibility, the proposed dwellings would be within the preferred maximum Institution of Highways and Transportation (IHT) walking distances to the closest local food retail store, local centre, primary school, secondary school, college, public house, dentist and supermarket. This would consequently provide future residents with an excellent opportunity to walk to these uses rather than having to rely on the use of a private car. However, the proposed dwellings would be over preferred walking distances for a GP surgery, library, leisure centre, town centre and areas of employment. In relation to these uses it would therefore have to be accepted that residents would be more likely to rely on the use of a private car to access them.

To help mitigate this impact the applicant has agreed to provide improvements to Public Right of Way RB29 (PRoW) which runs from the northern boundary of the application site to Ashlawn Road. This is currently an unsurfaced route which is relatively narrow in places due to the limited pruning of existing vegetation. Improvements to this would therefore include the provision of a 2m wide tarmac surface with the potential for lighting and drainage to be considered at a later stage. Both WCC Highways and WCC Rights of Way have requested that these improvements are carried out and the applicant has agreed for this to be secured through a S106 Agreement. In doing this the PRoW would provide a more direct route for future residents to utilise and access the services and facilities they would require. Importantly the directness of this route would be favourable to the alternative route via Barby Lane and would consequently make walking a significantly more attractive option.

Accessibility by Cycling

Manual for Streets outlines that cycling has the potential to act as a substitute for short car trips, particularly those under 5km. In this respect all of the proposed development would be within a 5km distance of the main local services and facilities that occupants would need. However, the applicant has recognised that it is important to provide good conditions for cyclists on roads so that they are content to use this as a form of transport. At the request of WCC Highways they have therefore agreed to make a financial contribution towards cycle network improvements along Ashlawn Road between Ashlawn School and Moors Lane as set out within the Rugby Cycle Network Development Plan. This would tie in with and provide a missing link between the existing Ashlawn Road cycle scheme and proposed cycling infrastructure to be provided by the Mast Site. The applicant has agreed for this to be secured within a S106 Agreement. The provision of such improvements will consequently make cycling a safer and more attractive option for future residents.

Accessibility by Bus

The closest existing bus services to the application site can be found on Ashlawn Road where the eastbound service is between 480m and 685m away and the westbound service is between 550m and 1,005m via the PRoW and Barby Lane respectively. The closest pair of bus stops are also located on Ashlawn Road by the junction with Deerings Road 490m away via Barby Lane. These bus stops are served by regular bus services which provide access to both Rugby town centre and DIRFT. Stagecoach has subsequently considered the proposal and outlined its support for the scheme. They indicate that this is because the site is in a highly sustainable location where opportunities to utilise existing sustainable transport options can readily be taken up. Indeed, they currently operate 6 buses per hour into Rugby town along Ashlawn Road with these services due to be improved further as part of the Radio Station and DIRFT 3 commitments.

It is consequently the case that the proximity of the site to regular bus services is such that this would provide a viable form of frequent, reliable and sustainable transport for future residents. This would therefore reduce reliance on and provide a suitable alternative to the use of private cars. However, owing to the further demand for bus services arising from this development, WCC Highways has requested financial contributions towards the improvement of bus stop infrastructure at the pair of bus stops on Ashlawn Road by the junction with Deerings Road. The applicant has agreed for this to be secured within a S106 Agreement. The provision of such improvements will consequently help to assist in making bus services more attractive to future residents.

Accessibility by Train

At a longer term strategic level the applicant has recognised that there are plans for a new train station to serve Rugby. This has been given the name Rugby Parkway Station and WCC Highways has requested a financial contribution towards the development of the business case relating to this. They outline that this is required because of the growth of Rugby and the associated cumulative impact of traffic on the existing transport network arising from sites such as this application site. The provision of a new Parkway Station is therefore proposed to help alleviate this impact. However, the development of a robust business case for the project would increase the possibility of the project being funded and delivered thus providing sustainable access opportunities for existing and future residents. The applicant has consequently agreed for this to be secured within a S106 Agreement. In doing this the development would make a positive contribution in helping to ensure that the cumulative impact of this and other developments are offset.

Location and Accessibility Conclusions

It is important to recognise that the application site is located immediately adjacent to the defined Rugby Urban Area and is therefore in a sustainable location in geographical terms. In addition, future residents would be within walking and cycling distance of a number of services and facilities they would need. They would also have good access to regular bus services which would particularly provide further sustainable transport opportunities to access Rugby town centre and DIRFT employment areas. Nonetheless, it must equally be accepted that some of the services and facilities they would need would be beyond preferred maximum walking distances. The implication of this is consequently such that some harm would arise from the reliance of future residents on private cars. However, on balance, this harm is considered to be of very limited weight given the general accessibility of this location when combined with the proximity to the defined Rugby Urban Area. This is particularly the case when considering that the services and facilities that would be beyond the preferred maximum walking distances are likely to be the same as would be the case for alternative sites around the edge of Rugby. Moreover, the proposed provision of improvements to the PRow and financial contributions towards improving cycle and bus stop infrastructure would collectively help to further reduce the identified harm. Nonetheless, this harm of very limited weight does still weigh against the proposed development and must therefore be considered within the overall planning balance.

4. Landscape Character and Appearance

Two of the core planning principles outlined within paragraph 17 of the NPPF establish the need to 'Take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside' and to 'Help conserve and enhance the natural environment...land for development should prefer land of lesser environmental value'. Furthermore, paragraphs 109 and 113 of the NPPF outline the need to protect and enhance valued landscapes whilst ensuring protection is commensurate with their status and gives appropriate weight to their importance and contribution. Policy CS16 of the Core Strategy is consistent with this and requires proposals to not cause material harm to the qualities, character and amenity of the areas in which they would be situated. Policy GP2 of the Local Plan also sets out the need for proposals to retain and enhance the landscape character of an area, retain important site features and incorporate new landscape planting.

Application Site

In this case the application site comprises of 5.45 hectares of agricultural land situated on the southern edge of Rugby Urban Area. It is located off Barby Lane and immediately adjacent to existing residential dwellings on Westwood Road, allotments and Ashlawn School to the north and agricultural fields to the east, south and west. Public access across the site is currently afforded via PRow RB29 which runs from north to south across the centre of the site linking into Ashlawn Road to the north and agricultural fields to the south. It is generally open grassland with established hedgerows and mature trees present together with a farmstead. However, the proximity of the site to existing development is such that this development can clearly be seen from the site thereby having an urbanising effect upon it. Other urbanising influences include the presence of Barby Lane along the eastern boundary and Ridgeway Farm to the west.

Landscape Designation and Character

In landscape terms the application site is not covered by any formal or statutory landscape designations (for example, an Area of Outstanding Natural Beauty or National Park). However, it does fall within the Natural England 'Dunsmore and Feldon' National Character Area Profile 96 and the northern parcel of land (as described in the site description) falls

within the Warwickshire County Council 'Dunsmore, Plateau Farmlands' Landscape Character Type. The southern parcel of land (as described in the site description) falls within the Warwickshire County Council 'Dunsmore, Plateau Fringe' Landscape Character Type. In this respect the significant majority of the site (84%) and illustrated location for the proposed houses would be within the northern parcel of land. The remainder of the site (16%) and illustrated location for just the attenuation feature is within the southern parcel of land. The impact upon the 'Dunsmore, Plateau Fringe' Landscape Character Type is therefore considered to be limited given the restricted size of the site extending into this area and the type of development proposed which can be designed to appear as a natural green feature.

The 'Dunsmore, Plateau Farmlands' Landscape Character Type is defined within the Warwickshire County Council 'Landscape Assessment of the Borough of Rugby: Sensitivity and Condition Study' (2006) and associated 'Summary of Rugby Town's Urban Fringe' (2006). This area is characterised as a distinctive, gently rolling, low glacial plateau being characterised by: an 'empty' landscape of former waste with few roads and little settlement; a regular, geometric field pattern defined by closely cropped hawthorn hedges; many mature hedgerow oaks; large blocks of ancient woodland; and remnants of heathy vegetation in woodlands and roadside verges, such as birch and bracken. However, only a limited number of these characteristics are evident within the application site with this rather being restricted to fitting the descriptions of an agricultural field with regular geometric field pattern defined by hawthorn hedges with two hedgerow oaks.

The study concludes that the overall sensitivity of this broad landscape is moderate with the condition of the area varying considerably. At a more detailed level the 'Summary of Rugby Town's Urban Fringe' study indicates that the site falls within a wider area of land identified as being of moderate ecological sensitivity, moderate cultural sensitivity, low visual sensitivity and strong condition.

Landscape Value of Application Site

It is within the context of the above that the applicant has submitted a Landscape and Visual Appraisal (LVA, 2015) relating specifically to this application site. This is considered to be an important material consideration because the key characteristics and conclusions identified within the published landscape character descriptions are generally too broad to apply to the application site. As a starting point the LVA assesses the landscape value of the site. In doing this it considers landscape quality (condition), scenic quality, rarity/representativeness, recreational value and perceptual aspects/associations. It concludes that other than views out to the surrounding countryside there is little to be noted as unique or particularly valuable within the site boundaries. This is particularly so when considering that the character of the site is influenced by its location at the edge of the town with a clear perception of adjoining housing and a school rather than being classic 'open countryside'. The landscape is consequently judged within the LVA to be of medium landscape value capable of substitution. This conclusion has been accepted by the Council's Landscape Design Officer.

Notwithstanding the above, it is acknowledged that the site is valued by residents within the vicinity of the application site who are particularly concerned with the loss of 'rural character'. It is clear from the objections received that the change from open fields surrounding farm buildings to new housing is seen as inherently harmful. Whilst the core principles of the NPPF require recognition of the 'intrinsic character and beauty of the countryside' it is important to note that this is prefaced by the need to 'take account of the different roles and characters of different areas'. In this respect the policies of the NPPF do not offer blanket protection for all parts of the countryside, regardless of their quality, but rely on an assessment of harm and benefit. Protection is primarily directed to 'valued landscapes', particularly those with formal designation.

As already outlined, the application site has no formal or statutory landscape designations. Whilst the fields within the site are not unattractive in and of themselves, they are generally unremarkable in landscape quality terms as identified within the LVA. The implication of this is such that the demonstrable physical attributes which would take this site beyond mere countryside but below land which is designated do not exist. In this respect the High Court has judged that for a site to be classified as a valued landscape for the purposes of paragraph 109 of the NPPF it would need to show some demonstrable physical attribute rather than just popularity. Following assessment of the site and taking into account the findings of the LVA and comments from the Landscape Design Officer, it is considered that there are no physical attributes to make the land 'valued' for the purposes of paragraph 109 of the NPPF.

As the site is not designated and is not a 'valued landscape' it follows that paragraph 109 of the NPPF should not be applied to this development. The site should rather be viewed as an area of countryside with medium landscape value.

Impact of Development on Landscape

It is clear that the proposed development would change the character and appearance of the existing landscape in this location. Indeed, the construction of dwellings upon this land would result in the permanent and irreversible loss of green fields where no development is currently located. It would particularly result in the encroachment and extension of development into an area of countryside beyond the edge of the existing settlement boundary and defined boundaries of the Rugby Urban Area. The result of this is such that it would, to an extent, diminish the locality's semi-rural, green and open character and appearance thereby causing some harm.

In terms of the visibility of the site from surrounding locations and receptors, the LVA recognises that the site and proposed development would be visible from a number of locations to the south owing to the topography of the area. There would also be views into and across the site from the rear of properties on Westwood Road and from users and residents of Barby Lane. The PRoW through the site would be visually affected by development along its course. However, views from the east and west would be limited due to a combination established hedgerows and tree planting and the topography of the area. Equally, there are only broken views available of the site from distant footpaths due to the presence of mature field boundaries.

In view of the above the LVA outlines that the site and its immediate context are of medium susceptibility to change due to the site location on the settlement edge of Hillmorton/Paddock and its exposed position within the landform. This means that the site has the capacity to accept well planned and designed development. Although the land subject to development would change in character, the key landscape features that contribute to the landscape value would be retained and form a strong basis for assisting with the protection and enhancement of the local landscape. The proximity to existing urban influences is also such that this would reduce the perceived magnitude of change in this area.

However, in view of the site's medium landscape value, the LVA outlines proposals for significant green infrastructure together with design features to offset potential harm and reduce the impact of the proposed development. This includes the provision of 2.2 hectares (41% of the site area) being dedicated to landscaping, public open space and habitats. A central component of this would be the retention and enhancement of existing hedgerows and trees across the site. Structural planting comprising of heavy and extra heavy standard trees would also be provided along the site boundaries to screen the site from the south. In addition, a green corridor would be formed around the existing PRoW to ensure views and a

physical connection to the countryside is retained. To complement this the built development itself would be constructed from a palette of muted colours with darker hues to the roofs.

In terms of the impact on the landscape the LVA considers that there would be a negligible impact of the proposed development on the 'Dunsmore and Feldon' National Character Area and 'Dunsmore, Plateau Farmlands' Landscape Character Type. It further concludes that the proposed green infrastructure together with the relatively modest scale and nature of the proposed development is such that the landscape effects would be no greater than a moderate-adverse effect at completion. However, this would decline to a minor-adverse impact after 10 years once the proposed planting has had time to mature. It further identifies that the visual effects would be no greater than moderate-adverse where views from existing residential properties are within close proximity to the site and dropping to minor-adverse where views are more distant. There would also only be a minor-adverse impact to users of the PRoWs and roads on and within the vicinity of the site.

Impact of Development on Landscape Analysis

The Council's Landscape Design Officer has considered the conclusions of the LVA and undertaken an independent assessment of the site. He has commented that whilst the landscape in this vicinity is quite distinctive, the level of effect of the development with proposed landscaping would be moderate eventually diminishing to minor. Indeed, at a local level the most significant natural features of the site would be retained thereby assisting in the integration of the site into the wider area. Although the character of the site itself would inevitably change from an agricultural use to a residential development, there would be no significant negative impacts on the character and quality of the wider landscape.

It is particularly important to note that the proposed development would retain the existing sloping topography and would be contained within the existing field boundaries as defined by hedgerows. These hedgerows and associated hedgerow trees would largely be retained with further additional planting and areas of open space proposed. The use of landscape planting in and around the site would also assist, over time, in providing a degree of visual containment of the site and softening of the impact the built development would otherwise have. Aside from this, the development would be seen within the context of existing dwellings and other development located along this southern edge of Rugby. In this respect the proposed dwellings would relate appropriately and acceptably to the existing urban area rather than appearing as an isolated form of development in open countryside which paragraph 55 of the NPPF seeks to resist.

Landscape Character and Appearance Conclusions

It is necessary to acknowledge that the proposed development would result in the loss of green fields and would encroach into open countryside. However, the site does not benefit from any formal landscape designations and is not a 'valued landscape' for the purposes of paragraph 109 of the NPPF. At a local level the site falls within the 'Dunsmore and Feldon' National Character Area and 'Dunsmore, Plateau Farmlands' Landscape Character Type but the impact of developing the site was found to have a negligible impact upon these. Indeed, the landscape of the site itself is judged to be of medium susceptibility to change with this therefore having an ability to accommodate development. It has consequently been demonstrated that development could be accommodated on the site whilst retaining existing landscape features and providing significant new green infrastructure. Coupled with the proximity to the existing urban area it is considered that there would only be minor adverse landscape and visual effects after the proposed planting matures. On balance, it is therefore considered that the landscape and visual impact of the proposed development in this location would not be sufficiently detrimental to weigh significantly against the application.

Nonetheless, some harm of limited weight would still arise and must therefore be considered within the overall planning balance.

5. Trees and Hedgerows

Paragraph 118 of the NPPF sets out that permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Three of the core planning principles outlined within paragraph 17 of the NPPF establish the need to 'seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings', 'take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside' and to 'help conserve and enhance the natural environment'. Policy CS16 of the Core Strategy is consistent with this and requires proposals to not cause material harm to the qualities, character and amenity of the areas in which they would be situated. Policy GP2 of the Local Plan also sets out the need for proposals to retain and enhance the landscape character of an area, retain important site features and incorporate new landscape planting.

Existing Trees and Hedgerows on Site

The majority of trees on the application site are located around the site boundaries but there are also a smaller number of trees sporadically positioned around the farmstead. None of the trees on or adjacent to the site are covered by Tree Preservation Orders. An Arboricultural Impact Assessment (2016) submitted with the application includes a survey which identifies the arboricultural value of all existing trees, tree groups and hedgerows, on and adjacent to the site. The results of this indicate that out of a total of 51 individual trees 2% were high quality, 25% were moderate quality, 69% were low quality, and 4% were unsuitable for retention. The 7 tree groups were all indicated to be low quality.

A total of 1,135 linear metres of hedgerows were recorded as being of low arboricultural quality and in fair condition. These can be found around the perimeter of the site and also intersecting the northern parcel of land in one place from north to south. An Ecological Appraisal (2015) submitted with the application also identifies that five of the nine identified hedgerows are of 'moderately high to high' nature conservation value and significance for wildlife. The remaining hedgerows are classified as being of moderate value. Only one of the nine identified hedgerows was classified as being an important hedgerow under the Hedgerow Regulations 1997.

Proposed Tree and Hedgerow Planting and Removal

Although only an outline application with all but access reserved, the Arboricultural Impact Assessment indicates that no significant tree loss would be required to accommodate the proposed development. Existing trees situated around the perimeter of the site would be retained with suitable protection provided during construction. However, a small number of trees with low arboricultural value and/or in poor condition would be removed. Equally, two small sections of hedgerow would be removed to facilitate access into the site and the creation of a residential parcel. To mitigate for this loss it is proposed that new tree planting would be provided within the landscape buffer strips and public open space to enhance and increase the amount and quality of tree cover on site. New hedgerows would also be planted whilst existing hedgerows would be enhanced with additional planting.

Assessment of Impact on Trees and Hedgerows

The Council's Arboricultural Officer has assessed this report and raised no objection to the impact the proposed development would have on existing trees and hedgerows on and immediately adjacent to the site. The proposed tree and hedgerow planting is also welcomed to offset the harm of proposed losses. In respect of the site layout an illustrative layout plan has been submitted which shows that the proposed development could be accommodated on the site without causing significant and detrimental harm to existing trees. However, finer details of the layout would need to be considered at the reserved matters application stage. This would particularly be the case in relation to the Ash tree (T2) located on the northern site boundary to the rear boundary of 5 Westwood Road. This is a large, high quality tree with excellent public amenity value which will need to be carefully incorporated into the detailed layout.

Trees and Hedgerows Conclusion

It has been demonstrated that the proposed development could be accommodated on the application site without requiring the significant removal of existing trees and hedgerows. Where limited tree and hedgerow removal is indicated it is proposed to offset this by planting new trees and hedgerows. It is consequently considered that the proposed development would not have a harmful impact on existing trees and hedgerows. Moreover, the amount and quality of tree and hedgerow cover on the site would increase owing to the extent of the proposed tree and hedgerow planting with enhancement of existing hedgerows with additional planting.

6. Heritage and Archaeology

Policy CS16 of the Core Strategy sets out 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. This is consistent with section 12 and the tenth core planning principle outlined within paragraph 17 of the NPPF which sets out the need to conserve and enhance heritage assets in a manner appropriate to their significance.

Archaeological Potential

The archaeological potential of the site has been considered within an Archaeological Desk-Based Assessment (2015) and Geophysical Survey Report (2015) submitted with application. This firstly outlines that there are no designated heritage assets located on or near to the application site. In respect of non-designated heritage assets the Historic Environment Records for Warwickshire indicate the remains of ridge and furrow earthworks on the application site. The assessment also concludes that there is moderate potential for Iron Age and Roman remains of local significance on the land subject of this application.

The subsequent geophysical survey of the site did not identify any features of probable archaeological origin. However, a number of features of possible archaeological origin were identified although these may be agricultural or natural in origin. Evidence of ridge and furrow cultivation were also identified which suggests the site was used for agricultural purposes during the medieval period. Despite this there is no longer evidence of ridge and furrow earthworks on the site and this is deemed to be of no more than local archaeological significance.

WCC Archaeology has subsequently carried out an independent assessment of the submitted information and taken into account nearby evidence that suggests the potential for a Roman settlement within the vicinity of the site. Regard has also been had to the destructive impact that soil stripping for house foundations, infrastructure and landscaping would have on sub-surface archaeological deposits. Based upon this they have outlined the need for evaluative trial trenching to be undertaken prior to the submission of a reserved matters application. They have therefore raised no objection to the proposed development subject to a condition requiring an appropriate programme of further archaeological work including evaluative trial trenching.

Impact on Heritage Assets

The potential impact of the proposed development on designed and non-designated heritage assets has been considered within the Heritage Assessment (2015) submitted with the application. This firstly outlines that there are no designated heritage assets located on or within the immediate vicinity of the application site. However, there are five listed buildings and two Scheduled Monuments located within 1km of the site. Despite this it is considered that the proposed development would not have any adverse effects upon their settings or heritage significance owing to distance, intervening topography, trees, hedgerows and existing modern development. For the same reasons there would be no adverse impacts or effects on non-designated built heritage assets identified within Historic Environment Records. One exception to this the impact upon the Barby Lane bridge over the Rains Brook but in this circumstance there would still be no adverse impact of the development on the bridge's heritage significance.

In respect of the site itself the assessment notes the presence of 'a small complex of multi-phased farm buildings'. These can be sub-divided into pre-20th century buildings and 20th century buildings. It is indicated that the five surviving historic (pre-20th century) farm buildings and fragmented farmyard wall retain some local heritage value as post-enclosure farm buildings. These are therefore classified as being non-designated heritage assets with low evidential significance, low historical value, medium-low aesthetic value and low communal value. Despite this it is proposed that all of the farm buildings would be demolished to allow for the comprehensive redevelopment of the site. The assessment therefore concludes that the evidential and historical value of the buildings could be preserved through the preparation and deposition of a suitable formal record. However, the demolition of the buildings would result in the remaining small aesthetic and communal values being removed. It is consequently the case that harm of limited weight would arise from the loss of this local non-designated heritage asset.

Heritage and Archaeology Conclusions

The evidence submitted to date indicates that there is only a small potential for archaeological remains to be present on the application site. However, a condition requiring a programme of further archaeological works including evaluative trial trenching will ensure that any archaeological remains of significance are found and recorded before development commences. The potential impact of development on designated and non-designated heritage assets within the vicinity of the site has been considered and found to have no significant impact. No designated heritage assets are located on the site but some of the historic farm buildings would be categorised as non-designated heritage assets. The proposed demolition of these building would result in the small aesthetic and communal values of the buildings being removed but the evidential and historic value of these buildings could be recorded. On balance, it is considered that the low impact arising from the loss of the non-designated heritage asset would not be sufficiently detrimental to warrant refusing the application. Nonetheless, some harm of limited weight would still arise and must therefore be considered within the overall planning balance.

7. Access, Parking Provision, Traffic Flows and Highway Safety

One of the core principles outlined within paragraph 17 of the NPPF sets out the need for planning to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'. This is then further expanded upon in section 4 of the NPPF which also sets out the need to consider the suitability and safety of accesses. Paragraph 32 of the NPPF is particularly important and indicates that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. It further indicates the value of travel plans and the promotion of a mix of uses on larger residential developments (paragraphs 17, 36 and 38). Policy CS11 of the Core Strategy is consistent with this and states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. The Planning Obligations SPD expands on this and further sets out the need for transport assessments to be submitted with planning applications to assess the impact and acceptability of development proposals. Policy CS11 and policy T5 of the Local Plan also state that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD.

Proposed Site Access

This is an outline planning application to include consideration of access at this stage with all other matters reserved for consideration at a later stage. In this respect it is proposed that the development would be accessed off Barby Lane via a priority 'T' junction to the northeast corner of the application site. The Transport Assessment (TA) (2015) submitted with the application indicates that the site access would take the form of a 5.50 metre wide carriageway with 2 metre wide footways on either side. A pedestrian crossing comprised of dropped kerbs and tactile paving on both sides off the proposed access would also be provided.

The proposed access point would be located just to the south of the existing vehicular access point to the farmstead. This area is subject to the national speed limit of 60mph with a change to 30mph just to the south of the existing site access. On the northern approach to the change in speed limit from 60mph to 30mph there are traffic calming features in the form of dragon's teeth, speed limit roundel and speed limit signage. There are also speed cushions just past the north of the existing access. The result of this is such that northbound traffic slows down on the approach to the proposed site access before reaching the 30mph zone whilst southbound traffic is accelerating up after just entering the 60mph zone.

It is within this context that the visibility splays for the proposed access have been calculated based on stopping sight distances for vehicles as outlined within the national Manual for Streets 2 guidelines. This takes into account speed, lines of sight and changes in topography. Actual traffic speeds at the proposed site access were therefore recorded as being 38.4mph northbound and 38.7mph southbound. The implication of this is such that visibility splays of 2.40m by 95m to the right and 96m to the left are required. The proposed access plans show that this can be achieved by providing a safe and suitable access into the development.

A stage 1 Road Safety Audit of the proposed access arrangements was subsequently undertaken to identify any road safety problems and suggest measures to eliminate and mitigate concerns. This indicated that there were no significant problems and one recommendation to provide dropped kerbs for pedestrians has been incorporated into the proposed plans.

Although it has been demonstrated that access to the site can be safely achieved based on existing speeds, the applicant has recognised that moving the 30mph speed limit further south than its present position would help to improve the safety of the access further. This would arise because actual vehicle speeds at the site access would drop further thereby reducing the required visibility splays. The applicant has consequently agreed to finance the required change to the Traffic Regulation Order in addition to providing two new speed cushions to achieve this.

WCC Highways have carried out an independent assessment of the proposed site access and TA. They have subsequently indicated that they are satisfied that the proposed site access would be able to operate in a safe and efficient manner without being detrimental to highway safety. However, they have requested a condition requiring the provision of the proposed speed cushions in addition to a requirement on the applicant to pay the costs involved in changing the Traffic Regulation Order which the applicant has agreed to. It is consequently considered that the proposed access would provide a suitable and safe access to the development proposed.

Proposed Parking Provision

The explanatory text accompanying policy T5 sets out that the availability of car parking can influence people's transport decisions and that an excessive increase in car parking can reinforce car dependency. Equally, the guidance on parking standards within the Planning Obligations SPD sets out that the Council will seek well designed parking solutions that will accommodate the likely level of car ownership in any given area and reduce the level of on street parking.

As this is an outline application the provision of parking on the site would only be considered at the detailed reserved matters stage. However, the TA indicates that parking would be provided in accordance with the Council's standards in the Planning Obligations SPD.

Findings of Transport Assessment on Traffic Flows

The TA submitted with this application provides an assessment of existing traffic levels within the local highway network and sets out the impact that would arise from the vehicular trips generated by the proposed development. The scope of this was agreed with WCC Highways who have accepted that the methodology, data and modelling used provides a robust basis for assessment.

In order to understand the existing traffic situation the TA draws on the findings of manual turning count, queue length and speed surveys in addition to site visit observations.

The TA then establishes a baseline for future traffic flows without the proposed development. This is based upon committed developments with permission and five years of forecast traffic growth using the Government's trip end model (TEMPRO). This consequently takes into account traffic from development on the Mast Site and Ridgeway Farm. A national database (TRICS) was then used to estimate the likely amount of traffic that would be generated by 110 dwellings (being the amount of development originally proposed). This indicates that 110 dwellings could be expected to generate 62 trips in the AM peak (16 arrivals and 46 departures) and 69 trips in the PM peak (45 arrivals and 24 departures).

Traffic modelling has been used to calculate how the additional trips would be distributed on the highway network. The outcome of this is such that 46% of the trips would be to the northwest along the A428 Hillmorton Road, 24% would be to the east along the A428 Ashlawn Road and 23% would be to the west along Ashlawn Road. This equates to 93% of the trips being northbound along Barby Lane and then dispersing as detailed above with 7% of trips going southbound along Barby Lane.

Based upon the above data the TA compares expected traffic flows within the surrounding area with and without the proposed development. It identifies that the greatest impact would be at the junction of Barby Lane with Ashlawn Road where the proposed development would result in a 3.2% (AM peak) and 3.6% (PM peak) increase in traffic flows. It would also result in a 2.2% (AM peak) and 2.4% (PM peak) increase in traffic flows at the junction of Hillmorton Road with Ashlawn Road.

Industry standard traffic modelling (Picady) was then used to determine the capacity of these junctions. This indicated that the junction of Barby Lane with Ashlawn Road would continue to operate with spare capacity with traffic growth, committed development and development traffic all accounted for. However, the junction of Hillmorton Road with Ashlawn Road is shown to currently be operating at and over capacity resulting in traffic queuing. Traffic from the proposed development would therefore add a further 2% more traffic to this junction. Although this would add to the existing queuing issues, the relatively small increase cannot be said to have a material and severe adverse impact on the junction above what already occurs.

Further to the above, it is necessary to take into account that the junction of Hillmorton Road with Ashlawn Road will be signalised in due course. This improvement will be provided in full as part of the approved development at the Mast Site. Industry standard traffic modelling (LinSig) has been used to determine that the signalisation of this junction would offer considerable capacity improvements with close to 30% spare capacity remaining. The proposed development would therefore comfortably be accommodated within the spare capacity that would be available.

Impact on Highway Safety and Traffic Flows

WCC Highways have carried out an independent assessment of the TA and are satisfied that this offers a robust and sound basis upon which to judge the impact of the development on traffic flows. In respect of the impact on the local highway network they have therefore accepted that whilst there would be an increase in queue lengths in the morning and evening peak hours, any such residual traffic impact from the development would not be severe and would not result in any justifiable need for mitigation. Indeed, the impact of the traffic generated by the proposed development would not lead to a material change in traffic conditions.

In relation to the junction of Hillmorton Road with Ashlawn Road they concluded that the direct impact of the proposed development alone would not be to such a level so as to require the developer to implement signalisation of the junction. This is particularly so given that the signalisation will be delivered by development on the Mast Site.

However, in order to try and encourage further reductions in car usage, they consider that the development should fund improvements towards sustainable transport facilities in the area. The applicant has therefore agreed to enter into a S106 Agreement to secure contributions towards PRow improvements, pedestrian crossing facilities on Barby Lane, bus stop infrastructure, Rugby Parkway Station business case, cycle network improvements and sustainable welcome packs. Such improvements would reduce the potential number of vehicular movements through junctions within the local highway network thereby lowering the impact it would otherwise have.

WCC Highways has subsequently accepted that the proposed development would not have a detrimental and severe impact upon the efficient operation of the local highway network. Their response is consequently one of no objection subject to conditions and financial contributions.

Aside from the impact on the local highway network, Northamptonshire Highways has considered the proposal and raised no objection to the potential impact on the highway network within their County. Highways England has also carried out an independent assessment of the TA in relation to the impact of this development on the strategic road network and raised no objection to this.

As previously indicated, paragraph 32 of the NPPF outlines that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. In this case it has been demonstrated that the residual cumulative impacts of the proposed development would not be severe. The impact on highway safety and traffic flows is consequently considered to be acceptable.

Objections from Residents

Notwithstanding the comments from WCC Highways, Northamptonshire Highways and Highways England, it is acknowledged that a number of the objections raise concerns based upon personal experience and local knowledge of the road network. There are particular concerns in relation to the impact on key junctions and parking along Barby Lane associated with school opening and closing times.

In relation to concerns about queuing traffic around key junctions there is no dispute that there are existing queues during both morning and evening peaks. This is particularly so around the junction of Barby Lane with Ashlawn Road and the junction of Hillmorton Road with Ashlawn Road. Nevertheless, the impact upon these junctions has been thoroughly assessed. Whilst it is accepted that the proposed development would result in an increase in queuing at these junctions, it has been demonstrated that this would not be to a severe extent.

Further concerns have been raised regarding on-street parking along Barby Lane during opening and closing times at Ashlawn School. It is accepted and has been observed that parking does occur both along the road and on highway verges at such times. The effect of this can, at times, be such that this effectively makes Barby Lane a single carriageway in places with vehicles needing to wait behind parked cars for oncoming traffic to clear before proceeding. At times this can result in vehicles mounting the kerb or highway verge to manoeuvre along the road. The upshot of this is such that the parking can cause a degree of conflict between vehicles, pedestrians and local residents. There is consequently concern that the extra traffic from this development would exacerbate these existing problems as more vehicles will traverse through this section of Barby Lane. This also raises fear that there could be an accident.

In respect of the above it is necessary to note that the current problems being experienced relate to an existing situation. There are currently no specific restrictions preventing parking along this section of Barby Lane. In broad terms it is also not an offence to park on the highway providing it does not cause an obstruction to the footway or any points of access such as a dropped kerb. The parking of vehicles in this location can consequently occur in a legitimate manner and the police have powers to deal with any parking in contravention of this. Moreover, the problems experienced are limited to two relatively short periods of time each day rather than being a systemic problem at all hours of the day. It is within this context of this existing situation that the projected vehicular movements from the proposed development along Barby Lane, even at the highest morning and evening peaks, would not be to such a level so as to significantly and severely exacerbate existing problems to the extent that they would become detrimentally worse. Indeed, it is important to note that WCC Highways did not raise any concerns or objection in respect of this matter.

Access, Parking Provision, Traffic Flows and Highway Safety Conclusions

It is proposed that the site would be accessed off Barby Lane via a priority 'T' junction to the northeast corner of the application site. It has been found that this would be able to operate in a safe and efficient manner without causing detrimental harm to highway safety. The TA has then considered the impact of traffic flows to and from this proposed access on the local highway network. It consequently looks at the impact on key junctions with and without the proposed development to determine what the impact would be and whether this would lead to any capacity issues. The impact to all junctions was found to be acceptable although it was acknowledged that there was an existing capacity issue at the junction of Hillmorton Road with Ashlawn Road which causes queuing during peak times. However, it was calculated that the proposed development would only result in a 2% increase in traffic through the junction. WCC Highways has therefore accepted that this would not be severe enough to warrant mitigation, particularly given that development on the Mast Site will fund the signalisation of this junction in time. It has therefore been demonstrated that the impact on the local highway network would not be severe in terms of safety or capacity.

8. Public Rights of Way

The NPPF establishes the need for planning to protect and enhance public rights of way and access (paragraph 75).

In this case there is one Public Right of Way (RB29) which runs across the centre of the application site from the northern to southern boundary. As this is an outline application, matters relating to the layout will only be considered at a later date when a reserved matters application is submitted. It is only at this time that the full impact of the proposed development on the PRow can be assessed. Notwithstanding this, it is noted that the Design and Access Statement indicates that the PRow would be retained along its existing line with a green corridor created around this. An illustrative layout plan has also been submitted to demonstrate that the proposed development could be designed and accommodated on the site without having a detrimental impact upon the PRow.

WCC Rights of Way Team have considered the application and raised no objection to the proposed development. However, they have requested that advisory notes concerning the PRow are included on the decision notice should permission be forthcoming. A planning condition requiring details of the surfacing and maintenance of the PRow would also be necessary to ensure that the treatment of this is acceptable.

The PRow running across the site also extends beyond the northern boundary of the site inbetween Ashlawn School and Hillmorton Allotments and terminates at the footway on Ashlawn Road. This currently takes the form of an unsurfaced path with mature tree and hedgerow planting to the allotment side and fencing along the school side. As already outlined, the applicant has agreed to provide improvements to this section of the PRow. Improvements to this would therefore include the provision of a 2 metre wide tarmac surface with the potential for lighting and drainage to be considered at a later stage. Both WCC Highways and WCC Rights of Way have requested that these improvements are carried out and the applicant has agreed for this to be secured through a S106 Agreement. In doing this the PRow would provide a more direct route for future residents to utilise and access the services and facilities they would require. Importantly the directness of this route would be favourable to the alternative route via Barby Lane and would consequently make walking a significantly more attractive option.

9. Ecology

Policy E6 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. In addition, policy CS14 of the Core Strategy requires proposals to protect, restore and enhance green infrastructure assets within the defined Strategic Green Infrastructure Network. These policies are consistent with one of the core planning principles outlined within paragraph 17 of the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraphs 109, 113, 114, 117 and 118). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

It is within the context of the above that the applicant has submitted an Ecological Appraisal 2016 based on an Extended Phase 1 Habitat Survey and protected species surveys for bats and great crested newts. A detailed Bat Survey Report (2016), Biodiversity Impact Assessment (2016) and Biodiversity Enhancements Plan (2016) have also been submitted.

Impact on Statutory and Non-Statutory Ecological Sites

No sites of International Importance were identified within 10km of the application site. However, the Ashlawn Railway Cutting Local Nature Reserve (LNR) is located 0.81km west of the site boundary. Kilsby Lane Meadow Local Wildlife Site and Old Cross Fields Potential Local Wildlife Site are also located 0.90km and 0.48km east and west of the site boundary respectively. The proposed development could result in a slight increase in visitors to these statutory and non-statutory sites but this is unlikely to be significant. Any additional impact would therefore be minimal and would not result in detrimental and adverse impacts occurring.

Habitats

The appraisal identifies that there are a limited habitats located on the application site which include poor semi-improved grassland, improved grassland, hedgerows, mature trees, dry ditch and farm complex.

The proposed development would result in the loss of the existing grassland but these are common and widespread species. The loss of this would therefore not adversely affect the local nature conservation value and will be compensated for in any event through the provision of species-rich grassland within the proposed on-site open space.

A total of 1,135 linear metres of hedgerows were recorded and categorised as forming nine distinct hedgerow groups. All of these hedgerows are classified as being habitats of principal importance and provide connectivity, foraging and nesting habitat for local wildlife. The mature trees on the site provide potential habitats for invertebrates, nesting birds and other local wildlife in addition to providing structural diversity and continuity of habitat.

As this is an outline application, matters relating to the layout and landscaping will only be considered at a later date when a reserved matters application is submitted. However, access is a matter which is being considered at this stage and the plans show that a small section of hedgerow (H6) along the eastern boundary would need to be removed to facilitate this. The illustrative layout plan also shows that a small section of hedgerow (H7) would need to be removed to allow for access and the creation of a residential parcel. This illustrative plan also demonstrates that the remaining hedgerows could be retained and protected within the proposed

development. Furthermore, the majority of the trees would be retained but a small number of trees with low arboricultural value and/or in poor condition would be removed.

To mitigate for the identified loss in habitat it is proposed that new hedgerows would be planted whilst existing hedgerows would be enhanced with additional planting. It is also proposed that new tree planting would be provided within the landscape buffer strips and public open space to enhance and increase the amount and quality of tree cover on site. In addition, the appraisal indicates that the proposed attenuation basin would be designed in consultation with an ecologist as a pond to provide ecological benefits. Nesting and rooting features for birds and bats would also be provided.

A Biodiversity Impact Assessment has subsequently been submitted to quantify the value of the existing habitats and establish what impact there would be from the loss of those habitats as a result of the proposed development. This was then compared with the post-development habitat values which were derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. The assessment therefore concluded that there would be a 1.8% biodiversity impact loss arising from the proposed development. However, the proposed hedgerow planting and enhancement is such that there would be a linear biodiversity gain.

WCC Ecology has considered all of the above and reasoned that there would be sufficient scope for the detailed design of the scheme to mitigate for the very slight biodiversity impact loss of 1.8%. They consequently do not object to the proposed development in regard to the impact on habitats subject to conditions requiring the submission of: a tree and hedgerow retention and protection plan; construction and ecological management plan; and Landscape and Ecological Management Plan. This position is also supported by Warwickshire Wildlife Trust whilst Natural England has responded to confirm that they do not wish to comment on the application.

Protected and Priority Species

In relation to protected and priority species, the appraisal draws on data records and surveys which indicate that the development has the potential to have an impact on bats, great crested newts, badgers, birds and reptiles. However, WCC Ecology are satisfied that the potential impact to these species could be mitigated against through the planning conditions listed above in addition to a sensitive lighting scheme. Again, this position is supported by Warwickshire Wildlife Trust whilst Natural England have responded to confirm that they do not wish to comment on the application.

Ecology Conclusions

It has been found that the findings of the appraisal, surveys and assessment are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The diversity and value of existing habitats on site is currently limited. Nonetheless, the proposed development would still require the loss of some habitats whilst still allowing for the significant retention of trees and hedgerows. It is consequently proposed that any loss would be mitigated for and biodiversity enhanced through proposed habitat creation and enhancement on-site. In turn this would ensure that the habitats available for protected and priority species would not be lost. Equally, the potential impact on these species could be mitigated against through the use of planning conditions. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring that biodiversity is enhanced.

10. Flood Risk and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 100-103). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Policy CS16 of the Core Strategy and policy GP2 of the Local Plan are consistent with this and set out that sustainable drainage systems (SUDS) should be proportionality incorporated into new development where practical.

Flood Risk

The Flood Risk Assessment (FRA) (2015) and FRA Supplement – Greenfield Runoff Rates (2016) confirm that the application site falls within flood zone 1 (low risk) and therefore passes the requirements of the sequential and exception tests outlined within the NPPF. It also outlines that there would be no increase in flood risk from the land whilst the risks from sewers/drainage and groundwater/land drainage need to be considered more fully.

Surface Water Drainage

In respect of surface water drainage, the FRA considers the impact of ground conditions, topography and layout upon this. It concludes that the use of infiltration based drainage solutions would be limited by the gradient of the existing topography despite suitable ground conditions. Nevertheless, it indicates that the feasibility of some infiltration based drainage would need to be considered at the detailed reserved matters application stage. In addition to this it is proposed that an adoptable piped system outfalling into an attenuation pond would be provided within the southern parcel of land. It has been demonstrated that this would be able to attenuate flows up to and including 1 in 100 year plus 30% for climate change rainfall event. Such a system would consequently contain water within the site boundaries and limit discharge rates to that of existing greenfield runoff rates into the existing ditch system to which runoff already flows. This would therefore ensure that flood risk off the development site would not increase.

WCC Flood Risk Management has carried out an independent assessment of the FRA and raised no objection to this subject to a condition requiring the submission of a detailed surface water drainage scheme. This would also require the submission of detailed design plans and future maintenance proposals. The response from STW further supports this position whilst the Environment Agency has responded to confirm that they do not wish to comment on the application.

Foul Sewage

The Foul Drainage Analysis (2015) submitted with the application identifies that the nearest foul water sewer system to the site is located within the highway at the junction of Westwood Road and Barby Lane. The foul sewage design scheme will be prepared at the detailed reserved matters application stage but it is considered that the development would be unlikely to be able to utilise gravity sewers. It is therefore proposed that an onsite sewage pumping station would be required along the southern site boundary to receive foul flows from the development. Foul flows would then be directed to the public sewer on Barby Lane via a rising main (a pipe under pressure). STW has confirmed that the public foul sewerage system has sufficient capacity to accommodate the new foul flows that would be generated by the proposed development. In any event, under the Water Industry Act the applicant has the right to connect to public sewers with STW being liable to provide any necessary upgrades to enable this. The response received from STW is ultimately one of no objection subject to the submission of drainage plans for the disposal of foul sewage.

Flood Risk and Drainage Conclusions

It has been found that the findings of the FRA and Foul Drainage Analysis are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. In the first instance it has been established that the proposed development would be located in a low risk flood zone and would therefore not be susceptible to flooding. Surface water drainage will principally be dealt with through the use of an adoptable piped system outfalling into an attenuation pond in addition to potential infiltration based drainage. This would ensure that the proposed development would not increase flood risk off site whilst ensuring that the development itself would not be at risk from surface and ground water flooding. Aside from this, it has been demonstrated that foul sewage could be drained from the site via a sewage pumping station which would direct foul flows to the public sewer on Barby Lane. It is consequently considered that the proposed development would not have an adverse impact upon flood risk and drainage.

11. Air Quality

The NPPF establishes the need to consider whether the proposed development would result in unacceptable levels of air quality to the detriment of new or existing development (paragraph 109). It further outlines a requirement to consider the impact on Air Quality Management Areas (AQMA) and the cumulative impacts on this (paragraph 124). This is consistent with policy CS10 of the Core Strategy and the Air Quality section of the Planning Obligations SPD which set out the need to ensure that new development does not result in a significant increase in the production of air quality pollutants.

Air Quality Management Area

The application site falls within the Rugby Air Quality Management Area (AQMA) which has been designated due to an excess of nitrogen dioxide primarily related to traffic congestion near the centre of Rugby and Dunchurch. An Air Quality Assessment (2016) has therefore been submitted with the application. This outlines the potential impacts of the additional vehicular traffic generated that would be generated by the proposed development. Air pollutant levels are considered at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. The assessment subsequently concludes that the proposed development would have a negligible impact on existing sensitive receptor locations. Environmental Health and WCC Highways have considered this and responded to indicate that they have no objections to the modelling carried out and the impact of this development on air quality.

Dust and Fine Particulate Emissions

Aside from the above, the Air Quality Assessment also identifies the potential for construction activities to give rise to dust and fine particulate emissions. It therefore outlines the need for mitigation measures to be implemented to substantially reduce the potential impact on surrounding residential receptors. Environmental Health are in agreement with this and have therefore requested a condition requiring the submission of a Construction Environmental Management Plan. This would need to include details of how and what specific dust, noise and vibration mitigation measures will be incorporated into the proposed development to prevent off site migration of dust, mud and debris impacting on receptors and the local highway network.

Air Quality Conclusions

It has been found that the findings of the Air Quality Assessment are acceptable and form a robust basis for considering the air quality impacts arising from the proposed development. In respect of the impact upon the Rugby AQMA it is acknowledged that the additional vehicular traffic would have a negligible impact on existing sensitive receptor locations. The potential for dust and fine particulate emissions arising from construction activities could be reduced through mitigation measures to be provided by condition. It is consequently considered that the proposed development would not have an adverse impact upon air quality.

12. Noise

Paragraph 123 of the NPPF outlines the need to consider the impact of noise resulting from new development on health, quality of life and areas of tranquillity. It also indicates the need to consider measures, including the use of conditions, to minimise noise and mitigate against the impact from it. Paragraph 17 of the NPPF and policy CS16 of the Core Strategy is consistent with this in outlining that planning should seek a good standard of amenity for all existing and future occupants of land and buildings.

Impact of Noise to Proposed Development

The submitted Noise Screening Report 2015 considers the impact of noise from road traffic along Barby Lane and activities at Ashlawn School on the residential amenity of future occupants. In respect of noise from road traffic it is indicated that mitigation may be required to achieve internal maximum noise limits at night. Noise from Ashlawn School could be controlled through the use of local mitigation. It is consequently indicated that a full noise assessment would be submitted at the detailed design stage when the layout of properties is known.

Impact of Noise to Existing Dwellings

The report indicates that the increase in local road traffic arising from the proposed development may result in a small increase in noise at existing residential properties. However, it is considered that this is not likely to result in a perceptible change in noise levels and should therefore not be a determining factor.

Assessment of Noise

Environmental Health has carried out an independent assessment of the noise screening report and raised no objection to this subject to a condition requiring the submission of a full noise survey and assessment prior to the commencement of development. They have particularly indicated that this would need to take into account noise emitted from activities linked to Ashlawn School and road traffic noise

Environmental Health has further identified the potential for noise to arise from the demolition of the existing buildings on the site and construction activities associated with the proposed development. They have consequently requested conditions restricting the days and times demolition and construction activities can take place. This could therefore be incorporated into a condition requiring the submission of a Construction Environmental Management Plan.

Noise Conclusions

It has been found that potential noise from road traffic and Ashlawn School has the potential to impact upon the residential amenity of future occupiers. A noise assessment including mitigation measures would consequently need to be submitted to ensure detrimental harm does not arise. In respect of existing properties it is considered that the noise from additional road traffic arising from the development would not be readily perceptible thereby causing no detrimental harm. The impact of demolition and construction noise on these properties can also be limited to appropriate days and hours to ensure that harm from this does not occur.

13. Contamination

The NPPF sets out the need to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 109, 120 and 121).

The submitted Phase 1 Geo-environmental Assessment 2015 reviews source material and the existing setting of the site. It concludes that there is only a low risk of contamination and that the site would not be designated as contaminated land under the Environmental Protection Act 1990.

Environmental Health has subsequently considered the assessment and acceptability of the proposed development in relation to potential contamination issues at the site. Their response is one of no objection subject to a condition requiring the submission of an investigation and risk assessment including a remediation scheme and measures to report unexpected contamination found on the site. It is therefore considered that this would ensure that contaminated land does not affect the health of the future occupiers of the proposed development.

14. Economic Growth

Section 1 of the NPPF highlights the need for the planning system to support sustainable economic growth with notable references to job creation and prosperity. In view of this, a Socio-Economic Sustainability Statement (2016) has been submitted with the application. This supports the accepted view that the proposed development would result in: money being invested in construction on the site; construction and associated in-direct jobs being supported; potential new construction employment opportunities; increase in Gross Value Added; new household spending in the Borough; potential new jobs within the Borough; an increase in the viability of local retail uses, services and businesses; an increase in the viability of existing public services; and additional Council Tax revenue. Such matters would have a positive impact on the local economy and prosperity of the Borough.

Notwithstanding the above, it is recognised that the benefits arising from this proposed development would not be unique. Indeed, the same benefits would arise if development was carried out at other locations on the edge of Rugby town. However, not enough homes are being constructed within the Borough to meet identified housing needs and these potential benefits are therefore not being realised. In such circumstances, the availability of any site that could contribute to house building and economic development, in the short term, should attract significant weight.

The proposed development would also result in the payment of the New Homes Bonus. However, in accordance with the Town and Country Planning Act 1990 (as amended) and NPPG it is considered that whilst the Bonus is a material planning consideration, it is not one to which positive weight can be attached and viewed as a benefit of the proposal.

15. Design, Layout and Visual Amenity

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

Illustrative Design and Layout

As this is an outline application, details of the appearance, landscaping, layout and scale of the proposed dwellings have not been submitted at this stage. However, a Framework Masterplan, Illustrative Layout Plan and 3D Birds Eye View Plan has been submitted showing how the proposed development could be provided on site. This is further supported by a Design and Access Statement which includes design principles to help inform and guide the preparation of detailed plans at a later stage.

The plans and statement collectively show how up to 107 dwellings could be laid out on the application site. However, it is important to acknowledge that the plans should only be viewed as one iteration of how the site can be developed. Equally, the proposal is for ‘up to’ 107 dwellings which means thereby providing a degree of flexibility in that less dwellings could actually be built if this was found to be justified. There is consequently inherent scope for layout to be adjusted at the reserved matters application stage.

With the above said, the illustrative layout plan and design and access statement helps to provide a broad overview as to whether an acceptable design and layout could be achieved. An assessment of the proposals has subsequently been undertaken in accordance with the Government endorsed Building for Life 12 criteria. This has enabled consideration of how the proposed development would integrate into the existing neighbourhood, create place and provide suitable streets and homes.

Integration with the Existing Neighbourhood

In relation to integration with the existing neighbourhood it is proposed that the vehicular access to the site would only be achieved via a single access point onto Barby Lane. The location and size of the application site is then such that it would create an entirely self-contained development with no vehicular connections into the wider neighbourhood. However, the existing PRoW through the centre of the site would be retained along its current alignment and enhanced to create a green corridor. This PRoW link provides pedestrian and cycle access onto Ashlawn Road to the north and open countryside to the south. The highway footway along Barby Lane would also extend down to the proposed site access thereby creating further links with the existing surroundings.

The proposed pedestrian and cycle connections would help to ensure that the development would integrate with the existing neighbourhood surrounding it. These proposed connections would further help to increase the accessibility of the development in relation to the facilities and services future occupants would need. Broader considerations relating to the accessibility and capacity of existing facilities and services, public transport and meeting local housing requirements have been considered in other sections of this report. The effect of the above is such that the proposed development could, on balance, integrate sufficiently well with the existing neighbourhood.

Creating Place

In relation to creating place it is considered that the size and location of the proposed development is such that it would be able to create its own distinct character. However, it has been demonstrated that a scheme could be designed to take account of a number of site constraints including the position of the single site access point, topography, existing hedgerows and trees, PRow through the centre of the site, sensitive boundaries with neighbours and general landscape sensitivities. It would achieve this by ensuring that dwellings would be located within development blocks which correspond with the landscape. A central component of this would be the positioning of urban development towards the north of the site and providing public open space, green infrastructure and an attenuation pond towards the southern boundary. In addition, existing trees and hedgerows would be retained with new planting also provided to create a significant area of green infrastructure. The scale of development is indicated to be no greater than two storeys in height. A simple street hierarchy would be utilised consisting of a primary main street running from east to west with secondary streets running of this from north to south and then terminating in small lanes and private drives. The effect of the above is such that the proposed development could, on balance, create a place with a good character and appearance.

Suitable Streets and Homes

In relation to providing suitable streets and homes it is proposed to utilise primary and secondary roads to distinguish between the main vehicular distributor road and more pedestrian friendly roads to local housing. At a more specific level the proposed dwellings around the streets would be able to offer good natural surveillance opportunities over the streets, PRow and public open space. Design features listed within the Design and Access Statement have the potential to further contribute to the creation of streets which have a degree of visual interest whilst providing a suitable mix of parking treatments. In addition, public open space and a play area for children would be provided within the development in a clearly defined area. The effect of this is such that public spaces would be readily distinguishable from private spaces. External storage space for bins and recycling would need to be carefully considered to ensure these are located to the rear of properties and out of intrusive public views. The effect of the above is such that the proposed development could, on balance, provide suitable streets and homes.

Visual Amenity Conclusions

Overall, it is considered that the proposed development could be designed to satisfactorily integrate into the existing neighbourhood, create place and provide suitable streets and homes. Indeed, the illustrative layout plan provides the required level of comfort in this stage of the planning process that an acceptable design and layout could be achieved. There is also sufficient flexibility within the scheme to reduce the number of dwellings if necessary to achieve an acceptable layout. It is within this context that it is considered that the impact of the proposed development on visual amenity would be acceptable.

16. Residential Amenity (Light, Aspect and Privacy)

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new houses. Paragraph 17 of the NPPF is also

relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

Existing Properties

The closest dwellings to the application site are located to the south of Westwood Road. Eight of these dwellings have elevations containing primary windows to habitable rooms facing towards the proposed development area. The rear elevation of 1 Westwood Road is the closest to the application site at a distance of approximately 11 metres to the site boundary at the closest point. The private gardens to each of these properties also adjoin the northern boundary of the site. The proposed development on the application site consequently has the potential to have an impact upon the residential amenity of these existing properties.

Impact to Existing Properties

As this is an outline application, details of the appearance, landscaping, layout and scale of the proposed dwellings have not been submitted at this stage. However, a Framework Masterplan, Illustrative Layout Plan and 3D Birds Eye View Plan has been submitted showing how the proposed development could be provided on site. This is further supported by a Design and Access Statement which includes design principles to help inform and guide the preparation of detailed plans at a later stage.

The plans and statement collectively show how up to 107 dwellings could be laid out on the application site. However, it is important to acknowledge that the plans should only be viewed as one iteration of how the site can be developed. Equally, the proposal is for 'up to' 107 dwellings which means thereby providing a degree of flexibility in that less dwellings could actually be built if this was found to be justified. There is consequently inherent scope for layout to be adjusted at the reserved matters application stage.

With the above said, the illustrative layout plan and design and access statement helps to provide a broad overview as to whether an acceptable level of residential amenity could be achieved between existing and proposed dwellings. In this respect it is considered that the illustrative plans provide confidence that dwellings could be laid out on the site without giving rising to significant and detrimental impacts on the light, aspect and privacy to existing properties on Westwood Road. The actual impact to these properties would be considered at the detailed reserved matters application stage.

Residential Amenity (Light, Aspect and Privacy) Conclusions

It is considered that the proposed development could be designed so as to ensure that it would not have a significant and detrimental impact upon the residential amenity of existing properties.

17. Open Space, Landscaping and Green Infrastructure

Policies H11, H12 and LR1 of the Local Plan require proposals for new residential development of the size proposed to provide appropriate play and open space on site in accordance with the Council's Open Space Standards. Policy LR3 relates to this and sets out the need for new open space provision to be of a high quality and accessible. Further guidance is outlined within the Council's Planning Obligations SPD which recognises that financial contributions may be appropriate to allow off site provision to be provided or improved in a suitably accessible location where these elements cannot be provided on site.

On-Site Open Space, Landscaping and Green Infrastructure

Following discussions with the Parks and Grounds Manager and assessing existing surpluses and deficits of open space in this part of town, together with what is judged to be reasonable, it was considered that an element of on-site provision and financial contributions for off-site provision should be made. As this is an outline application, details of the appearance, landscaping, layout and scale of the proposed dwellings have not been submitted at this stage. However, a Framework Masterplan, Illustrative Layout Plan and 3D Birds Eye View Plan has been submitted showing how the proposed development could be provided on site. This is further supported by a Design and Access Statement and Landscape and Visual Appraisal which includes design and landscaping principles to help inform and guide the preparation of detailed plans at a later stage.

The plans, statement and appraisal collectively show how up to 107 dwellings could be laid out on the application site. However, it is important to acknowledge that the plans should only be viewed as one iteration of how the site can be developed. Equally, the proposal is for 'up to' 107 dwellings which means thereby providing a degree of flexibility in that less dwellings could actually be built if this was found to be justified. There is consequently inherent scope for layout to be adjusted at the reserved matters application stage.

With the above said, the plans, statement and appraisal indicate the minimum amount and nature of different types of public open space and green infrastructure that would be required on the site. In particular, it is indicated that the proposed development would provide a minimum of 2.22ha of public open space and green infrastructure. This would include a large area of amenity greenspace (0.99ha), green corridor (0.23ha), natural and semi-natural greenspace (0.9ha), attenuation basin (0.013ha) and Locally Equipped Area of Play. This would be secured within a S106 Agreement.

Financial Contributions for Off-Site Provision

Aside from the on-site provision it is acknowledged that the size of the development and application site is such that it would not be possible or desirable for all of the required types of open space to be provided on-site. The applicant has consequently agreed to make financial contributions for off-site provision towards Parks and Gardens and Natural and Semi-Natural Space.

In relation to Parks and Grounds, the applicant has agreed to provide a financial contribution to pay for the replacement of the existing pavilion at Hillmorton (Featherbed) Recreation Ground. This would be secured within a S106 Agreement. The Parks and Grounds Manager has indicated that the existing pavilion including changing facilities has been condemned and is therefore closed. It is particularly noted that this building contains asbestos and potential repairs would consequently not be cost effective. However, Hillmorton Recreation Ground is home to Hillmorton Wanderers FC who are in need of a pavilion and associated changing facilities. The need for a new sports pavilion is highlighted in the Council's Playing Pitch Strategy as a priority for this area and is supported by Sport England.

The proximity of Hillmorton Recreation Ground (with associated sports pitches) to the application site is such that future occupants of the proposed dwellings are highly likely to use this space. However, the quality of this space is currently below standard owing to the lack of the sports pavilion. Additional demand would place further pressure on this space and the need for it to be of a high standard and with all the facilities residents would need and expect. The financial contribution to pay for the replacement of the existing pavilion would therefore offset the additional pressure and needs arising from future occupants on this space. However, it would also provide a significant benefit to the existing local community who would also benefit from and use the new pavilion. Indeed, if the

development does not go ahead and provide this contribution then it is unclear as to how the new pavilion would be funded. The existing deficiency and need would consequently remain.

In relation to Natural and Semi-Natural Space, the applicant has agreed to provide a financial contribution to contribute towards the development and enhancement of the Diamond Jubilee Wood. This would be secured within a S106 Agreement.

Open Space, Landscaping and Green Infrastructure Conclusions

Following an assessment of existing surpluses and deficits of open space in this part of town, together with what is judged to be reasonable, it has been considered that an element of on-site provision and financial contributions for off-site provision should be made. On-site provision would include a minimum of 2.22ha of public open space and green infrastructure. Financial contributions would enable funding of a replacement pavilion at Hillmorton (Featherbed) Recreation Ground and development and enhancement of the Diamond Jubilee Wood. The proposed play and open space on-site together with contributions to improve existing off-site provision would consequently be acceptable.

18. Sustainable Design and Construction

Core Strategy policies CS16 and CS17 refer to sustainable design, water efficiency and reducing carbon emissions. The Sustainable Design and Construction Supplementary Planning Document (SDC SPD) 2012 further expands upon this and sets out the potential to reduce carbon emissions through improving energy efficiency in construction and design. This is consistent with chapter 10 of the NPPF which supports the inclusion of renewable and low carbon energy within new development.

Water Efficiency

Policy CS16 and SDC SPD specifically state that all new residential developments should incorporate measures to meet the water conservation standards in Level 4 of the Code for Sustainable Homes. This is consistent with paragraph 94 of the NPPF which outlines the need to take account of water supply and demand.

Level 4 of the Code for Sustainable Homes sets out that the potential consumption of water by persons occupying a new dwelling should not exceed 105 litres per person per day. However, it is necessary to note that the Code for Sustainable Homes was withdrawn by the Government in March 2015 and this policy is effectively out-of-date.

Carbon Dioxide Emissions

Policy CS17 and SDC SPD specifically state that development must comply with the Building Regulations relevant at the time of construction. It also sets out that as a minimum all new development of 10 or more dwellings should incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%.

The Design and Access Statement submitted with the application indicates that the development would utilise renewable energy technologies to reduce carbon emissions. A condition requiring the submission of these details would therefore need to be imposed to ensure such renewable energy technologies are provided. A further condition stipulating that the proposed dwellings must comply with the Building Regulations relevant at the time of construction would also be necessary.

Sustainable Design and Construction Conclusions

It is considered that the proposed development would be able to reduce carbon emissions through improving energy efficiency in construction and design. A planning condition would need to be imposed to ensure that this is provided.

19. Infrastructure and Planning Obligations

Policy CS10, the Planning Obligations SPD and paragraph 203 of the NPPF set out the need to consider whether financial contributions and planning obligations could be sought to mitigate against the impacts of a development and make otherwise unacceptable development acceptable. Policy CS13 also states that 'Where new developments are proposed the implications on existing services need to be taken into account. This may result in contributions to existing services or new provisions being accrued'. This is consistent with one of the core planning principles outlined within paragraph 17 of the NPPF which outlines the need for planning to 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs'.

Notwithstanding the above, paragraph 204 of the NPPF and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) makes it clear that these obligations should only be sought where they are:

- a. Necessary to make the development acceptable in planning terms;
- b. Directly related to the development; and
- c. Fairly and reasonably related in scale and kind to the development.

If a requested planning obligation does not comply with all of these tests then it is not possible for the Council to require this. It is within this context that the Council has received a number of requests for planning obligations from technical consultee's as detailed below.

Education: The proposed development would result in more children moving into this area of Rugby who would consequently need a place within local schools. WCC has therefore undertaken an assessment as to whether there would be sufficient spaces within existing schools to accommodate the estimated number of pupils that would be likely to arise from this development. They have consequently indicated that there would not be sufficient capacity for Pre-School, Primary Special Educational Needs, Secondary Places (11-16 years) and Secondary Age Special Needs provision. Financial contributions have consequently been sought for increased provision at local schools to provide for the projected increase in demand. The applicant has accepted this request and agreed for it to be secured within a S106 Agreement.

Policing: The proposed development would result in an increase in demand for policing within this area of Rugby. Warwickshire Police and West Mercia Police have consequently requested a financial contribution to offset this impact. This would be used by the Rugby Town East Safer Neighbourhood Team for the recruitment and equipping of officers and staff, police vehicles and office accommodation. The applicant has accepted this request and agreed for it to be secured within a S106 Agreement.

GP Surgeries: NHS England has responded to the Council's consultation to indicate that they do not want to comment on the proposed development. They have therefore not made any requests for financial contributions towards GP Surgeries.

Hillmorton Recreation Ground Pavilion: The applicant has agreed to make financial contributions to provide a replacement pavilion at Hillmorton Recreation Ground. This would be secured within a S106 Agreement.

Diamond Jubilee Wood: The applicant has agreed to make financial contributions towards the development and enhancement of the Diamond Jubilee Wood. This would be secured within a S106 Agreement.

Open Space: The applicant has agreed to provide open space and a LEAP on the application site in as detailed within the Open Space, Landscaping and Green Infrastructure section above. This would be secured within a S106 Agreement.

Bus Stop Improvements: The applicant has agreed to make financial contributions to improve the on-street bus stop infrastructure at the pair of bus stops on Ashlawn Road/High Street (A428) near the development. This would be secured within a S106 Agreement.

Cycle Network Improvements: The applicant has agreed to make financial contributions towards cycle network improvements along the B4429/A428. This would be secured within a S106 Agreement.

Pedestrian Crossings: The applicant has agreed to provide two pedestrian crossings. One would be provided on Barby Lane near junction with Ashlawn Road at the request of WCC Highways. A further crossing would be provided on Ashlawn Road at a position to be agreed at a later stage. The two crossing would be secured by planning condition.

Rugby Parkway Station: The applicant has agreed to make financial contributions towards the development of a business case for the proposed Rugby Parkway Station. This would be secured within a S106 Agreement.

Affordable Housing: The applicant has agreed that 40% of the proposed dwellings would be affordable housing comprising of a split of 75% social rented housing and 25% intermediate housing unless otherwise agreed in writing with the Local Planning Authority. This would be secured within a S106 Agreement.

Indoor Sports Facilities: The applicant has agreed to make financial contributions towards off-site health and fitness and sports halls in accordance with the Council's Planning Obligations SPD. This would be secured within a S106 Agreement.

Public Rights of Way: The applicant has agreed to provide improvements to Public Right of Way RB29 running from the northern boundary of the site to Ashlawn Road. This would be secured within a S106 Agreement.

Sustainable Travel Packs: WCC Highways has requested a financial contribution towards the provision of sustainable travel packs for each new dwelling. This would include information on sustainable modes of transport and help promote sustainable travel and road safety in the local area. The applicant has accepted this request and agreed for it to be secured within a S106 Agreement.

Infrastructure and Planning Obligations Conclusions

It is considered that the impact of the proposed development on existing services, facilities and infrastructure would be acceptable. Consultation has been carried out with key service providers within this area. In some circumstances it has been found that there is sufficient capacity to accommodate increased usage that would arise from the occupants of this proposed development. In other circumstances the impact of the development would be offset through in-kind provision or financial contributions. The applicant has agreed to enter

into a S106 Agreement which will ensure in-kind provision and financial contributions are delivered and paid.

20. Previous Appeal Decision for Three Dwellings

An outline planning application for three 1 ½ storey dwellings was refused by the Council in April 2005 (ref: R05/0151/07794/OP). In summary this was because the proposed development would not be acceptable in designated countryside particularly when there was then sufficient brownfield land to meet identified local housing needs. It was also considered that it would have a significant adverse impact on the visual amenities of the locality and character of the surrounding countryside.

An appeal against the Council's decision was then dismissed in September 2005 (APP/E3715/A/05/1181699). The Inspector concluded at this time that the site was not in a sustainable location for new housing. This was principally on the grounds that there was an adequate supply of previously developed land within the urban area to meet the need for new housing which did not necessitate development on this greenfield countryside land. It was also concluded that the development would be harmful to the appearance of the area. Reference is particularly made to the position of the three dwellings which was deemed to appear as an intrusive and harmful extension of the urban area into the surrounding countryside.

The Council's previous decision and appeal decision are consequently material consideration in the determination of this planning application. However, the planning policies against which this previous application was considered has now changed significantly. Indeed, the Development Plan has now changed and requires consideration of the Core Strategy in the first instance rather than the then 1997 Local Plan and 2005 Local Plan Review Redeposit Plan. Arguably more significantly, old national planning guidance has now been replaced by the NPPF. Amongst other things, this requires Council's to have a five year housing land supply and apply a presumption in favour of sustainable development.

The difference between local and national policy between 2005 and now is such that this significantly diminishes the weight that can be attributed to the Council's previous decision and appeal decision. It is subsequently necessary to reconsider the sustainability of the development in light of current policies. This is ultimately set out in the 'planning balance and sustainability of development' section below.

In regard to the impact on the visual amenities of the locality and character of the surrounding countryside it is firstly necessary to have regard to the nature of development proposed. The previous scheme was for three dwellings located within the northeast corner of the site near to the current site access. These three dwellings would therefore have been seen as an isolated rather than comprehensive and well planned development over the whole site as currently proposed. The three dwellings were therefore deemed to be intrusive and incongruous within this setting but the same cannot be said for this scheme which would be large enough to form and create its own distinct character within the landscape.

Notwithstanding the above, the 'landscape character and appearance' section does still concur with the Council's previous decision and appeal decision in that the proposed development would result in the loss of green fields and would encroach into open countryside. It is within this context that it is necessary to take account of the Landscape and Visual Appraisal (LVA) which has been submitted with the application. Indeed, the previous scheme for three dwellings was not accompanied by any such detailed assessment of the impact on the landscape and suggested mitigation. The LVA has been fully considered within the 'landscape character and appearance' section which has concluded that the landscape is able to accommodate development. It has also been determined that there

would only be minor adverse landscape and visual effects after the proposed planting matures which the Council's Landscape Design Officer has accepted. This is particularly important because no such landscape mitigation was proposed when the previous scheme was considered.

The LVA and conclusions on this are consequently material considerations in their own right which have come to the fore since the Council's previous decision and appeal decision. In light of this new evidence it is considered that this again significantly diminishes the weight that can be attributed to the Council's previous decision and appeal decision. Nonetheless, it is still identified that there would be harm to the landscape but this now needs to be considered against the identified benefits which would arise from the proposed development. This consideration is ultimately set out in the 'planning balance and sustainability of development' section below.

Overall it is considered that this previous application and appeal decision does not have a significant bearing upon the determination of this application.

21. Planning Balance and Sustainability of Development

The location of the application site within designated countryside is such that the proposed development would be contrary to policy CS1 of the Core Strategy. In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should consequently be refused 'unless material considerations indicate otherwise'. It is therefore necessary to consider whether material considerations exist which are of sufficient weight to justify sanctioning a departure from the Development Plan.

In this case the main material considerations arise from the NPPF and the Council being unable to demonstrate a five year supply of deliverable housing sites to meet the identified housing need within the Borough. Paragraph 49 of the NPPF is consequently relevant and states that policies relating to the supply of housing should not be considered up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites. Policy CS1 relates to the supply of housing and therefore cannot be considered up-to-date. The effect of this is not such that policy CS1 should be ignored or disapplied but rather that consideration should be given as to what weight it holds in the decision. In this respect it has been found that only limited weight can be given to policy CS1 in this instance.

Paragraph 14 of the NPPF is consequently relevant and sets out a presumption in favour of sustainable development. For decision-taking it explains that this means that where the development plan is absent, silent, or as is the case here, out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF, taken as a whole, or specific policies in the NPPF indicate development should be restricted. In this case no specific policies within the NPPF have been identified that would indicate that the scheme should be restricted. The test must therefore be whether the proposed development would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

It is within this context that it is necessary to have regard to paragraph 7 of the NPPF which indicates that sustainable development has three dimensions: economic, social and environmental. Paragraphs 18 to 219 of the NPPF taken as a whole subsequently constitutes what this means in practice when considering proposals for new development.

From an economic perspective the proposed new dwellings would result in money being invested in construction on the site, employment relating to construction jobs over the build period, new household spending in the Borough, a contribution to the viability of local retail uses, services and businesses and additional Council Tax revenue. Such matters would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the application. As such, the proposed development would satisfy the economic role of sustainable development.

From a social perspective there is a significant need for new housing within the Borough and the Council does not have a five year housing land supply to meet that need. This is consequently a matter which in itself weighs significantly in favour of the application. The proposed development of up to 107 dwellings, of which up to 40% would be affordable dwellings, would consequently make a significant and positive contribution towards meeting this housing need. Aside from this, the proposed development would provide a range of infrastructure improvements which would not only offset the impact of this development but also be of benefit to existing residents. Such improvements include a replacement pavilion at Hillmorton Recreation Ground, bus stop improvements, cycle network improvements, pedestrian crossings and development of a business case for the proposed Rugby Parkway Station. These matters consequently weigh in favour of the application. As such, the proposed development would satisfy the social role of sustainable development.

From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, landscape character and appearance, trees and hedgerows, heritage and archaeology, highway safety, traffic flows, public rights of way, ecology, flood risk, drainage, air quality, noise, contamination, visual amenity, residential amenity, water conservation and carbon emissions have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation could be secured through conditions and a S106 Legal Agreement to ensure that this is delivered.

Notwithstanding the above, it is clear that the proposed development would give rise to some unavoidable environmental harm which could not be adequately mitigated against. In this first instance the proposal would result in the loss of an area of the best and most versatile agricultural land which would result in harm of limited weight. Secondly, the physical location of the site in relation to some of the services and facilities that future residents would need is such that they are more likely to rely on the use of private cars rather than sustainable transport alternatives such as walking. However, the majority of services and facilities could still be accessed by a range of transport options and harm of only very limited weight is therefore attributed to this. Thirdly, the proposed development would result in the loss of a green field and open countryside which would result in harm of limited weight to the landscape character of this area. Fourthly, the proposed development would result in the loss of some farm buildings which are considered to be non-designated heritage assets which would result in harm of limited weight.

In conclusion, it is necessary to acknowledge that the proposed development would be contrary to the Development Plan and should consequently be refused unless material considerations indicate otherwise. In this respect regard has been had to national policy and the presumption in favour of sustainable development. It is therefore considered that the identified environmental harm of only limited weight does not, on balance, significantly and demonstrably outweigh the identified economic and social benefits of significant weight. It is consequently considered that this would be a sustainable development and the presumption in favour of such development should apply here.

It is concluded that the identified conflict with the Development Plan is outweighed by material considerations, which weigh strongly in favour of the proposed development and are to be afforded significant weight in that balance. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and by reference to the presumption in favour of sustainable development set out within the NPPF, it is recommended that planning permission should be granted.

Recommendation:

The Development and Enforcement Manager be given delegated powers to grant planning permission subject to conditions, informatives and the completion of a legal agreement to include affordable housing, education, policing, open space on-site, open space off-site, bus stop improvements, cycle network improvements, pedestrian crossings, Rugby Parkway Station, indoor sports facilities, public right of way improvements and sustainable travel packs.

DRAFT DECISION

APPLICATION NUMBER

R15/2039

DATE VALID

20/01/2016

ADDRESS OF DEVELOPMENT

LAND AT WALDINGS FARM

BARBY LANE

HILLMORTON

RUGBY

APPLICANT/AGENT

Gladman Developments

Gladman House

Alexandria Way

Congleton

Cheshire

CW12 1LB

APPLICATION DESCRIPTION

Residential development of up to 107 dwellings including vehicular access from Barby Lane, open space, landscaping, surface water attenuation pond, footpaths, cycleways and associated infrastructure (all existing buildings to be demolished) (outline planning application to include access with appearance, landscaping, layout and scale reserved)

CONDITIONS AND REASONS

CONDITION 1:

Application for approval of the reserved matters specified in condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of 18 months from the date of this permission.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 2:

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

REASON:

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 3:

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

- a – Appearance;
- b – Landscaping;
- c – Layout; and
- d – Scale.

REASON:

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

CONDITION 4:

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

| <u>Plan Description</u> | <u>Plan/Report No.</u> | <u>Date Received</u> |
|--|------------------------|----------------------|
| Location Plan | 6844-L-03 rev.C | 29.12.15 |
| Access Plan | GA019-001-001B | 29.12.15 |
| Planning Statement | N/A | 14.01.16 |
| Design and Access Statement | 6844 DAS rev.C | 25.04.16 |
| Landscape and Visual Impact Assessment | Rev.B | 14.01.16 |
| Ecological Appraisal | Rev. A | 14.01.16 |
| FPCR Ecology Letter Dated 31.03.16 | 6220-ED | 01.04.16 |
| Bat Survey Report | Rev.A | 14.01.16 |
| Arboricultural Assessment | Rev.A | 25.04.16 |
| Arboricultural Addendum Report | 6844AAD | 14.04.16 |

| | | |
|---|-----------------------|----------|
| Transport Assessment | GA019 | 29.12.15 |
| Travel Plan | GA019 | 29.12.15 |
| Archaeological Desk-Based Assessment | PRC-SD-20642 | 29.12.15 |
| Geophysical Survey Report | J9187 | 29.12.15 |
| Heritage Assessment | RKS-EW-20758 | 14.01.16 |
| Phase 1 Geoenvironmental Assessment | 5977R1 | 29.12.15 |
| Flood Risk Assessment | 5977R2 | 29.12.15 |
| Flood Risk Assessment Supplement | Lees Roxburgh | 27.04.16 |
| Foul Drainage Analysis | N/A | 29.12.15 |
| Air Quality Assessment | LE13130 001 | 21.03.16 |
| Noise Screening Report | CMD-GH-LE-LE13130-004 | 14.01.16 |
| Soils & Agricultural Use & Quality of Land Report | 1151-1 | 26.02.16 |

REASON:

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

CONDITION 5:

The details submitted in relation to Condition 3 above shall have regard to the Development Framework Plan (6844-L-02 rev.K, received 25.04.16), Illustrative Masterplan (6844-L-03 rev.F, received 29.03.16), Biodiversity Enhancements Plan (6220-E-01, received 01.04.15) and Design and Access Statement (6844 DAS rev.C, received 25.04.16).

REASON:

To ensure the detail of the development of the site is acceptable to the Local Planning Authority.

CONDITION 6:

No development shall commence until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall provide details of the sequence and timing of development across the entire site, including:

- a. Highway works to Barby Lane;
- b. The provision of all major infrastructure including accesses, roads and footpaths;
- c. Attenuation pond;
- d. Residential dwellings;
- e. Public open space;
- f. Green infrastructure (including ecological and landscaping enhancement areas); and
- g. Locally equipped area of play.

The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure the proper development of the site.

CONDITION 7:

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

REASON:

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

CONDITION 8:

No development shall commence until full details of earthworks, site levels, finished floor levels of all buildings, and ground levels of all access roads, parking areas and footways, including proposed grading and contours and a schedule of implementation, have been submitted to and approved in writing by the local planning authority. No construction work and development shall be carried out other than in accordance with the approved details and schedule.

REASON:

To ensure the proper development of the site.

CONDITION 9:

No development shall commence until full details of all boundary treatments, including walls, fences, railings and gates, have been submitted to and approved in writing by the Local Planning Authority. The details shall include the position, materials, appearance and height of the boundary treatments. The development shall not be carried out other than in accordance with the approved details. No dwelling shall be occupied until the approved boundary treatments for that plot have been installed in accordance with the approved details.

REASON:

In the interest of visual and residential amenities.

CONDITION 10:

No development shall commence until full details of all highway surfaces and parking areas, including details of materials, construction, drainage and levels, together with samples of the materials, 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. No dwelling shall be occupied until the parking areas for that plot have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality and to ensure adequate parking provision in the interests of highway safety.

CONDITION 11:

No development shall commence until full details of the surfacing of the Public Right of Way (RB29) crossing the application site, including materials, levels, drainage, lighting, gates and bollards, 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 and timing details approved under condition 6.

REASON:

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

CONDITION 12:

No development shall commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of drainage.

CONDITION 13

No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- a. Provide details and the outcome of infiltration testing undertaken in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- b. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 as well as CIRIA C697, C687 and the National SuDS Standards.
- c. Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site.
- d. Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- e. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- f. Demonstrate how the on-site surface water drainage scheme accords with paragraph 4.50 of the Ecological Appraisal (rev. A, received 14.01.16).
- g. Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

The scheme shall subsequently be implemented in accordance with the approved details before first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON:

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

CONDITION 14:

No development and works, including any site clearance and demolition, shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of: pre-commencement checks for protected species including bats, reptiles, amphibians, badgers and breeding birds; the species safeguards to be employed; appropriate working practices and timings of construction works; site clearance methods; the extent of buffer zones and stand-offs for sensitive ecological features; and what to do if protected species are discovered during construction. The CEMP shall also include details of a suitably qualified Ecological Clerk of Works to oversee implementation of the CEMP and address any contingency measures where appropriate. The approved CEMP shall be implemented in full and adhered to throughout the construction period.

REASON:

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

CONDITION 15:

No development shall commence until a Landscape and Ecological Management Plan (LEMP), which incorporates the layout and landscaping details required by condition 3 above, has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include details of: the quantity, size, species and position of all new planting including trees, hedgerows and shrubs; maintenance of all new planting; how all new planting would integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance; habitat enhancement/creation measures and management (such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement); provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, and location of log piles); a timetable for the implementation of all of the ecological and landscape enhancement/creation measures; and a scheme securing future maintenance and retention. The LEMP must demonstrate that no net loss to biodiversity will be achieved. The approved LEMP and associated measures shall be implemented in full.

REASON:

To protect and enhance biodiversity, to ensure that protected species are not harmed by the development and in the interests of visual amenity.

CONDITION 16:

Notwithstanding the Arboricultural Assessment approved under Condition 4 above, no development shall commence until a Tree and Hedgerow Protection Plan and Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning

Authority. The Plan and Statement should give details of all existing trees and hedgerows on the site, any to be retained, and measures for their protection in the course of the development, in accordance with BS5837: 2012 'Trees in relation to Design, Demolition and Construction'. The approved development shall not be carried out other than in accordance with the approved plan and statement for the duration of the works on site. No tree or hedgerow other than so agreed shall be removed, and no works or development shall commence unless the approved measures for the protection of those to be retained have been provided and are maintained during the course of development.

REASON:

To protect and enhance biodiversity, to ensure that protected species are not harmed by the development and in the interests of visual amenity.

CONDITION 17:

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be in branches, stems or roots without the prior written consent of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998:2010 (Tree Work Recommendations) and shall be carried out before the commencement of development on the application site unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To protect and enhance biodiversity, to ensure that protected species are not harmed by the development and in the interests of visual amenity.

CONDITION 18:

The landscaping details required by condition 1(b) shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

To ensure the proper development of the site, in the interest of visual amenity and to enhance biodiversity.

CONDITION 19:

No development shall commence until a scheme for the external lighting of communal and public areas, including road and path lighting, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include full details of the type, design and location of lighting columns, fixtures and fittings, together with their associated angle, fall, spread and intensity. No external lighting shall be erected and installed other than in accordance with the approved scheme and details.

REASON:

To prevent harm to protected species, to prevent unnecessary light pollution and in the interests of the amenities of the area.

CONDITION 20:

Prior to the submission of any reserved matters applications:

- a. A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work across this site, including trial trenching, shall be submitted to and approved in writing by the Local Planning Authority;
- b. The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork is to be submitted to the Local Planning Authority; and
- c. 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 Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological deposits worthy of conservation. The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Archaeological Mitigation Strategy document.

REASON:

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

CONDITION 21:

No works and development, including site clearance and demolition, shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure the evidential and historical value of non-designated heritage assets are preserved and recorded.

CONDITION 22:

No dwelling shall be occupied until the site access junction and associated pedestrian facilities have been constructed in accordance with drawing number GA019-001-001B (received 29.12.15), including provision of visibility splays where indicated. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.60 metres above the level of the public highway carriageway.

REASON:

In the interests of highway safety.

CONDITION 23:

No development shall commence until full details of a Speed Management Plan to reduce the speed of vehicles traveling on Barby Lane has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the Speed Management Plan has been implemented in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 24:

No development shall commence until full details of two improved pedestrian crossing facilities on Barby Lane by the junction with Ashlawn Road and Ashlawn Road have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the two improved pedestrian crossing facilities have been provided in accordance with the approved details.

REASON:

In the interests of highway safety, pedestrian safety and accessibility.

CONDITION 25:

No development shall commence until a full noise survey and assessment, including full details of any required mitigation, has been submitted to and approved in writing by the Local Planning Authority. The assessment should demonstrate that the proposed dwellings would comply with recommended internal ambient noise level guidelines within BS8233: 2014 and recommended levels for outside residential properties within the World Health Organisations – Guidelines for Community Document 1999. No dwelling requiring mitigation shall be occupied until the required mitigation has firstly been installed in accordance with the approved details.

REASON:

In the interest of residential amenity.

CONDITION 26:

No development shall commence, including any site clearance and demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:

- a. Hours of work and deliveries;
- b. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- c. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase;
- d. Measures to reduce mud deposition, debris and obstacles offsite from vehicles leaving the site during the construction phase;
- e. Timing of heavy goods vehicle movements during the construction phase;
- f. The parking of vehicles of site operatives and visitors;
- g. Loading and unloading of plant and materials; and

- h. Storage of plant and materials used in constructing the development.

Development shall be carried out in compliance with the approved Construction Method Statement unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of health and safety and amenities of the area.

CONDITION 27:

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 28:

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

REASON:

In the interest of health and safety.

CONDITION 29:

All new dwellings that are to be built shall be constructed to comply with the published Building Regulations that are relevant at the time of construction.

REASON:

To ensure sustainable design and construction.

CONDITION 30:

The development shall not be first occupied unless and until details of the equipment and technology to be incorporated to achieve carbon emission reductions, including the submission of an Energy Performance Certificate, have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be implemented in accordance with the approved details and shall be retained in working order in perpetuity.

REASON:

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

CONDITION 31:

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

REASON:

In the interests of fire safety.

CONDITION 32:

Notwithstanding the provisions of Parts 13 and 15 the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting that order, no structure or building above ground level shall be erected, constructed or placed on the application site without the prior written permission of the Local Planning Authority. Where written permission is requested this should be accompanied by full details of the proposed structure or building, including precise location, height, appearance, materials and landscaping.

REASON:

In the interest of visual amenity and residential amenity.

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 development is subject to a S106 legal agreement.

INFORMATIVE 2:

The applicant is required to ensure that the estate roads [including footways, cycleways, verges and footpaths] are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highway Act 1980 for the adoption of the roads.

The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of plans under Section 38 of the Highways Act 1980.

An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

INFORMATIVE 3:

The applicant will require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE 4:

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be downloaded at: http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223 Alternatively, you can contact the Street Naming and Numbering Team for an application form at: SpecialistSupport@rugby.gov.uk or by ringing 01788 533885.

INFORMATIVE 5:

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the application site, 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 you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

INFORMATIVE 6:

WCC Rights of Way Team advise that:

- Public footpath RB29 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction;
- If it is necessary to temporarily close public footpath RB29 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this; and
- Any disturbance or alteration to the surface of public footpath RB29 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public footpath.

INFORMATIVE 7:

Warwickshire Police advise that:

- Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self closing spring, and a snap shut lock, that needs a key to release;
- All ground floor glazing (including that to external doors) and vulnerable windows should meet PAS 24:2012 and have laminate glass to a minimum thickness of 6.8mm. All laminated glass must be certified to BS EN 356 2000 rating P2A ;
- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-1:2013; and
- Footpaths that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site.

INFORMATIVE 8:

WCC Flood Risk Management advise that:

- They do not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.
- Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.
- SuDS involve a range of techniques including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in NPPF.

INFORMATIVE 9:

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

- Monday - Friday: 07:30 - 18.00;
- Saturday: 08.30 - 13.00; and
- No work on Sundays & Bank Holidays.

INFORMATIVE 10:

RBC Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise nuisance during demolition, demolition should not occur outside the following hours:

- Monday - Friday: 08:00 - 18.00;
- Saturday: 09.00 - 16.00; and
- No work on Sundays & Bank Holidays.

INFORMATIVE 11:

RBC Environmental Services advise that that the applicant should have due regard to the advice contained in BS5228:2008 "Noise and vibration control on construction and open sites". Attention is also drawn to the Considerate Constructors Scheme. This is a voluntary Code of Practice, driven by the construction industry, which seeks to:

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

For further information contact: Considerate Constructors Scheme, PO Box 75, Ware. SG12 9LN. Tel: 0800 783 1423. Or visit www.considerateconstructors.co.uk.

INFORMATIVE 12:

RBC Environmental Services advise that that the demolition and construction dust and debris mitigation requirements required by condition does not prevent action from being taken by the Council or members of the public or businesses to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions should statutory nuisance occur.

INFORMATIVE 13:

RBC Environmental Services advise that the value and usefulness of the asbestos survey required by condition 28 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 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.

Reference number: R16/1249

Site address: 11 Othello Close, Bilton, Rugby, CV22 6LX

Description: Provision of a rear dormer roof extension

Case Officer Name & Number: Paul Varnish 01788 533771

The application is to be considered by the Planning Committee due to the applicant being a council member of staff.

Relevant decisions

17467 65/12/28 – Erection of bungalows houses & garages – Approved - 16/12/65

17467A 66/3/17 – Erection of 81 bungalows – Approved – 18/3/66

20200 – Garage – Building Control – Approved 17/10/68

Technical Consultations

WCC Ecology – No objection subject to informatives.

Third Party Consultations

Neighbours – No responses.

Other relevant information

The application site is a dormer bungalow that lies within the Rugby Urban Area Boundary and the Woodlands Area. The dwelling has had no previous extensions which have required planning permission; however a garage has been built under permitted development. The adjoining bungalow, 9 Othello Close is the handed property, with the exception of a single storey rear extension addition. The side boundary is a circa 1 metre close boarded fence. Towards the other neighbour, 13 Othello Close is a 4 metre separation gap, with the application sites outbuilding and a circa 1 metre high close boarded fence on the boundary. Towards the far side of the neighbouring property is a single storey rear extension.

On the rear boundary is a circa 1.6 metre high close boarded fence, which is circa 10 metres from the application site's rear elevation.

Summary of the proposal

The proposal consists of a planning permission for the provision of a rear dormer roof extension. The current rear dormer is 1.3 metres in height, by 2.2 metres in width, with the depth of the flat roof projecting out 1.2 metres, from the roof slope. The proposed dormer is 2.3 metres in height, by 5 metres in width and with the depth of the flat roof projecting out 2 metres, from the roof slope. The dormer will have two glazed windows and will be clad in white UPVC. The dormer will enlarge the existing bedrooms.

As permitted development rights are intact on the property, the development could have been completed without the need for planning permission. However, due to the external cladding being white UPVC, it would not be considered a similar material and therefore an application has been submitted.

Planning Policy Guidance

Core Strategy

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|------|--------------------|----------|
| CS16 | Sustainable Design | Complies |
|------|--------------------|----------|

Saved Local Plan Policies

| | | |
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| E6 | Biodiversity | Complies |
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| T5 | Parking Standards | Complies |
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Guidance

National Planning Policy Framework

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| SDC | Residential Design Guide |
|-----|--------------------------|

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| SPD | Planning Obligations |
|-----|----------------------|

Determining Considerations

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

The NPPF within Section 7 states the great importance it attaches to design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The main issues concerning this application are the impacts of the proposal upon the visual and residential amenities of the area.

Protecting Amenity

In terms of the impact on the neighbouring property, 9 Othello Close, as the property is located to the South, due to the orientation of the sun it is considered that there will be a negligible impact in terms of loss of daylight or sunlight. There will be no side facing windows within the proposal, with the rear windows only having indirect views into the garden, which will be further screened by the neighbour's rear extension and the boundary fence. Therefore it is considered that there will be minimal impact in terms of overlooking and loss of privacy.

Towards the other neighbour, 13 Othello Close, taking into consideration the separation between the properties and the fact they are parallel to one another and that the dormer does not project further forward, it is considered there will be minimal impact in terms of loss of sunlight and daylight. The property currently has a dormer window, with the proposed dormer window only projecting forward a further 0.80 metres. There are no side facing windows and the rear windows will only have indirect views, which will be screened by the boundary fence and the outbuilding. It is therefore concluded that there will be minimal impact in terms of overlooking or loss of privacy.

Due to the dormer only projecting 0.80 metres further forward than the existing window, and the screening of the boundary fence, circa 10 metres away, it is considered that there will be a negligible impact on the amenity of the properties to the rear.

Design and Appearance

The proposed dormer is considered to be large in scale and will, to some degree, dominate the roof. However, the proposed dormer roof will be 0.9 metres below the ridgeline of the main dwelling and will be located to the rear of the property. The materials to be used will differ from the main dwelling and will include white UPVC cladding and a grey flat roof covering. However, the side elevation will be inset and the cladding will provide a suitable contrast to the existing tiles. Consideration must be given to the style of the property and that there are many other examples of this type of development within the street and also the estate. Furthermore, it must be recognised that there are other examples of white UPVC cladding on other neighbouring properties.

The dormer will be partially visible from the streetscene, but due to the inset and the roof height being below the ridgeline, it is not considered to be an overly prominent or obtrusive feature within the street scene from where it can be partially seen and thereby the proposal will have a limited impact on the visual amenity of the streetscene.

Finally, consideration must be given to the fact that the development could have been carried out under permitted development, if the materials had been of a similar type to the main dwelling.

The proposal therefore accords with policy CS16 of the Rugby Borough Core Strategy 2011 and the SDP - Sustainable Design and Construction Supplementary Planning Document.

Ecological Considerations

WCC Ecology have no objection subject to informatives and therefore it is considered the proposal will not have an adverse impact on protected species in accordance with saved policy E6.

Highway safety and car parking

The property has an area of hardstanding to the front of the property, with provision for parking for 2 to 3 cars, and a garage. The proposal currently has 2 bedrooms, with the extension not providing any further bedrooms, but enabling the enlargement of the current bedrooms. Saved policy T5 advises that a 2 bedroom property, within a low access zone, should provide 1.5 parking spaces. As the property has at least 2 spaces and a garage, it is considered to be in compliance with the policy.

Recommendation:

Grant Permission subject to conditions

DRAFT DECISION

APPLICATION NUMBER

R16/1249

DATE VALID

27/05/2016

ADDRESS OF DEVELOPMENT

11 OTHELLO CLOSE
BILTON
RUGBY
CV22 6LX

APPLICANT/AGENT

Mr Phil Godden
Phil Godden Building Contracts Management
9 Park Cottages
Rugby
Warwickshire
CV23 0HA
On behalf of MRS P ABBIT

APPLICATION DESCRIPTION

Provision of a rear dormer roof extension

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 91 of the Town & Country Planning Act 1990 as amended by 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: The Site Location Plan - Scale 1:1250 received by the Local Planning Authority on the 27th May 2016 and the Existing and Proposed Plans - DWG No. 16/62/B - Scale 1:100 received by the Local Planning Authority on the 16th June 2016.

REASON:

For the avoidance of doubt.

CONDITION 3:

The facing materials to be used on the external walls and roof shall be as specified within the application form, received by the Local Planning Authority on the 27th May 2016.

REASON:

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

CONDITION 4

No new windows shall be formed in either side elevation of the proposed extension, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

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:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and

Species Regulations 2010 (as amended), making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and the National Bat Helpline must be contacted on 0845 1300 228 for advice on the best way to proceed.

INFORMATIVE 2:

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

AGENDA MANAGEMENT SHEET

| | |
|-------------------------------------|--|
| Name of Meeting | Planning Committee |
| Date of Meeting | 27 th July 2016 |
| Report Title | Delegated Decisions – 9 th June 2016 to 29 th June 2016 |
| 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 Growth and Investment 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 – 27th July 2016

Delegated Decisions – 9th June 2016 to 29th June 2016

Report of the Head of Growth and Investment

Recommendation

The report be noted.

1. BACKGROUND

Decisions taken by the Head of Growth and Investment 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: 27th July 2016
Subject Matter: Delegated Decisions – 9th June 2016 to 29th June 2016
Originating Department: Planning

LIST OF BACKGROUND PAPERS

There are no background papers relating to this item.

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 09.06.2016 TO 29.06.2016

A. APPLICATIONS – DELEGATED

| | | |
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| Applications Refused | | |
| <i>R16/1029 Refused 22.06.2016</i> | 1 Spicer Place Bilton Rugby | Erection of a first floor side extension |
| Applications Approved | | |
| <i>R16/0742 Approved 09.06.2016</i> | 1 Long Hassocks Rugby | Erection of a single storey rear/side extension. |
| <i>R16/0979 Approved 09.06.2016</i> | Hawthorns High Street Marton | Erection of car port to front elevation and proposed widening of existing access |
| <i>R16/1040 Approved 09.06.2016</i> | Lophorn The Close Brandon | Erection of single storey side extension |
| <i>R16/0743 Approved 09.06.2016</i> | 16 Foxglove Close Rugby | Erection of a single storey rear extension |
| <i>R16/1051 Approved 10.06.2016</i> | The Old Vicarage London Road Coventry | Change of use of land to a radio transmission point including the erection of a new AM radio antenna resubmission of R15/0797 |
| <i>R16/0316 Approved 10.06.2016</i> | Firbank Overstone Road Coventry | 1 - Conversion of existing ancillary building into residential accommodation including extensions and alterations with associated vehicular access 2 - Extensions and alterations to existing dwelling (Firbank) |
| <i>R16/0640 Approved 10.06.2016</i> | 99 Oliver Street Rugby | Conversion of the existing dwelling into 3No. One bed flats |
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| <i>R16/0154 Approved 10.06.2016</i> | Wolvey Hall 8 Hall Road Wolvey Rugby | Variation of Condition 3 of Listed Building Consent reference R14/1885 (Listed Building Consent for the subdivision of Wolvey Hall into 6no.apartments and 1no. mews dwelling) dated 08 January 2016, to enable internal works to commence prior to submission of a written scheme of archaeological investigation. |
| <i>R16/1073 Approved 14.06.2016</i> | 2 Russell Avenue Rugby | Erection of single storey rear extension |
| <i>R16/0489 Approved 14.06.2016</i> | New Barn Stables Burnthurst Lane Rugby | Demolition of existing barn and erection of one new dwelling with associated stables. |
| <i>R16/0928 Approved 14.06.2016</i> | 16 Sidney Road Rugby | Proposed two storey side extension and single storey rear extension. |
| <i>R16/0139 Approved 14.06.2016</i> | 55 Ashlawn Road Rugby | Extensions and alterations to dwelling. |
| <i>R16/0953 Approved 15.06.2016</i> | 84 Newbold Road Rugby | Conversion of existing dwelling house into two flats |
| <i>R16/0160 Approved 15.06.2016</i> | Wolvey Hall 8 Hall Road Wolvey Rugby | Variation of Conditions 3 and 6 of Planning Permission reference R14/1897 (Subdivision of Wolvey Hall into 6no.apartments and 1no.mews dwelling, together with associated works) dated 08 January 2016, to enable internal works to commence prior to submission of a bat survey and a written scheme of archaeological investigation. |
| <i>R16/0724 Approved 15.06.2016</i> | Unit 1 Hermes Plot 5 Over View Way Rugby Gateway Employment Rugby | Construction of enlarged vehicle maintenance unit |
| <i>R16/1089 Approved 15.06.2016</i> | The Dovecote Burnthurst Lane Princethorpe Rugby | Erection of a single storey side extension and a single storey front extension (Resubmission of previously approved application R15/2405) |
| <i>R16/0997</i> | 1 Warren Road | Erection of replacement porch |

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| <i>Approved</i> 16.06.2016 | Rugby | |
| <i>R16/0990</i> <i>Approved</i> 16.06.2016 | 76 Malvern Avenue Hillmorton Rugby | Erection of a single storey rear extension |
| <i>R16/1053</i> <i>Approved</i> 16.06.2016 | 60 Craven Road Rugby | Conversion of existing dwelling into 1no. 2 bedroom flat and 2no. 1 bedroom flats |
| <i>R15/2476</i> <i>Approved</i> 16.06.2016 | Barn at Manor Farm Cottage Main Street Frankton Rugby | Conversion of the existing barn/outbuilding to a residential annex to the main dwelling |
| <i>R15/2168</i> <i>Approved</i> 16.06.2016 | Wolvey Fields Farm Main Street Withybrook Coventry | Redevelopment of site including the demolition of existing buildings and the erection of 3 new dwellings |
| <i>R16/1052</i> <i>Approved</i> 17.06.2016 | Kilbracken House 9 Barby Road Rugby | Listed Building Consent for the demolition of a single storey extension |
| <i>R16/1069</i> <i>Approved</i> 17.06.2016 | Rupert Brooke House 16-18 Horton Crescent Rugby | Erection of a single storey infill extension |
| <i>R16/1133</i> <i>Approved</i> 20.06.2016 | 22 Ravenglass Brownsover Rugby | Single storey side extension. |
| <i>R16/0955</i> <i>Approved</i> 21.06.2016 | Land to the Rear of 52 Hillmorton Road Rugby | Erection of a detached dwelling |
| <i>R16/0664</i> <i>Approved</i> 21.06.2016 | Former J R Sutch Haulage 9 Lower Street Hillmorton Rugby | Erection of dormer bungalow |
| <i>R16/0493</i> <i>Approved</i> 22.06.2016 | 1 Charter Road Rugby | Erection of a two storey and a single storey rear extension |

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| <i>R16/0835 Approved 22.06.2016</i> | The Manor House Southam Road Kites Hardwick Rugby | Creation of a new vehicle access including the erection of brick piers and gates. |
| <i>R16/1038 Approved 22.06.2016</i> | Hillcrest Pailton Fields Farm Lutterworth Road Rugby | Installation of dormer windows to front and rear elevations |
| <i>R16/1059 Approved 22.06.2016</i> | Unit DC3 Imperial Road Prologis Park Ryton Ryton on Dunsmore Rugby | Renewal for a further one year temporary period for the installation of a temporary paint spraying booth (R15/1028). |
| <i>R16/1076 Approved 22.06.2016</i> | 5 Tiber Way Glebe Farm Industrial Estate Brownsover Rugby | Change of use of land for the continuation of existing use consisting of maneuvering and open storage of vehicles, evidence and property (retrospective). |
| <i>R15/1549 Approved 23.06.2016</i> | Casa De Tapas 69 Newbold Road Rugby | Change of use from restaurant with flat above to provide 11 residential flats. |
| <i>R16/1147 Approved 23.06.2016</i> | 19 Hadfield Close Clifton upon Dunsmore Rugby | Change of use of amenity land to residential curtilage, to include the erection of a 2 metre high fence (part-retrospective). |
| <i>R16/1103 Approved 24.06.2016</i> | 7-8 Market Place Rugby | Alterations to the shop front |
| <i>R16/0483 Approved 24.06.2016</i> | Danielle House 16 Hillmorton Road Rugby | Repair and replacement of windows and an external door. |
| <i>R15/1008 Approved 24.06.2016</i> | Zone 6 Ansty Park Central Boulevard Ansty | Erection of phase 2 extensions comprising office and production floorspace, provision of additional car parking, ornamental water feature and associated site layout changes to the approved development pursuant to planning permission ref.no R14/2343 dated 24 February 2014 for the "Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together |

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| | | with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated works". |
| <i>R15/1520 Approved 24.06.2016</i> | 16-20 Lawford Road New Bilton Rugby | Demolition of the existing building and erection of a 4 storey building comprising 10 no. 1 bed apartments and associated works |
| <i>R16/0840 Approved 24.06.2016</i> | Land rear of 11 Whittle Close Bilton Rugby | Erection of detached 2-bed bungalow, together with associated works and the formation of a new vehicular access. |
| <i>R16/1144 Approved 27.06.2016</i> | Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby | Erection of new electrical substation and new sugar silo storage vessel |
| <i>R16/0669 Approved 27.06.2016</i> | Montilo Farm Montilo Lane Harborough Magna Rugby | Removal of condition 6 of approval R11/1695 (Conversion of barn to residential annexe and erection of an open sided garage) dated 30th September 2011 |
| <i>R16/1175 Approved 27.06.2016</i> | 11 The Orchards Newton Rugby | Erection of single storey front extension linking in to existing garage |
| <i>R16/1022 Approved 28.06.2016</i> | 67A Addison Road New Bilton Rugby | Erection of a single storey rear extension |
| <i>R16/0881 Approved 28.06.2016</i> | Ashlawn School Ashlawn School Academy Trust Ashlawn Road Rugby | Erection of first floor extension above an existing single storey building at the rear of school. |
| <i>R16/1159 Approved 28.06.2016</i> | 5 Poplar Grove Coventry | Erection of two storey side extension |
| <i>R16/1097 Approved 29.06.2016</i> | 11 Coventry Road Marton Rugby | Erection of double garage |
| <i>R16/1172</i> | 8 Westwood Road | Erection of a single storey side extension and |

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| <i>Approved 29.06.2016</i> | Hillmorton Rugby | single storey rear extension. |
| <i>Prior Approval Applications</i> | | |
| <i>R16/1054 Prior Approval Not Required 09.06.2016</i> | 47 Monks Road Coventry | Prior notification for the erection of a single storey rear extension projecting 4.5 metres from the rear elevation of the original dwelling, 3 metres in height to the eaves and 4 metres in height to the highest point of the extension |
| <i>R16/1026 Prior Approval Not Required 10.06.2016</i> | 43 Shenstone Avenue Rugby | Prior approval for erection of a single storey rear mono-pitched extension. |
| <i>R16/1070 Prior Approval Not Required 13.06.2016</i> | 38 Johnson Avenue Bilton Rugby | Rear extension measuring 4 metres in depth; 3.6 metres in height to the ridge; and 2.2 metres in height to the eaves. |
| <i>R16/1124 Prior Approval Not Required 16.06.2016</i> | Post Cottage Main Street Marton Rugby | Prior notification for the erection of a single storey rear extension projecting 4 metres from the rear elevation of the original dwelling, 2.7 metres in height to the eaves and 2.7 metres in height to the highest point of the extension |
| <i>R16/1117 Prior Approval Not Required 16.06.2016</i> | The Bakehouse Main Street Marton Rugby | Prior notification for the erection of a single storey rear extension projecting 4 metres from the rear elevation of the original dwelling, 2.7 metres in height to the eaves and 2.7 metres in height to the highest point of the extension |
| <i>R16/1112 Prior Approval Not Required 21.06.2016</i> | 53 Rugby Road Dunchurch Rugby | Rear extension measuring 4.73 metres in depth; 3.24 metres in height to the ridge; and 2.38 metres in height to the eaves. |
| <i>R16/1125 Prior Approval Required and Granted 28.06.2016</i> | Burnhams Farm 9 School Street Church Lawford Rugby | Prior approval for the change of use of existing agricultural barn to residential dwelling. |
| <i>R16/1020 Prior Approval Required and Granted 29.06.2016</i> | Agricultural Buildings at Cathiron Lane Newbold on Avon Rugby | Prior notification for the demolition of one agricultural building and change of use of another agricultural building to 1no. Residential dwelling (Use Class C3) with associated building operations - (Resubmission of a previously refused scheme for prior notification |

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| | | for the change of use of 2 agricultural buildings to 2 residential dwellings (Use Class C3) with associated building operations under R16/0260 refused 18th March 2016) |
| Prior Notification | | |
| <i>R16/1250 Prior Notification of Proposed Demolition Not Required 27.06.2016</i> | Rolls Royce Plc Coombe Fields Road Ansty Coventry | Prior Notification of proposed Demolition Works {Town & Country Planning(General Permitted Development)Order 1995 (as Amended) Schedule 2 Part 31} Services |
| Listed Building Consents | | |
| <i>R16/0498 Listed Building Consent 15.06.2016</i> | Manor Farm Coalpit Lane Lawford Heath Rugby | Listed building consent for repairs to farmhouse |
| <i>R16/1062 Listed Building Consent 22.06.2016</i> | 1-6 Almshouses The Square Dunchurch Rugby | Listed Building Consent for the repair and restoration of first floor Yorkshire sash windows and ground floor casement windows including effective draught proofing of front and rear external doors and substitution of safety glass to the internal glazed doors. |
| <i>R15/1184 Listed Building Consent 24.06.2016</i> | Danielle House 16 Hillmorton Road Rugby | Listed building consent for the repair and replacement of windows and an external door. |
| Advertisement Consents | | |
| <i>R16/0728 Advertisement Consent 21.06.2016</i> | 36 North Street Rugby | Erection of an internal LED screen inside the shop window. |
| Approval of Details/ Materials | | |
| <i>R14/0440 Approval of Details 10.06.2016</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. |

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| <i>R15/2311 Approval of Details 10.06.2016</i> | Cathiron Fields Farm Cathiron Lane Cathiron Rugby | Prior notification of intention to change the use of the barn to 1 no.dwellinghouse. |
| <i>R14/2343 Approval of Details 13.06.2016</i> | Zone 6 Ansty Park Central Boulevard Ansty | Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated works. |
| <i>R16/0603 Approval of Details 14.06.2016</i> | 28A Hillmorton Road Rugby | Demolition of existing dwelling and garages and erection of a pair of semi-detached dwellings to provide masters' houses for Rugby School - Variation of Condition 2 of planning permission Ref R14/1465 dated 8th July 2015 for part substitution of drawings comprising slight repositioning of dwellings, improved pedestrian access to rear gardens, updated internal layout to the properties and minor changes to elevations details. |
| <i>R14/1377 Approval of Details 17.06.2016</i> | Rugby High School Longrood Road Bilton Rugby | Erection of a sports hall and associated works. |
| <i>R15/2239 Approval of Details 20.06.2016</i> | Land adj Ridgeway Farm Ashlawn Road Hillmorton Rugby | Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access. |
| <i>R12/1353 Approval of Details 20.06.2016</i> | Land at Coton House Lutterworth Road Churchover Rugby | A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private |

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| | | sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total). |
| <i>R16/0500 Approval of Details 20.06.2016</i> | 12 Leamington Road Ryton on Dunsmore Rugby | Resubmission of planning application R15/2055 for the erection of a two storey side extension and single storey rear extension. |
| <i>R14/0440 Approval of Details 21.06.2016</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>R15/1689 Approval of Details 22.06.2016</i> | Land 1KM to the North West of Stretton Under Fosse Fosse Way Rugby | Erection of two slurry stores. |
| <i>R11/0476 and R14/1641 Approval of Details 24.06.2016</i> | Former Ballast Pits and Railway Sidings Lower Street Hillmorton Rugby | Application for Reserved Matters for 76 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R11/0476 for up to 76 dwellings with associated access, roads and infrastructure. |
| <i>R11/1521 Approval of Details 29.06.2016</i> | Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby | Outline planning application for the development of the site for up to 250 dwellings (Use Class C3), with means of access from Coventry Road and an emergency access from Cawston Lane, together with drainage and flood attenuation measures, the creation of public open space and hard and soft landscaping and associated infrastructure. |
| <i>Approval of non-Material Changes</i> | | |
| <i>R14/1910 Approval of Non-Material Changes 17.06.2016</i> | Land at Draycote Water Entrance Southam Road Kites Hardwick | Demolishing of existing 5 residential properties and associated outbuildings and erection of 6 detached properties together with associated works. |

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| <p><i>R11/0699</i> <i>Approval of Non-Material Changes</i> 21.06.2016</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 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.</p> |
| <p><i>R16/0480</i> <i>Approval of Non-Material Changes</i> 22.06.2016</p> | <p>Pioneer Farm Stockton Road Birdingbury Rugby</p> | <p>Variation of Condition 2 of approval R15/1896 (Erection of an indoor menage to replace the approved stable block and exercise paddock) to allow minor modifications to the design and size of the building</p> |
| <p><i>R14/2343</i> <i>Approval of Non-Material Changes</i> 27.06.2016</p> | <p>Zone 6 Ansty Park Central Boulevard Ansty</p> | <p>Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, comprising the assembly of vehicles together with ancillary offices (Class B1(a)) and research and development facilities (Class B1(b)), gatehouse, car and cycle parking, servicing, test track facility, landscaping, drainage and associated works.</p> |
| <p><i>R12/1194</i></p> | <p>Land off Priory Road and</p> | <p>Erection of 80 dwellings with associated open</p> |

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| <i>Approval of Non-Material Changes</i> 29.06.2016 | School Street Priory Road Wolston | space, landscaping, infrastructure and newt reserve (resubmission of refused application ref R10/1131 dated 28th Feb 2012) |
| <i>Withdrawn/ De-registered</i> | | |
| <i>R16/1019 Withdrawn 15.06.2016</i> | 70 The Square Wolvey | Alterations to existing wall, including increasing the height of the existing wall, rendering of the wall and erection of new pillars and gates. |