

26th August 2016

## **PLANNING COMMITTEE - 7TH SEPTEMBER 2016**

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 7th September 2016 in the Council Chamber, Town Hall, Rugby.

Adam Norburn  
Executive Director

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

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

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

### **PART 1 – PUBLIC BUSINESS**

1. Minutes.

To confirm the minutes of the meeting held on 27<sup>th</sup> 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. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
7. Delegated Decisions – 30<sup>th</sup> June 2016 – 10th August 2016 .
8. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972

To consider passing the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 2, 6 and 7 of Schedule 12A of the Act.”

## **PART 2 – EXEMPT INFORMATION**

1. Enforcement.

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](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

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

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

**Planning Committee – 7th September 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    | R15/2288               | Unit 12, The Tripontium, Newton Lane, Newton<br>Retrospective planning permission for the change of Use from B1 (Light Industry with Associated Office Accommodation) to B8 (Regional Distribution Centre Local Depot with Associated Office Accommodation) and proposed alterations to front elevation of building.                           | 3           |
| 2    | R15/1881               | Unit 12, The Tripontium, Newton Lane, Newton, Rugby<br>Retention of levelling of land to front of building and laying of a 0.1M permeable surface comprising hard core blinded by quarry dust. Erection of 2.35m high palisade fencing along the site boundaries and a 4m high acoustic fencing along site boundary with the site access road. | 16          |
| 3    | R16/1067               | Millboard Products, Ryton Lodge, Oxford Road, Ryton-on-Dunsmore. CV8 3EJ<br>Redevelopment and limited infilling of existing structures for a new production facility at Ryton Lodge.                                                                                                                                                           | 26          |
| 4    | R15/1334               | The former Vault Nightclub and rear of 61, 64/65, 66 and 68 Church Street, Rugby<br>Residential redevelopment of the site to form 11no.apartments, including erection of a three storey apartment block and extension, modification of existing buildings, provision of parking and vehicular turning areas, and associated works.             | 38          |

**Reference number: R15/2288**

**Site address: Unit 12, The Tripontium, Newton Lane, Newton**

**Description: Retrospective planning permission for the change of Use from B1 (Light Industry with Associated Office Accommodation) to B8 (Regional Distribution Centre Local Depot with Associated Office Accommodation) and proposed alterations to front elevation of building.**

**Case Officer Name & Number: Richard Redford, ext 3625**

**The Proposal;**

Planning permission is sought for the retrospective change of use from B1 (Light Industry with Associated Office Accommodation) to B8 (Regional Distribution Centre Local Depot with Associated Office Accommodation) and proposed alterations to front elevation of building. The alterations comprise the increase in the width and height of the existing vehicular door to the building.

A Noise Nuisance Report was submitted following discussions and was received on 4<sup>th</sup> March 2016. Further to this a Noise Management Plan has been provided that has subsequently been superseded with an up-dated Noise Management Plan provided. An artificial lighting report and air quality impact assessment report have been provided.

An up-dated plan showing the provision on an acoustic fence 4m high and 75m in length situated alongside a section of palisade fencing and the parking area has also been provided. While this plan relates primarily to the other application being considered, it is of relevance to this application in the context of amenities and neighbouring sites.

**Site History;**

The site as a whole has a substantial site history with the following being those of relevance to this current application; Use of part of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R92/1147/6648/P) Approved 11.11.1992

Use of part of former riding school as storage / warehousing, ancillary offices and car park (R92/1148/6648/P) Withdrawn 03.11.1992

Use of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R92/1430/6648/P) Approved 03.02.1993

Use of part of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R93/0545/6648/P) Approved 01.09.1993

Construction of new vehicular access / drive to industrial units (R97/0888/6648/P) Approved 26.01.1998

Use of land for the erection of buildings to be used for purposes within B1, B2, B8 and C1 of the Town and Country (Use Classes) Order 1987, the use of existing building (Holywell House) as visitor and field study centre and flat plus associated highway improvements and archaeological facilities (R01/1103/6648/OP) Withdrawn 07.10.2004

Retention of levelling of land to front of building and laying of a 0.1M permeable surface comprising hard core blinded by quarry dust. Erection of 2.35m high palisade fencing along the site boundaries and a 4m high acoustic fencing along site boundary with the site access road (R15/1881) Under consideration

**Consultee Correspondence;**

Environment Agency No objection

|                  |              |                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Highways England | No objection | Have assessed the proposal and advise that they have no objections as the proposal is not resulting in any additional access points being provided directly onto the A5 trunk road and that based on trip rates the B8 use will have less than the B1 use and would not result in an intensification of the access to a point where it would be possible to substantiate an increased safety risk. |
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|                  |              |  |
|------------------|--------------|--|
| Historic England | No objection |  |
|------------------|--------------|--|

|                 |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RBC Env. Health | No objection | Following an initial objection relating to in-sufficient information having been provided, the agent has submitted a Noise Nuisance Report with Environmental Health officers having no objections subject to a number of conditions restricting hours of use as well as the number of HGV lorries that can operate from the site and the number of deliveries between 6am and 7am, requiring all loading and unloading occur within the building, prohibiting vehicle maintenance servicing and pressure washing, the permission being personal and a scheme or the containment, mitigation and management of noise in the form of a noise mitigation plan being submitted and approved within 2 months of the date of any approval. A number of informatives have also been requested. |
|-----------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|-----------------|---------------------|--|
| WCC Archaeology | No comments to make |  |
|-----------------|---------------------|--|

|             |              |                      |
|-------------|--------------|----------------------|
| WCC Ecology | No objection | Request informatives |
|-------------|--------------|----------------------|

|                          |              |  |
|--------------------------|--------------|--|
| WCC Highway<br>Authority | No objection |  |
|--------------------------|--------------|--|

### Third Party Correspondence;

Churchover Parish Council Object On the grounds of the opening hours being 0500 to 2200 Monday to Saturday; in the context of the proposed B8 use no information what 'opening' actually means; if the warehouse is closed outside these times would the parking area therefore be prevented from being used 24 hours a day; until properly defined re opening hours permission should be refused; no information on noise impact of the proposal on any noise sensitive receptors; investigations should be fully undertaken prior to determination or a refusal issued; errors in supplied information as is not credible that a new transport / distribution business would be operated with no extra employees or vehicles; also not credible that all existing activities would cease; question raised over description of 'light goods' vehicles as articulated vehicles frequently seen in the yard and site; no information as to how vehicles will be prevented from access the site via Newton village which is unsuitable to the likely traffic generated; no information given on traffic generation; no information on capacity and safety issues of using the A5 / Newton Lane; A5 currently under massive pressure with further increases permitted through other permissions; applicants should submit a full Transport Assessment; and noise impacts.

Newton & Biggin Object On the grounds of the hours of use being unacceptable and Parish Council even if the warehouse were closed between the hours specified it would not prevent the yard being used 24 hours a day; no information on noise impact of the operation on adjacent noise sensitive receptors; a noise risk seems to exist that should be investigated in detail prior to determination; it is not credible that parking space provision and employment levels will remain unaltered as stated in the application forms; nor is it credible that existing operations on site would cease; query the stated light goods vehicles using the site as HGV's are regularly seen using the site; no information on how vehicles will be prevented from accessing Newton village where a 7.5 ton weight restriction exists; no information given on traffic generation; no information given on capacity and safety issues of using the Newton Lane and A5 junction which is dangerous due to the narrowness of Newton Lane, poor visibility and lack of deceleration / acceleration lanes; A5 under massive pressure at present with likely increases; need for a Transport Assessment; RBC should use a Stop Notice if noise impacts found; request the further information be provided or application refused and request conditions is approved.

|                |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Neighbours (3) | Comment | <p>Would have been preferable for applicant to obtain permission prior to commencing; need to recognise planning law before doing work; need to contact / consult Highway Agency; the site is inappropriate for storage and distribution; highway safety at Newton Lane and A5 junction; history of traffic accidents; have somewhat clandestinely occupied the premises; believe it is a 24 hour a day 6 days a week operation but may increase to 7 days a week shortly that will disrupt the nature of the Tripoint Business Centre site; feel has generally been small light industry ‘cottage industry’ type feel; suitability of Newton Lane and the site entrance for the large vehicles associated with the use; noise issues late at night and early morning; highway safety concerns relating to Newton Lane and the A5 Watling Street; B8 uses not ideally located here; noise and dust concerns; authorised B1 use on-site with the proposed use as B8 having a materially different impact; noise activities from the intended site use than existing with greater impact upon amenity; noise impact upon residential amenity during early and late hours of use of site in relation to sole neighbouring house; highway safety concerns from increased use of Newton Lane by HGV’s; increased hardstanding likely to result in further increases in vehicle numbers; Newton Lane the subject of a 7.5ton weight limit; highway safety impact; need for a Transport Statement; adverse impact on visual amenity of vehicles and hardstanding; an archaeological assessment needed given historical interest of the site; and existing nearby sites more suited to such uses.</p> |
|----------------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Petition (1) of 87 signatures Object

**Other Relevant Information;**

The application is before the Committee at the request of Councillor Hunt.

Located in the open countryside the site is occupied by a single storey industrial building providing a number of industrial units. Access to the site is directly from Newton Lane although the location of the access is close to the A5 trunk road. Ground levels fall slightly from the front of the site towards the rear with the site itself being set slightly lower than Newton Lane as well as significantly lower than the A5 which forms the sites eastern boundary. A two-storey residential dwelling is situated to the west of and adjoining the application site while also standing to the front and north of the front elevation of the building to which the application relates. The wider area predominantly comprises agricultural land with a number of historic, isolated residential dwellings. There is a Scheduled Ancient Monument under the site.

A noise abatement notice was served on the operator of the B8 use. Dialogue is occurring between the Council and the B8 operator on the matter of the Order while investigations are continuing on the site.



**Relevant Policies;**

|                             |          |                                     |
|-----------------------------|----------|-------------------------------------|
| RBCS Policy CS1             | Complies | Development Strategy                |
| RBCS Policy CS16            | Complies | Sustainable Design and Construction |
| Saved Local Plan Policy GP2 | Complies | Landscaping                         |
| Saved Local Plan Policy E6  | Complies | Biodiversity                        |
| Saved Local Plan Policy T5  | Complies | Parking Facilities                  |
| Saved Local Plan Policy ED6 | Complies | Retention of other employment land  |

Planning Obligations SPD

NPPF

**Consideration;**

The issues for consideration relate to and include the acceptability or otherwise of the change of use, highway safety, parking matters and amenity.

Principle:

The site is located in the open countryside where the provisions of policy CS1 of the Rugby Borough Core Strategy detail that it is the 5<sup>th</sup> location of 6 for development to be located and should only be approved where in accordance with national policy. Paragraph 7 of the NPPF sets out that proposals should seeks to provide sustainable development through economic, social and environmental roles taken collectively due to their being mutually dependant. Within paragraph 9 of the NPPF it continues by detailing how pursuing sustainable development involves seeking positive improvements in the built, natural and historic environment as well as in the quality of people’s lives through a variety of means. Section 1 of the NPPF establishes the means in which sustainable development may be achieved through building a strong, competitive economy while Section 3 relates to supporting a prosperous rural economy including supporting the sustainable growth an expansion of all types of business through the conversion of existing buildings.

Planning permission was granted once in 1992 and twice in 1993 for the change of use of the building to provide offices within Use Class B1 with these 3 permissions all including the provision of a car parking area. While one of these permissions was implemented, the car parking provision was not implemented and notwithstanding the other application being considered, could be implemented at any point. An assessment of the sites history also shows that an application for the change of use of the building to a mixed use including B8 storage and distribution was withdrawn in 2004 although no details indicate the reason for its withdrawal. The building as a whole is used for office purposes within use class B1 and is situated in very close access to the A5 trunk road allowing it to benefit from good transport links. This factor and due to the NPPF indicating that building should be re-used or converted where possible add weight to the unit being used for purposes is, in principle, of benefit with regards to meeting the aims of sustainable development. Officers are therefore of the opinion the proposal complies with the provisions of the NPPF thus also comply with policy CS1 of the Rugby Borough Core Strategy.

Furthermore, the provisions of saved policy ED6 detail that existing employment land should be retained for employments purposes (use B1, B2 and B8) unless certain instances exist. The proposal would see the land retained for employment purposes so complying with the provisions of this policy.

### Design and Appearance:

As part of this application, alterations are proposed to the existing vehicular access point into the building to enlarge it in a manner enabling HGV vehicles using the site to be loaded and unloaded within the existing unit. The purpose for this alteration is to enable impacts on the nearby residential dwelling to be minimised. It will continue to be read in to be read in the context of the building while also being of an appropriate scale, bulk, proportion and massing in relation to the building so will continue to be in-keeping with the character and appearance. In this respect the proposal complies with the provisions of policy CS16.

### Amenity:

A number of issues relating to amenity have been raised by RBC Environmental Health and the occupiers of an adjacent residential dwelling (as well as the neighbouring dwellings planning agent). In order that these be addressed thoroughly in a coherent matter each will be dealt with under appropriate headings here.

### Noise and Hours of Use:

Noise has been raised as an issue since the use of the site began for B8 purposes, specifically in relation to the adjacent residential dwelling and has contributed to a Noise Abatement Notice having been served by Environmental Health. While this is separate from Planning having been issued under separate legislation, it is relevant by virtue of showing the proposal to which this application relates has an unacceptable impact on amenity in an unchecked situation.

The hours of use proposed on the application forms submitted indicated the applicants intended hours of use were between 0500 and 2200 hours Monday to Saturday inclusive with the proposal not being used at all on Sundays or Bank Holidays.

As a result of the issues encountered by the neighbouring residential dwelling relating to noise and in connection with the noise abatement notice served by RBC Environmental Health, a Noise Nuisance Report and Noise Management Plan were undertaken and submitted in association with this application. An assessment of these documents by Environmental Health has resulted in an amendment to the Noise Management Plan.

Environmental Health colleagues are satisfied with the contents of the amended noise management plan, requesting a condition requiring compliance with it. Such a condition would, in officers opinion, comply with the provisions of the relevant circular pertaining to planning conditions so would be acceptable and appropriate to attach to any approval.

Turning to the Noise Nuisance Report, it confirmed the likelihood of significant adverse impact range of the proposal in relation to the neighbouring residential dwelling however highlighted that the mitigation measures advanced by the applicants noise advisors in the report would serve to address these issues in principle – a view agreed by Environmental Health officers. It has been highlighted by Environmental Health officers that the imposition of conditions restricting the hours of use to between 060 and 2030 hours as well as restricting the number of deliveries between 0600 and 0700 hours to no more than 2 with any loading / unloading of these 2 vehicles being from within the building. A condition restricting the number of HGVs that can operate from the site is also requested. Discussions between Planning and Environmental Health officers on this matter has determined that the conditions suggested by Environmental Health would be acceptable while serving to address the valid noise issued raised through neighbours, the application and the noise abatement notice. Furthermore, and as a result of the noise survey, an amended plan has been provided on the corresponding application for the parking and fencing to include the provision of a 4m acoustic fence that extends for a distance of 75m from the front wall of the

building along the site boundary between the site and the nearby residential dwelling. While being considered as part of the other application, it is of relevance to this submission with Environmental Health having commented that it would, through the provision of the noise survey, contribute to the reduction in noise impact to the residential dwelling in a manner that further supports the proposal.

#### Dust:

The use of unit 12 for storage and distribution purposes has, through the other application for the parking area, the potential to result in levels of dust that could result in detrimental impacts upon amenity through the intended use of quarry dust as a topping for the hard core that forms the base of the parking area. However on the other application for the parking area – also on this Planning Committee agenda – a condition could be attached requiring details of a more solid surfacing material be provided and implemented that would serve to ensure the amount of dust generated through vehicular movements was kept to a minimum and as such wouldn't impact upon neighbouring amenity.

#### Lighting and levels of illumination:

An artificial lighting report has also been provided following a request for it from officers, also on the grounds of seeking to ensure the amenities of the nearby dwelling as well as the countryside are not impacted upon through light pollution. The report provides details on the lighting proposed as well as mitigation measures in association with them. This report has been assessed and found to be acceptable subject to the mitigation measures proposed being implemented.

#### Access and parking:

The unit to which the application relates is, along with the other units in the building, access directly off Newton Lane which is a road managed by WCC Highways. In their consultation response they state they have no objections as the fence would be positioned behind and out of the visibility splays required for the access. The access off Newton Lane is in close proximity to the junction between Newton Lane and the A5 with the A5 being a trunk road managed and maintained by Highways England who have commented that they have no objections to the proposal. Discussions with Highway England specifically drew their attention to the use of the Newton Lane and A5 junction by HGV's as well as weight restrictions further along Newton Lane towards Newton itself with regards to highway safety following a site visit by officers and objections by residents. In respect of these, Highway England re-assessed their original no objection comments and were still of the opinion that the change of use of Unit 12 from B1 offices to a B8 storage and distribution would not result in any adverse or detrimental impacts on highway safety – a view also shared by WCC Highways.

Parking details are required to be provided in accordance with saved local plan policy T5 as well as the Planning Obligations SPD where standards are set out. Within the area to be enclosed by the fencing (palisade and acoustic) and used for parking there is space that could accommodate a large number of cars and or heavy goods vehicles to a point where standards are met. The provisions of both saved policy T5 and the Planning Obligations SPD have been complied with.

#### Ecology:

WCC Ecology has no objections to the proposal subject to 2 informatives being attached to any approval and discussions with Ecology Officers have indicated that do not consider the proposal would result in any adverse or detrimental impact upon ecology in the area. The provisions of saved local plan policy E6 have been complied with.

Heritage:

A Scheduled Ancient Monument exists under the site. Historic England have been consulted on the submitted and commented that they do not wish to offer any comment on this occasion. Warwickshire County Council Archaeology has also commented they have no comments to make. Discussions with both have indicated that it is considered the proposal does nor would not impact upon the Scheduled Ancient Monument so does not therefor, it is considered, impact on the heritage asset on-site.

Conclusion:

In conclusion it has been established that the use of the unit would, in principle, be acceptable and in accordance with the provisions of the NPPF as well as Core Strategy policy CS1 and saved local plan policy ED6. While the proposal has been shown to result in unacceptable amenity impacts through a Noise Abatement Notice having been served, the mitigation measures contained within the various reports provided on the application show to the satisfaction of the relevant consultees that the various impacts can be addressed so that existing impacts will be overcome. The proposal would not impact on highway safety with sufficient on-site parking being capable of being provided while also not impacting on either heritage assets or ecology.

**Recommendation;**

Recommend approval subject to conditions.

Report prepared by: Richard Redford                      22<sup>nd</sup> August 2016

**DRAFT DECISION**

**APPLICATION NUMBER**

R15/2288

**DATE VALID**

12/11/2015

**ADDRESS OF DEVELOPMENT**

Unit 12 - Tripontium Business Centre  
Newton Lane  
Newton  
Rugby  
CV23 0TB

**APPLICANT/AGENT**

Mr Kenneth Watt  
Whittaker & Watt Architects  
379 Antrim Road  
Newtownabbey  
Antrim  
BT36 5EB  
On behalf of Mr Mark Montgomery,  
Montgomery Distribution

**APPLICATION DESCRIPTION**

Change of Use from B1 (Light Industry with Associated Office Accommodation) to B8 (Regional Distribution Centre Local Depot with Associated Office Accommodation) and alterations to front elevation of building.

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

### CONDITION 1:

This permission shall be deemed to have taken effect on [specify].

### 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:

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

Application Forms, plans numbered 1588(09)-01 and 1588(09)-02 both dated 29th October 2015 and drawing numbered 1588(09)-03 dated 11th November 2015 all submitted to and received by the Local Planning Authority on 12th November 2015;;

Agent letter dated 18th November 2016 and drawing numbered 1588(05) - 03 dated 19th October 2015 both submitted to and received by the Local Planning Authority on 19th November 2015;

Noise Nuisance Report numbered NI1674/N/NNR/01/02 Rev D01 by RPS dated 9th February 2016 submitted to and received by the Local Planning Authority on 4th March 2016;

Artificial Lighting Report numbered NI1674/ALR/01/26042016 by RPS dated 26th April 2016 and Air Quality Impact Assessment (AQIA) Report numbered NI1674/AQIA/01/100316 Rev F01 dated 8th April 2016 both submitted to and received by the Local Planning Authority on 26th April 2016;

Noise Management Plan Version 1:3 by Montgomery Distribution dated July 2016 submitted to and received by the Local Planning Authority on 7th July 2016;

Preliminary Ecological Appraisal Report numbered OFX9541 by RPS dated May 2016 submitted to and received by the Local Planning Authority on 9th May 2016;

Drawings numbered 1588(09).07 dated 24th April 2016 nad 1588(09).08 dated 25th May 2016 submitted to and received by the Local Planning Authority on 13th May 2016

### REASON:

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

CONDITION 3;

The development hereby approved shall only be used during the following hours;

Monday to Friday - 0600 and 2030 hours

Saturday - 0700 and 1730 hours

No operations on Sunday or public holidays.

REASON;

In the interests of protecting residential amenity.

CONDITION 4;

A maximum of two vehicular deliveries shall take place on the hardstanding between the hours of 0600 and 0700 Monday to Friday inclusive and none on Saturday, Sunday or public holidays. Any loading or unloading associated with these shall take place within the unit known as Unit 12, The Tripontium, Newton Lane.

REASON;

To ensure that the use of the hardstanding in this early period does not impact upon residential amenity.

CONDITION 5;

No more than a total 25 HGVs / lorries shall operate from the development hereby permitted.

REASON;

To ensure the amenities of nearby dwellings are protected.

CONDITION 6;

All loading and unloading activities on the site between the hours of 0600 and 0700 shall be undertaken within the unit known at Unit 12, Tripontium Business Centre, Newton Lane, Newton.

REASON;

To ensure the amenities of nearby residential properties is protected.

CONDITION 7;

Within three months of the date of this decision the contents of the Artificial Lighting Report numbered NI1674/ALR/01/26042016 by RPS dated 26th April 2016, submitted to and received by the Local Planning Authority on 26th April 2016, shall be implemented in full.

REASON;

To protect the visual amenity of the area and nearby residential dwellings.

CONDITION 8;

The provisions of the Noise Management Plan Version 1:3 by Montgomery Distribution dated July 2016 submitted to and received by the Local Planning Authority on 7th July 2016 shall be implemented within 2 months of the date of this decision then subsequently retained.

REASON;

To ensure the development does not unacceptably impact upon the amenities of neighbouring and surrounding sites.

CONDITION 9;

Within two months of the date of this decision the contents of the Noise Nuisance Report numbered NI1674/N/NNR/01/02 Rev D01 by RPS dated 9th February 2016 submitted to and received by the Local Planning Authority on 4th March 2016, shall be implemented in full.

REASON;

To protect the visual amenity of the area and nearby residential dwellings.

CONDITION 10;

10 months following the date of this decision a full noise survey shall be undertaken with resultant report, to include mitigation measures where required, submitted to and approved in writing by the Local Planning Authority. Any mitigation within the report shall be implemented within 6 months of the written approval of the further noise survey and subsequently retained.

REASON;

In order to ensure mitigation measures ensure the protection of the amenities of nearby residential dwellings.

CONDITION 11;

Within one month of the date of this decision, the acoustic fence approved shall be installed in accordance with the approved details then subsequently retained and maintained.

REASON;

To ensure acceptable noise mitigation measures are provided and subsequently retained in the interests of residential amenity.

CONDITION 12;

The development hereby permitted shall be for storage and distribution purposes within Use Class B8 of the Town and Country Planning (Use Classes) Order 2015 or as subsequently amended and for no other purpose.

REASON;

To ensure the use of unit and site is for purposes as applied for.

CONDITION 13;

No servicing, maintenance or repair of any vehicles associated with the development and use hereby permitted shall be carried out on the application site.

REASON;

In the interests of protecting amenity.

#### CONDITION 14:

Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall be personal to Montgomery Distribution Ltd. When the unit is vacated, the use of the unit shall revert to Use Class B1 office purposes only.

#### REASON:

As the development is only acceptable due to the applicant's personal circumstances.

#### CONDITION 15;

Within one month from the date of this decision, a plan showing the location of bollards around the gas and oil tanks on the eastern site boundary and full details of the intended bollards shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full within one month of their approval and subsequently retained while the site is used for the approved storage and distribution purposes.

#### REASON;

In the interests of health and safety.

#### STATEMENT OF POSITIVE ENGAGEMENT:

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

#### INFORMATIVE 1;

Designated walkways and protective barriers should accompany a storage and distribution site for employee health and safety reasons. Consultation is advised principally with the HSE or with Health and Safety Officers at Rugby Borough Council Environmental Services, Dean Taylor of Gill Parsons 01788 533 533.

#### INFORMATIVE 2;

The Council is committed to compliance with the Regulators' Code. If applicant has any concerns about the action being taken, are considering an appeal, or need advice on regulatory issues please visit:

[http://www.rugby.gov.uk/info/200013/business\\_support\\_and\\_advice/1784/the\\_regulators\\_code](http://www.rugby.gov.uk/info/200013/business_support_and_advice/1784/the_regulators_code)

#### INFORMATIVE 3;

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

#### INFORMATIVE 4;

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010 making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where



a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0300 060 3900. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

#### INFORMATIVE 5;

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

**Reference number: R15/1881**

**Site address: Unit 12, The Tripontium, Newton Lane, Newton, Rugby**

**Description: Retention of levelling of land to front of building and laying of a 0.1M permeable surface comprising hard core blinded by quarry dust. Erection of 2.35m high palisade fencing along the site boundaries and a 4m high acoustic fencing along site boundary with the site access road.**

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

**The Proposal;**

Planning permission is sought for the retention of the levelling off of land to the front of the Tripontium Business Centre Building through the laying of 0.1m permeable surface comprising hard core and quarry dust, and the provision of 2.35m high palisade fencing around a section of the site. A Preliminary Ecological Appraisal has been provided following a request as have an artificial light report and a noise nuisance report.

An additional plan has been provided by the agent showing details pertaining to the levelling of the land and sections through it. The covering letter provided details that the hardstanding is to enable the safe manoeuvring of vehicles on the site, with a separate application having been made for the change of use of a part of the building and site from B1 to B8 use, and that the fencing around the site is for security purposes.

**Site History;**

The site as a whole has a substantial site history with the following being those of relevance to this current application;

Use of part of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R92/1147/6648/P) Approved 11.11.1992

Use of part of former riding school as storage / warehousing, ancillary offices and car park (R92/1148/6648/P) Withdrawn 03.11.1992

Use of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R92/1430/6648/P) Approved 03.02.1993

Use of part of former riding school as business units within Class B1 of the Town and Country Planning (Use Classes) Order 1987 and provision of a car park (R93/0545/6648/P) Approved 01.09.1993

Construction of new vehicular access / drive to industrial units (R97/0888/6648/P) Approved 26.01.1998

Use of land for the erection of buildings to be used for purposes within B1, B2, B8 and C1 of the Town and Country (Use Classes) Order 1987, the use of existing building (Holywell House) as visitor and field study centre and flat plus associated highway improvements and archaeological facilities (R01/1103/6648/OP) Withdrawn 07.10.2004

Retrospective application for the change of use of Unit 12 from offices (Use Class B1) to storage and distribution (Use Class B8) (R15/2288) Under consideration

### Consultee Correspondence;

|                          |                     |                        |
|--------------------------|---------------------|------------------------|
| Environment Agency       | No comments to make |                        |
| Highway England          | No objection        |                        |
| Historic England         | No comments to make |                        |
| Natural England          | No objection        |                        |
| RBC Environmental Health | No objection        | Request conditions     |
| WCC Archaeology          | No comment to make  |                        |
| WCC Ecology              | No objection        | Request an informative |
| WCC Highway Authority    | No objection        |                        |

### Third Party Correspondence;

|                                |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Newton & Biggin Parish Council | Object | On the grounds of the hours of use being unacceptable and even if the warehouse were closed between the hours specified it would not prevent the yard being used 24 hours a day; no information on noise impact of the operation on adjacent noise sensitive receptors; a noise risk seems to exist that should be investigated in detail prior to determination; it is not credible that parking space provision and employment levels will remain unaltered as stated in the application forms; nor is it credible that existing operations on site would cease; query the stated light goods vehicles using the site as HGV's are regularly seen using the site; no information on how vehicles will be prevented from accessing Newton village where a 7.5 ton weight restriction exists; no information given on traffic generation; no information given on capacity and safety issues of using the Newton Lane and A5 junction which is dangerous due to the narrowness of Newton Lane, poor visibility and lack of deceleration / acceleration lanes; A5 under massive pressure at present with likely increases; need for a Transport Assessment; RBC should use a Stop Notice if noise impacts found; request the further information be provided or application refused and request conditions is approved. |
| Neighbours (2)                 | Object | On the grounds of detrimental impact on outlook from existing, principle room windows in their dwelling which adjoins the site; unauthorised change of use from B1 to B8; increased use of the site by large, articulated lorries; increased noise disturbance at all hours from 5am to 8pm; increased disturbance; adverse impact on residential amenity; increased noise and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

pollution levels; Newton Lane has a 7.5 tonne vehicle weight capacity with the vehicles using the site exceeding this; increased dust levels impacting on the adjacent dwelling (windows, garden etc) and the health of its occupants; authorised use for purposes within use Class B1 that would not cause detriment to residential amenity; materially different impact from that authorised; noise from site operations with the intended B8 use will have a detrimental impact on neighbouring amenity; noise impact especially significant in the early mornings between 5am and 8am as well as at evening between 6pm and 10pm; need for a noise survey; likely the heavy goods vehicles using the site will expand, hence the need for the additional hardstanding; adverse impact on Newton Lane that has a weight restriction; a transport statement hasn't been provided with the submission; difficult to fully assess the highway impact due to lack of information; hardstanding will be detrimental to visual amenity; is highly visible from the public realm and adjacent residential dwelling creating a harder, less attractive visual environment; impact heightened when HGV's are parked on the site; an archaeological assessment is required given the archaeological interest of the site; dust increase prevents windows being opened; providing a copy of the noise abatement notice served on the operator of the B8 use on site; and permission should be refused with subsequent enforcement action taken.

Petition (1) of 87 signatures Object

**Other Relevant Information;**

The application is before the Committee at the request of Councillor Hunt.

Located in the open countryside the site is occupied by a single storey industrial building providing a number of industrial units. Access to the site is directly from Newton Lane although the location of the access is close to the A5 trunk road. Ground levels fall slightly from the front of the site towards the rear with the site itself being set slightly lower than Newton Lane as well as significantly lower than the A5 which forms the sites eastern boundary. A two-storey residential dwelling is situated to the west of and adjoining the application site while also standing to the front and north of the front elevation of the building to which the application relates. The wider area predominantly comprises agricultural land with a number of historic, isolated residential dwellings. There is a Scheduled Ancient Monument under the site.

A noise abatement notice was served on the operator of the B8 use. Dialogue is occurring between the Council and the B8 operator on the matter of the Order while investigations are continuing on the site.

**Relevant Policies;**

|                             |          |                                     |
|-----------------------------|----------|-------------------------------------|
| RBCS Policy CS1             | Complies | Development Strategy                |
| RBCS Policy CS16            | Complies | Sustainable Design and Construction |
| Saved Local Plan Policy GP2 | Complies | Landscaping                         |
| Saved Local Plan Policy E6  | Complies | Biodiversity                        |
| Saved Local Plan Policy T5  | Complies | Parking Facilities                  |
| Saved Local Plan Policy ED6 | Complies | Retention of other employment land  |

Planning Obligations SPD

NPPF

**Consideration;**

The primary issue for consideration in this application relate to the acceptability or otherwise of the retention of levelling of the land to front (Newton Lane side) of building and laying of a 0.1M permeable surface comprising hard core blinded by quarry dust to form a parking area as well as the erection of 2.35m high palisade fencing around the site. Subsequent to this matters relate to ecology, amenity, landscaping and employment land.

**Principle;**

The site is located in the open countryside where the provisions of policy CS1 of the Rugby Borough Core Strategy detail that it is the 5<sup>th</sup> location of 6 for development to be located and should only be approved where in accordance with national policy. Paragraph 7 of the NPPF sets out that proposals should seeks to provide sustainable development through economic, social and environmental roles taken collectively due to their being mutually dependant. Within paragraph 9 of the NPPF it continues by detailing how pursuing sustainable development involves seeking positive improvements in the built, natural and historic environment as well as in the quality of people's lives through a variety of means. Section 1 of the NPPF establishes means in which sustainable development may be achieved through building a strong, competitive economy while Section 3 relates to supporting a prosperous rural economy including supporting the sustainable growth an expansion of all types of business through the conversion of existing buildings.

Planning permission was granted once in 1992 and twice in 1993 for the change of use of the building to provide offices within Use Class B1 with these 3 permissions all including the provision of a car parking area. While one of these permissions was implemented, the car parking provision was not implemented in full and covers an area of approximately the same area as is the case in this application being determined. The implemented permission could still implement the parking scheme approved which would cover the same area resulting in the surfacing element of the proposal covering the area to which this application relates. This serves to show that the use of this area for parking in this countryside location has already been considered acceptable and can still be implemented. Its use in this instance would be associated with unit 12 which is the subject of a separate application also on this agenda.

From these points it can be seen that the car park historically approved as part of a larger implemented development can be put in place at any point and that the proposal in this application is on the same area of the site so could constitute an alteration to the scheme that would be used in association with the use of an element of the building. It has already been established that the proposed parking area would be acceptable and associated with the building in enabling the re-development of the land and its use in association with an existing building contributing to sustainable development. In this context it is considered to comply with the provisions of the NPPF and therefore policy CS1.

Furthermore, the provisions of saved policy ED6 detail that existing employment land should be retained for employment purposes (use B1, B2 and B8) unless certain instances exist. The proposal would see the land retained for employment purposes so complying with the provisions of this policy.

#### Environmental Health and Amenity:

The submitted details indicate that the hard core will be covered by a quarry dust permeable surface 0.1m in depth in order to afford vehicles safe turning and manoeuvring space. Environmental Health colleagues are, following the submission of a number of documents including the acoustic fencing details, satisfied that there would be no impact although they are currently investigating dust matters. While at present the intended quarry dust permeable surface is considered acceptable based on the Environmental Health comments, a condition could be attached requiring details of a bound surface material be submitted, agreed and implemented within a specified time period should permission be granted in order to ensure a dust does not arise from the quarry dust proposed to be used.

With regards to the fencing proposed, as originally submitted the fencing related solely to the 2.35m high palisade fencing. The palisade fencing is of a design, appearance, height and character in keeping with the existing fencing and gates and the site entrance off Newton Lane which it matches. Although it is located within the site itself, it is not considered to be unacceptable nor out of keeping with the locality and this element therefore complies with policy CS16.

However as a result of the business operating causing a noise impact, a noise abatement notice was served by Environmental Health leading to the noise survey being submitted as part of this and the other planning application being considered. Due to these, an additional plan was provided showing a 4m high 75m long acoustic fence to be sited along a length of the existing internal access road to separate the operational site from both the access road and the nearest residential dwelling. Environmental Health are satisfied that, subject to conditions, the acoustic fence would be acceptable in addressing noise concerns. Visually the fence will be prominent within the site and from the nearest dwelling albeit to a limited amount from its ground floor opens however it would, on the basis of discussions with Environmental Health, address the noise concerns raised. Its prominence will be limited to within the site and the adjacent dwelling as a result of the sites location substantially below the A5 trunk road and existing semi-mature site boundary treatment around the site boundary. Its design is to a great extent influenced by its purpose which is to reduce unacceptable noise levels resulting in their not impacting upon, in this instance, the nearest dwelling. Although not in-keeping with the character and appearance of the site, it is considered to be acceptable on balance due to it addressing noise concerns and being viewed from limited vantage points in such a manner that would allow operations to occur on-site without impacting on noise amenity in a sustainable manner.

### Landscaping:

The site as a whole has a good level of landscaping along both its A5 and Newton Lane road frontages as well as in places long its other site boundaries including with the land associated with the adjoining dwelling. The existing provision would not be impacted upon while a condition requiring further landscaping to be provided would not comply with the requirements of the conditions circular as it would not be necessary to the development proposed given sufficient landscaped screening already exists.

### Access and parking:

The unit to which the application relates is, along with the other units in the building, access directly off Newton Lane which is a road managed by WCC Highways. In their consultation response they state they have no objections as the fence would be positioned behind and out of the visibility splays required for the access. The access off Newton Lane is in close proximity to the junction between Newton Lane and the A5 with the A5 being a trunk road managed and maintained by Highways England who have commented that they have no objections to the proposal.

Parking details are required to be provided in accordance with saved local plan policy T5 as well as the Planning Obligations SPD where standards are set out. Within the area to be enclosed by the fencing (palisade and acoustic) and used for parking there is space that could accommodate a large number of cars and or heavy goods vehicles to a point where standards are met. The provisions of both saved policy T5 and the Planning Obligations SPD have been complied with.

### Ecology:

Ecologically, following an initial request from WCC Ecology, a preliminary ecological appraisal has been undertaken with resultant report submitted for assessment. WCC Ecological officers have commented that they are satisfied with the findings of the report and have no objections to the proposal subject to an informative being attached to any approval. The proposal therefore complies with the provisions of saved local plan policy E6.

### Heritage:

A Scheduled Ancient Monument exists under the site. Historic England have been consulted on the submitted and commented that they do not wish to offer any comment on this occasion. Warwickshire County Council Archaeology has also commented they have no comments to make. Discussions with both have indicated that it is considered the proposal does nor would not impact upon the Scheduled Ancient Monument so does not therefor, it is considered, impact on the heritage asset on-site.

### Conclusion:

Overall therefore it is considered that the principle of the development is acceptable given the implementation of a previous approval which included a parking area that was not implemented when the change of use was. While concerns have been raised in respect of noise and amenity through the proposal, officers are satisfied based on consultation response that the concerns can be addressed through appropriate conditions. The proposal is therefore considered acceptable and recommended for approval subject to conditions.

### **Recommendation;**

Recommend approval subject to conditions.

**DRAFT DECISION**

**APPLICATION NUMBER**

R15/1881

**DATE VALID**

12/10/2015

**ADDRESS OF DEVELOPMENT**

CENTRE  
UNIT 12 TRIPONTIUM BUSINESS  
NEWTON LANE  
NEWTON  
RUGBY  
CV23 0TB

**APPLICANT/AGENT**

Kenneth Watt  
Whittaker And Watt Architects  
379 Antrim Road  
Newtownabbey  
BT36 5EB  
On behalf of Mr Mark Montgomery,  
Montgomery Distribution

**APPLICATION DESCRIPTION**

Retention of leveling of land to front of building and laying of a 0.1M permeable surface comprising hardcore blinded by quarry dust. Erection of 2.35m high palisade fencing around the site and a 4m high acoustic fencing along site boundary with the site access road.

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

CONDITION 1:

This permission shall be deemed to have taken effect on [specify].

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:

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

Application Forms, site location plan numbered 1588(05)-01B Rev B dated 17th September 2015 and Palisade fencing plan numbered 1588(2)-02 dated 16th September 2015;

Agent letter dated 18th November 2016 and drawing numbered 1588(05) - 03 dated 19th October 2015 both submitted to and received by the Local Planning Authority on 19th November 2015;

Noise Nuisance Report numbered NI1674/N/NNR/01/02 Rev D01 by RPS dated 9th February 2016 submitted to and received by the Local Planning Authority on 4th March 2016;



Artificial Lighting Report numbered NI1674/ALR/01/26042016 by RPS dated 26th April 2016 and Air Quality Impact Assessment (AQIA) Report numbered NI1674/AQIA/01/100316 Rev F01 dated 8th April 2016 both submitted to and received by the Local Planning Authority on 26th April 2016;

Noise Management Plan Version 1:3 by Montgomery Distribution dated July 2016 submitted to and received by the Local Planning Authority on 7th July 2016;

Preliminary Ecological Appraisal Report numbered OFX9541 by RPS dated May 2016 submitted to and received by the Local Planning Authority on 9th May 2016;

Drawings numbered 1588(09).07 dated 24th April 2016 and 1588(09).08 dated 25th May 2016 submitted to and received by the Local Planning Authority on 13th May 2016

REASON:

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

CONDITION 3;

The area within the blue line on drawing 1588(05)-01B Rev B dated 17th September 2015, submitted to and received by the Local Planning Authority on 12th October 2015, shall not be used for any maintenance, servicing or washing down of any HGV, forklift or fleet vehicle using the site.

REASON;

In the interests of environmental protection and to protect the amenity of nearby residential dwellings.

CONDITION 4;

Within three months of the date of this decision the contents of the Artificial Lighting Report numbered NI1674/ALR/01/26042016 by RPS dated 26th April 2016, submitted to and received by the Local Planning Authority on 26th April 2016, shall be implemented in full.

REASON;

To protect the visual amenity of the area and nearby residential dwellings.

CONDITION 5;

Within one month of the date of this decision, the acoustic fence approved shall be installed in accordance with the approved details then subsequently retained and maintained.

REASON;

To ensure acceptable noise mitigation measures are provided and subsequently retained in the interests of residential amenity.

CONDITION 6;

The provisions of the Noise Management Plan Version 1:3 by Montgomery Distribution dated July 2016 submitted to and received by the Local Planning Authority on 7th July 2016 shall be implemented within 2 months of the date of this decision then subsequently retained.

REASON;

To ensure the development does not unacceptably impact upon the amenities of neighbouring and surrounding sites.

CONDITION 7;

10 months following the date of this decision a full noise survey shall be undertaken with resultant report, to include mitigation measures where required, submitted to and approved in writing by the Local Planning Authority. Any mitigation within the report shall be implemented within 6 months of the written approval of the further noise survey and subsequently retained.

REASON;

In order to ensure mitigation measures ensure the protection of the amenities of nearby residential dwellings.

CONDITION 8;

Within three months of the date of this decision, a contaminated land investigation of the hardcore laid shall be undertaken with resultant report submitted to and approved in writing by the Local Planning Authority. Any mitigation measure identified in the report and approved shall be implemented within three months and subsequently retained.

REASON;

In order to ensure the hardcore imported does not pose any adverse or detrimental effect on the ground.

CONDITION 9;

All external lighting is switched off after 20:30.

REASON;

To ensure the protection of nearby residential amenity from light pollution.

CONDITION 10;

The vehicular parking area hereby approved as part of this development shall only be used by during the following times;

Monday to Friday - 0600 to 1900

Saturday - 0730 to 1800

No operations on Sunday or public holidays.

REASON;

In the interests of protecting residential amenity.

CONDITION 11;

A maximum of two vehicular deliveries shall take place on the hardstanding between the hours of 0600 and 0700 Monday to Friday inclusive and none on Saturday, Sunday or public holidays. Any loading or unloading associated with these shall take place within the unit known as Unit 12, The Tripointium, Newton Lane.

REASON;

To ensure that the use of the hardstanding in this early period does not impact upon residential amenity.

CONDITION 12;

Prior to the palisade fencing hereby approved being installed, full details of the intended finish shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall then be installed in accordance with the approved details.

REASON;

In the interests of visual 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;

A variety of bird species use bird boxes for nesting. Consideration should be given to the provision of suitable bird boxes within the new build or adjacent trees, in order to increase nesting opportunities for birds. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of bird boxes to use.

**Reference number:** R16/1067

**Site address:** Millboard Products, Ryton Lodge, Oxford Road, Ryton-on-Dunsmore. CV8 3EJ

**Description:** Redevelopment and limited infilling of existing structures for a new production facility at Ryton Lodge.

**Case Officer:** Mary-Ann Jones (01788 533845)

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## **INTRODUCTION/ RECOMMENDATION**

The planning application is put forward before members of the Planning Committee in accordance with the council's scheme of delegation; the proposal constitutes a major development.

Planning Committee members are recommended to approve planning permission subject to conditions.

## **DESCRIPTION OF SITE**

The application site lies within the designated West Midlands Green Belt outside any defined settlement boundary. It is located approximately 300 metres south west of Ryton on Dunsmore village. The site is accessed off the Oxford Road, A423 on the south western side.

The overall site extends to 7.54 hectares (18.63 acres) approximately, of which the proposed development only occupies a small area.

The existing buildings have a maximum height of 9.3 metres and comprise a mixture of styles and scale, including poly tunnels, purpose built production facilities and Ryton Lodge. The site currently accommodates a factory unit of 735m<sup>2</sup> which has recently been granted planning permission for a modest 239m<sup>2</sup> extension, equating to a total factory unit of 974m<sup>2</sup>.

Ryton Lodge was previously a residential dwelling, before being converted to offices and staff facilities. The buildings were initially converted in 2004 to enable the manufacture of tubs and garden containers associated with a horticultural nursery use on the site. These operations have diversified over time as the business has grown and evolved. The business now manufactures composite decking products for use in external areas and landscape gardening.

The adjacent site to the north (Stonemarket) also comprises buildings of varying scale, however the heights are comparable, the closest being 7 metres high. This site primarily manufactures paving and other hard landscape products.

To the north east is the Former Peugeot Works site which has received planning permission to be redeveloped for employment purposes.

To the south east is the residential property of Lodge Cottage with fields beyond.

To the south west is the remaining part of application site where there are a series of poly tunnels.

## **DESCRIPTION OF PROPOSAL**

### **Built form**

The proposal seeks to erect a new production facility to allow the business to cater for the increased demand for the Millboard product (composite decking). The new facility comprises a new building of 1,137 square metres together with a further 340 square metres of first floor accommodation making a total of 1,477 square metres.

The proposed Production Facility will measure circa 21 metres wide x 62.2 metres long externally. The roof will be a curved crown with a maximum ridge height of circa 6.7 metres.

The materials used in the construction of the building are indicated in to be

- Roof - Profiled metal sheeting in Goosewing Grey RAL 7038 HPS 200 Ultra finish with erlin Grey RAL 180 40 05 eaves, fascia and soffit incorporating approximately 10% roof lights.
- Walls - Northern elevation to be in Millboard Coppered Oak with all other elevations being in vertically spanning metal profiled sheet in Goosewing Grey RAL 7038 HPS 200 Ultra finish.
- Doors - Service Access: Metal doors painted Merlin Grey RAL 180 40 05
- Fire Exit/ Personnel Doors: Metal faced doors painted Merlin Grey RAL 180 40 05

### **Parking provision**

The proposal seeks to increase the parking provision to 56 parking spaces. This includes 2 disabled parking spaces. The parking will be distributed through the site adjacent to the main entrance and thoroughfare.

The current parking provision is for 19 cars. There will be an increase in parking of 35 standard spaces and 2 disabled spaces.

The existing number of employees is 20; it is proposed to increase the number of employees to 56.

### **Access**

The principal access point into the site is maintained but altered to accommodate a two way access. The access will be widened to 7.3 metres wide to better accommodate HGV vehicles.

Servicing of the new building is from the existing service area within the site. Internal pedestrian access is also indicated in the proposed site plan and will be fenced and signposted throughout the site in accordance with the relevant health and safety requirements.

## **CONSULTATION RESPONSES**

Notifications were sent to neighbouring properties, ward and parish councillors.

A site notice was posted at the site.

A press notice was published in the local press.

### **Third Party Comments**

- Neighbours No comments received to date.
- Ward Councillors No comments received to date.
- Parish Councillors No objections.

### **Technical Consultation Responses**

- WCC Ecology No objection subject to the following condition.  
  
The development hereby permitted shall proceed in accordance with the method statement for great crested newts as set out in Section 7 of the document Great Crested Newt Assessment prepared by EcoLocation Ltd dated 3rd August 2016 and received by the Local Planning Authority on 4th August 2016. The approved mitigation measures shall be implemented in full.
  
- WCC Highways The Highway Authority considers the proposed development to be acceptable and it is unlikely that the development proposals will have a detrimental impact on public highway safety or the operation of the local highway network. Therefore, the response of the Highway Authority is one of no objection, subject to conditions.
  
- WCC Archaeology No objection.
  
- RBC Tree Officer No objection. Existing boundary trees/hedges appear to be retained which provide good screening in the semi-rural setting.
  
- Environmental Health No comments to make on this application. No recommended conditions.
  
- Natural England No comments to make.

### **RELEVANT PLANNING POLICIES/GUIDANCE**

#### **RBC Core Strategy, SPD other local relevant policies**

- CS1 Development Strategy
- CS2 Parish Plans

- CS11 Transport and New Development
- CS14 Enhancing the Strategic Green Infrastructure Network
- CS16 Sustainable Design
- SPD Sustainable Design and Construction SPD: Appendix B Residential Design Guide, 2012.
- Ryton on Dunsmore Parish Plan, 2012.

### **RBC Saved Polices**

- E6 Biodiversity
- GP2 Landscaping
- T5 Parking facilities
- ED6 Retention of other employment land

### **National**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

### **RELEVANT PLANNING HISTORY**

| <b>Application number</b> | <b>Proposal description</b>                                                                          | <b>Decision</b>       |
|---------------------------|------------------------------------------------------------------------------------------------------|-----------------------|
| R15/0421                  | Change of use and extension to existing building for the purposes of manufacturing decking products. | Granted<br>18/11/2015 |
| R04/0583/16472/P          | Change of use of existing barn for the manufacture of tubs & containers for patios & gardens         | Granted<br>27/07/2004 |

### **ASSESSMENT OF PROPOSAL**

The main issues concerning this application are;

- Principle of development
- Design and visual issues
- Neighbour amenity
- Biodiversity
- Highways; including parking provision
- Sustainable design, construction and drainage
- Other matters.

## Principle of development

The application site lies within the designated West Midlands Green Belt outside any defined settlement boundary.

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

National Planning Policy for the Green Belt is set out in the Framework (March 2012). Paragraph 89 states that,

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

Most relevant in the assessment of this proposal is bullet point 6 of Para. 80. This is a twofold assessment.

The first element to establish is whether the site constitutes previously development land.

The lawful use of the site is for restricted industrial purposes, which has subsisted for many years and continues to thrive (original planning permission 2004). Planning permission (R15/0421) granted consent for, '*Change of use and extension to existing building for the purposes of manufacturing decking products.*' The redline boundary for the application site is shown on Drawing No. 5820-6 Rev C of application R15/0421 and encompasses the existing canopied buildings, which are used for the dry storage of finished products. It can therefore be regarded the application site as a whole has an established restricted B2 use and is therefore previously developed land and fits within the meaning of such within Annex 2 of the NPPF, 2012.

The second element to consider is, does the proposal have a greater impact upon the openness of the Green Belt and the purpose of including land within it than the existing development? The new production building is set well back from the public highway and is situated between existing built structures. The proposal does not result in any form of outward spread of built form within the Green Belt – but rather confines built form within the long established framework of buildings at the application site and the adjoining industrial premises. The overall height of the unit will be circa 6.7 metres to maximum height. Given the height of the surrounding buildings both on and adjacent to the site are of similar heights



and massing, it is considered the increased built form will have no further impact of the openness and character of the green belt due to being confined within the extent of the main on site buildings.

It is therefore considered the proposal complies with development plan policies and the NPPF in that it is appropriate development in the green belt as defined by bullet point 6, para 89 of the NPPF and will not cause further harm to the openness and characteristics of the green belt and is acceptable in this respect.

Saved Local Plan Policy ED6 focuses on the significance of retaining existing employment land for that purpose and the supporting text associated with this policy advises that it is important to keep the diversity of businesses the Borough currently possesses in order to provide a wide spectrum of employment opportunities. Section D9 of the Ryton on Dunsmore Parish Plan refers to 81% of respondents feeling there should be more encouragement for jobs and home based working. Therefore, it is considered that the proposal does not conflict with the Parish Plan and accords with policy CS2 as well as saved policy ED6 as the works help secure continued economic growth of this existing business.

When the change of use of the building was approved in 2004 from the storage of horticultural goods to the manufacture of tubs and containers, a restrictive condition was imposed to prevent the building becoming an unrestrictive Class B2 general industrial use in the Green Belt relatively close to existing residential properties, namely Lodge Cottage. Part of the acceptance of this previous change of use was that the products being manufactured were related, in part, to the horticultural/nursery business. The change from tubs and containers to decking is not considered to be so dissimilar and represents a diversification of the horticultural/nursery business which continues to help support this existing rural business. In 2015 a similar condition was placed on the newer industrial building. It is considered that a similar updated restrictive use condition should be imposed based on the previous reasoning.

### **Design and visual issues**

The NPPF states that good design is indivisible from good planning and should contribute positively to making places better for people.

The extension to the building will follow a similar built form to the existing onsite structures with comparable ridge and eaves heights.

The bottom section of the walls will be constructed from concrete blockwork with the upper walls and roof comprising of goosewing grey coloured profile metal sheeting. Entrance doors into the extended part will be finished in a combination of silver and grey along with darker grey cladding to the eaves, fascia's, soffits and edges all to match the existing building.

On this basis the design and appearance of the extension is judged to complement the existing building and would lie amongst existing buildings on site and those adjacent to the site so would not unduly harm the character and appearance of the immediate area.

Overall the proposals would comply with policy CS16 and the NPPF.

### **Neighbour amenity**

The closest residential property to the site not associated with the premises is Lodge Cottage. This house lies approximately 100 metres to the south east of the site and will be screened shielded by the existing building and other landscape features on site. Therefore, owing to the size and siting of the proposed works and their distance from the neighbouring

residential property, the amenity of Lodge Cottage is not considered to be adversely affected by the intended works.

To the north east and south west of the extended building are other buildings, including residential, which are associated with the application site, whilst to the North West are a collection of buildings and open storage yard associated with the industrial premises, Stonemarket. It is not considered that these buildings/premises would be adversely affected by the proposal.

Overall the proposal would comply with policy CS16 and the NPPF.

### **Impact on biodiversity**

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

WCC Ecology has no objection to the proposal subject to conditions. The survey found that the three ponds located approximately 50m, 65m and 120m from the site boundary were of average or good suitability to support great crested newts. However the habitat to be affected by the proposed works is an area of hardstanding and the existing industrial building, which did not contain any suitable foraging or sheltering habitat for newts. Given the known records in the area and proximity of the ponds, Ecology Officers have recommended a condition which ensures the development will proceed in accordance with the method statement for great crested newts and the approved mitigation methods should be implemented in full.

It is therefore considered the proposal complies with Policy E6 of the development plan and the NPPF and is acceptable in this respect.

### **Impact on Highways**

- **Access** The site will be accessed via the existing entrance to the premises off the A423 Oxford Road opposite a public footpath to Ryton on Dunsmore and opposite the boundaries between Site B & Site C of the Former Peugeot Works industrial site.

As part of the development proposals, the existing access shall be widened to 7.4 metres, enabling HGV's to enter/egress from the site with greater ease. The Highway Authority considers the proposed development to be acceptable and it is unlikely that the development proposals will have a detrimental impact on public highway safety or the operation of the local highway network.

The proposal will result in an increase in employee numbers to the site; however the supporting information (Transport Assessment) which was submitted with the application has provided evidence to support the proposal. It demonstrates there will be no harmful impact on the existing highways network resulting from the increase in trip generation, which is shown as negligible.

Highways officers have reviewed the Transport Assessment and plans and are satisfied the proposal is acceptable and in accordance with development plan policies and national planning guidance.

- **Parking.** Rugby Borough Council's Local Development Framework's from August 2011 states in Appendix 2 of the Supplementary Planning Document for Draft Planning

Obligations that for general industrial use outside a controlled parking zone, a space is permitted for every 45m<sup>2</sup> of the developments gross floor area as a maximum. Disabled parking for employment generating businesses is required to consist of 2 additional spaces for every 50 standard spaces. As such, a maximum 47 spaces are suggested, 2 of which should be disabled. The site proposes 56 car parking spaces including 2 disabled spaces. The proposal therefore compliant with the development plan policies.

Conditions are recommended in the interests of highway safety. These are included in the draft decision notice at the end of this report. Conditions relate to the construction of the access in accordance with the approved plans and documents and the submission of a construction management plan prior to the commencement of development.

### **Sustainable design, construction and drainage**

Core Strategy policy CS16 refers to sustainable design. Policy CS16 states that sustainable drainage systems (SUDS) should be used and development should meet specified water conservation levels. Opportunities for utilising SUDS are also referred to in saved policy GP2. The submitted application form states that SUDS will be used for surface water. Owing to the nature of the proposed development it is not considered reasonable to request any further details, but it is envisaged that the proposals would not be in conflict with the overall sustainable initiatives associated with the site and its operations.

### **Other considerations**

Whilst the site lies outside the Strategic Green Infrastructure Network it does lie within the Princethorpe Biodiversity Opportunity Area. However, based on the comments of WCC Ecology and owing to the limited scale of the development within the curtilage of the existing industrial building, which will be on existing hard surfacing, it is not considered that it would be appropriate to seek additional Green Infrastructure linkages through the site and thus would not conflict with policy CS14.

### **CONCLUSION**

In view of the design, siting and massing of the proposed production facility and associated works at the site, it accords with Rugby Borough Council Core Strategy policies, supplementary planning documents, local policy and the NPPF. The proposal will not have an adverse effect on amenities of the nearby residential properties or the Green Belt and therefore the application is recommended for approval, subject to conditions.

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R16/1067

#### **DATE VALID**

27/06/2016

#### **ADDRESS OF DEVELOPMENT**

RYTON LODGE  
OXFORD ROAD  
RYTON-ON-DUNSMORE  
RUGBY  
CV8 3EJ

#### **APPLICANT/AGENT**

Mr Peter Frampton  
Framptons  
Oriol House  
42 North Bar  
Oxfordshire  
OX16 0TH  
On behalf of n/a n/a, The Millboard Company  
Limited

## **APPLICATION DESCRIPTION**

Redevelopment and limited infilling of existing structures for a new production facility at Ryton Lodge.

## **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 hereby permitted shall be carried out in accordance with the following approved documents;

- 5820 - 43 Proposed Building Plan and Roof Plan;
- 5820 - 44 Proposed Elevations;
- 5820 - 45 Proposed Site Layout Plan;
- 5820 - 46 Proposed Site Location Plan;
- 5820 - 48 Existing Site Layout Plan;
- 5820 - 049 Existing Covered Storage Area Elevations;
- 22342/08-16/4463 Flood Risk Assessment, August 2016;
- PF/9274 Planning Statement, June 2016;
- 2016-07(07) EcoLocation Great Crested Newt Assessment, 03/08/2016.
- DN\RD\17049-02a TS Transport Statement, 29th February 2016;
- Design & Access Statement August 2016

**REASON:** For the avoidance of doubt and in the interests of proper planning.

### **CONDITION 3:**

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan must include details to prevent mud and debris being passed onto the highway; wheel washing facilities; vehicle routing plan; and parking and loading/unloading of staff/construction/delivery vehicles.

**REASON:** In the interests of highways safety.

### **CONDITION 4:**

The proposed alterations to the access shall be constructed in general accordance with drawing no. 17049-02 (located in the Transport Statement, 29th February 2016, DN\RD\17049-02a TS).

**REASON:** In the interests of Highway Safety.

**CONDITION 5:**

The development shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 215 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely

to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

**REASON:** In the interests of highways safety.

**CONDITION 6:**

The development hereby permitted shall proceed in accordance with the method statement for great crested newts as set out in Section 7 of the document Great Crested Newt Assessment prepared by EcoLocation Ltd dated 3rd August 2016 and received by the Local Planning Authority on 4th August 2016. The approved mitigation measures shall be implemented in full.

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

**CONDITION 7:**

Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be used solely for the manufacturing of composite decking products and for no other purposes including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification.

**REASON:** In the interests of the amenities of the locality and to safeguard the character, appearance and openness of the Green Belt

**CONDITION 8:**

Unless otherwise agreed in writing with the Local Planning Authority, no part of the site, other than within the existing building and proposed building, hereby approved, shall be used for external storage purposes associated with the manufacturing of composite decking products.

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

**CONDITION 9:** Prior to the extension first being brought into use, the parking spaces, as depicted on approved plan, ref 5820 - 45 Proposed Site Layout Plan, shall be laid out and made available for parking. The spaces shall then be retained in perpetuity for the parking of vehicles.

**REASON:** To ensure a sufficient level of parking is retained on site in the interests of highway safety.

## **STATEMENT OF POSITIVE ENGAGEMENT:**

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

### **INFORMATIVE 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 disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 0845 1300 228 for advice on the best way to proceed.

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

N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

### **INFORMATIVE 2:**

In view of the nearby records, care should be taken when clearing the ground prior to development. If evidence of great crested newts is found during development, work should stop immediately while Natural England are contacted on 0845 601 4523 for advice on the best way to proceed. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act , the Countryside and Rights of Way Act 2000 and are also deemed European Protected Species. Where newts are present a license might be necessary to carry out the works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523.

### **INFORMATIVE 3:**

Condition number 4 requires works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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.

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

**Reference number:** R15/1334

**Site address:** The former Vault Nightclub and rear of 61, 64/65, 66 and 68 Church Street, Rugby

**Description:** Residential redevelopment of the site to form 11 no. apartments, including erection of a three storey apartment block and extension, modification of existing buildings, provision of parking and vehicular turning areas, and associated works.

**History:**

**61-67 Church Street.**

R00/0946/3075/P Change of use from B1 office accommodation to C1 hotel accommodation, alteration to internal walls and fitting WC to create 14 bedrooms.  
Withdrawn 14/06/01

R00/0973/3075/LB Change of use from B1 office accommodation to C1 hotel accommodation, alteration to internal walls and fitting WC to create 14 bedrooms.  
Withdrawn 23/07/01

**64 Church Street**

R99/0375/03075/P Use of first and second floors for residential purposes.  
Withdrawn 30/09/99

**64-66 Church Street**

R99/0714/03075/P Use of first and second floors and part of attic for residential purposes.  
Approved 12/04/00

**68 Church Street**

R02/0570/3074/P Conversion to 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor of existing building into 4no. flats and erection of ground floor canopy.  
Approved 15/10/02

R03/0858/3074/P Erection of rear extension at 2<sup>nd</sup> floor level to form a new flat. Realignment and re-roofing. Replacement shopfront and use of building as residential units.  
Approved 02/02/04

R04/1097/3074/P Erection of a two storey extension to form a flat, realign and re-roof and replacement shopfront, and new windows to side and internal alterations.  
Approved 17/06/04

**Proposal:**

The applicant seeks planning permission for redevelopment of the site to form 11 no. apartments, including erection of a three storey apartment block and extension, modification of existing buildings, provision of parking and vehicular turning areas, and associated works.

**Setting:**

Church Street and the buildings to the rear of it are located within the centre of the Rugby urban area, close to the Primary Shopping. The proposal site lies immediately adjacent to St Andrew's



Parish Church and other prominent listed buildings, as well as lying within the Bilton Road, Warwick Street and Rugby Town Centre Conservation Area.

The buildings that face onto this section of Church Street have commercial outlets on the ground floor with residential apartments on upper floors. Behind these buildings there is already an infill development of apartments. There is also a vacant church house and a building and site that has already received planning permission for residential development (Marjorie Hulme House/Herbert Grey College).

The proposal site is located between the apartments facing the church and the side of the church house, and incorporates the site of a former nightclub (now vacant). Due to its location and the relationship to the adjacent buildings, the site cannot be clearly seen from the highway except at an oblique angle across the churchyard fronting Church Street.

Access to the site is via an unadopted access road adjacent to the churchyard. This access road also provides vehicular access to the church house and the Marjorie Hulme House site, and pedestrian access to the existing apartments. Via this access road it is also possible to access the service yards to the rear of some of the properties on Church Street, although a narrow secondary access off Church Street appears to be used for bin storage.

### **Technical Consultation Responses:**

- Historic England - An initial objection was on the grounds that the form and density of the development would have a detrimental impact on the character and setting of the surrounding Listed Buildings and Conservation Area. In response to this objection, the agent reduced the scheme from 13 units to 11, and also limited the works to the rear of a Listed Building such that rather than extending over the top of it they would instead replace the roof with a more sympathetic and effecting one, this benefitting the Listed Building and reducing the impact of the development. A draft of this scheme was sent to Historic England for comment. After an extended period of consideration, Historic England eventually passed the responsibility for considering the impact of the proposal back to the LPA for consideration and declared that it was not necessary for them to be consulted again.
- WCC Ecology - A pre-determinative bat survey request was received and passed to the agent to action. The agent entered into negotiations with WCC Ecology, the outcome of which was that it was agreed that a pre-demolition condition for the undertaking of a bat survey would be sufficient. They also recommended a note re nesting birds.
- WCC Highways - In response to consultation on the original 13 unit proposal, WCC Highways observed that the access width was below standard but did provide parking. They also observed that the proposed parking provision was below the LPA standards, but that meant that it was unlikely that the number of vehicle movements to and from the site would generate a significant increase in the use of the access road, and that there was no

possibility of on-street parking so that would not be a problem. In regard to the secondary access, it was noted that this was too narrow and shouldn't be used by vehicles. They recommended a condition to prevent the use of the secondary access, and notes re works to the highway. On receiving consultation on the reduced scheme (11 units), they confirmed that they had no objections. However this was on the proviso that a condition was applied requiring the dropped kerb to the secondary access to be raised back up to prevent future use of the access by vehicles. After initially rejecting this request the agent eventually accepted this to avoid a highway objection. WCC Highways also reiterated their request for notes about works to the highway.

WCC Flood Risk Management -

WSP, on behalf of WCC Flood Risk Management, objected to the scheme due to the lack of a drainage strategy. A surface water strategy was duly submitted. At the time of erecting the existing adjacent apartments it is apparent that the sewage works below and around the site were upgraded such that they could cope with a significantly greater demand than that posed by the existing properties. It is therefore considered that additional provision (aside from works required to link the proposed units to the existing sewage pipes) would be unreasonable. Were this to become an issue once works had commenced on the site then alternative solutions could be dealt with under Building Regulations as part of the application process, with any issues being identified and resolved via Building Control inspection visits during the development process.

Environmental Health -

Pre-commencement condition required re noise survey and assessment. Note recommended re hours of construction.

RBC Parks and Gardens -

Sec106 contribution should be allocated to Caldecott Park.

RBC Works Services -

Bin storage ok if just behind the secured gate and RBC WSU given key for the gate.

**Ward Consultation Responses:**

None

**Neighbour Consultation Responses:**

Observation (1) - Queries over the impact of the access on fire escape routes for the existing properties, and the potential impact of the development on future development of other properties.

**Planning Policy:**

National Planning Policy Framework March 2012 (NPPF)                      Complies

## Rugby Borough Core Strategy 2011

|                               |          |
|-------------------------------|----------|
| CS1: Development Strategy     | Complies |
| CS10: Developer Contributions | Complies |
| CS16: Sustainable Design      | Complies |

## Rugby Borough Local Plan 2006 Saved Policies

|                        |          |
|------------------------|----------|
| T5: Parking Facilities | Complies |
|------------------------|----------|

|                                                |          |
|------------------------------------------------|----------|
| Rugby Borough Council Planning Obligations SPD | Complies |
|------------------------------------------------|----------|

### **Considerations:**

#### **Develop Contributions**

Developments of 10 units or more are subject to financial contribution requirements. In this case as the majority of the apartments are 1 bedroomed there is no need for education contributions.

However there would be a requirement for contributions to public open space. The standard calculation for parks and grounds contributions for 11no. residential units is £16,500.

Through discussions with the RBC Parks and Gardens team it has been established that the funds would most likely be allocated to works at Caldecott Park.

The application, if approved, would therefore be subject to a Section 106 agreement that would secure funding of £16,500 for works to Caldecott Park. The application would then comply with Policy CS10: Developer Contributions of the Rugby Borough Core Strategy 2011.

#### **Principle of Development**

The proposal site is within an area identified within the Core Strategy as being the most sustainable location for residential development (i.e. a site within the urban area that has been previously developed). This type of site is therefore considered to be appropriate for residential development. This development therefore complies with policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011, and guidance set out in the NPPF.

The key considerations in determining this application are therefore the impact of erecting buildings comprising a total of 13no. residential apartments, as well as the associated works, on a) the character and appearance of the site, the surrounding Conservation Area and the adjacent Listed Buildings, b) residential amenity, c) highway safety and parking, and d) biodiversity.

#### **Character and Appearance**

The location of the proposed development is such that it would effectively nestle into an existing alcove created between the rear of properties on Church Street, the existing apartment block facing St Andrew's Church, and the existing church house. This arrangement would mean that a significant proportion of the development would not be visible except from within the site itself due to the courtyard arrangement of the design.

The design is such that the elements visible from outside the site are very traditional in appearance, and closely replicate features present in the existing adjacent apartment building. This would help to create a continuous and sympathetic appearance that sits well within the context of the Conservation Area and Listed Buildings.

However the design also incorporates a very modern look within the courtyard area created behind the traditional facades. Here there is an innovative use of glazing and contrasting rendered walls which help to create a very different atmosphere that is unique within the setting of the site.

The design incorporates both traditional and modern features that collectively create a unique and attractive development that respects the heritage setting but also acknowledges the modern architectural trends of the present day without risking becoming dated as trends change in the future.

The small scale of the site and the need to retain access and limited parking leaves little allowance for landscaping. However the design does incorporate planters and some limited soft landscaping within the site to soften the impact on the built development. Given the urban location and the close proximity to public green spaces such as the adjacent churchyard, Caldecott Park and Jubilee Gardens, this is deemed to be acceptable.

Overall the scheme is sympathetic and complimentary to the existing setting yet still innovative and modern. The way in which modern and traditional have been co-created will enhance the visual character of the local area whilst remaining respectful to the character and appearance of the Conservation Area and adjacent Listed Buildings. It therefore complies with policy CS16: Sustainable Design of the Rugby Borough Core Strategy, which seeks to ensure that development is in keeping with its surroundings.

### **Residential Amenity**

When considering residential amenity for new housing schemes, we must assess not only impact on existing residents but also on the future occupants of the proposed dwellings.

The buildings have been designed such that primary windows do not directly allow views into the primary windows of adjacent apartments, both existing and proposed. As the existing residences are exclusively apartments with no garden areas there will be no issues relating to the overlooking of private outside amenity spaces.

As part of the design process, and in order to comply with requirements of Building Regulations and Environmental Health requirements, noise insulation in the floors and ceilings and (where relevant) the walls of the buildings will reduce noise disruption between the units. As part of this, Environmental Health have requested a pre-commencement condition for submission of a noise survey and report. This will ensure that sufficient insulation is applied and the glazing is of a sufficient standard to limit noise related amenity issues.

Future occupants of the dwellings will not have access to their own private rear garden areas, but there are both a park and a recreation ground a few minutes away which include provision for exercise, recreation and play. Overall, the future occupants of the dwellings would benefit from a range of amenities. The variety of shops immediately adjacent to the site would accommodate many day-to-day retail needs (such as groceries). The Town Centre is well served by frequent and reliable bus services, providing access to other areas of Rugby and further afield. Overall, the future occupants of the dwellings would benefit from a range of amenities.

The scheme therefore complies with policy CS16: Sustainable Design of the Rugby Borough Core Strategy, which seeks to preserve and protect neighbouring residential amenity.

### **Highway Safety and Parking**

The proposal includes use of the existing vehicular access road off Church Street. Whilst WCC Highways have noted that the access does not meet the ideal standards, they have not objected to its use provided the secondary access is effectively stopped up. It has been agreed that a pre-commencement condition requiring the building up of the kerb adjacent to the secondary access will be sufficient to achieve this.

Whilst the provision of parking within the site does not meet RBC standard, existing apartments adjacent to the site have no parking provision and yet are still deemed acceptable. Given the immediate proximity to frequent and reliable bus services (there are bus stops on the opposite site of Church Street, with more on Clifton Parade and also on North Street), as well as the train station being within 10 minutes' walk, it is considered that a lack of parking will not be detrimental to the amenities of the occupants of these new apartments.

The proposals therefore comply with Saved Policy T5: Parking Facilities of the Rugby Borough Local Plan 2006, and is an accepted deviation from the parking standards outlined in the Rugby Borough Council Planning Obligations SPD (which is otherwise complied with).

### **Biodiversity**

WCC Ecology Unit originally requested a pre-determinative bat survey of the site. Following negotiations with the agent however, it was agreed to downgrade this to a pre-demolition condition. This would form part of the approval.

They have also recommended an advisory notes re nesting birds, which would be included in the decision.

The development therefore complies with Saved Policy E6: Biodiversity of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats, and guidance set out in Part 11 of the NPPF.

### **Recommendation:**

Approval subject to appropriate conditions

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R15/1334

#### **DATE VALID**

04/04/2016

#### **ADDRESS OF DEVELOPMENT**

The former Vault Nightclub and rear of  
61, 64/65, 66 and 68 Church Street  
Rugby  
CV21 3PT

#### **APPLICANT/AGENT**

Richard Palmer  
Hb Architects  
The Old Telephone Exchange  
Albert Street  
Rugby  
Warwickshire  
CV21 2SA  
  
On behalf of Mr Mashuk Ali

## **APPLICATION DESCRIPTION**

Residential redevelopment of the site to form 11 no. apartments, including erection of a three storey apartment block and extension, modification of existing buildings, provision of parking and vehicular turning areas, and associated works.

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

### CONDITION 1:

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

### REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

### CONDITION 2:

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

Application form (received by the Local Planning Authority on 04 April 2016)

Design and Access Statement (received by the Local Planning Authority on 04 April 2016)

Surface Water Strategy Report (received by the Local Planning Authority on 17 July 2016)

Drawing number 103:15:07 (received by the Local Planning Authority on 04 April 2016)

Amended plan number 103:15:03B (received by the Local Planning Authority on 20 June 2016)

Amended plan number 103:15:08 (received by the Local Planning Authority on 22 July 2016)

### REASON:

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

### CONDITION 3:

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

### REASON:

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

CONDITION 4;

Prior to any part of the development hereby approved commencing, full details showing a 10% reduction in carbon emission including the measures to provide the reduction, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details and measures implemented prior to the occupation of the dwellings approved.

REASON:

To ensure a reduction in carbon emissions is provided as part of the development in accordance with the provisions of Rugby Borough Core Strategy policy CS17.

CONDITION 5:

No new windows/rooflights shall be formed in the elevations or roofslopes of the proposed development unless otherwise agreed in writing by the Local Planning Authority prior to installation.

REASON:

In the interest of visual and residential amenity.

REASON 6:

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

REASON:

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

CONDITION 7:

Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted, with any proposed works, to the Local Planning Authority for approval. The assessment must take into account noise emitted from air extraction units associated with commercial kitchens in the local vicinity. Any proposed mitigation must insure that the internal noise climate for each flat achieve complainant with the table below:

| <b>BS8233: 2014 recommended Internal ambient noise level guidelines</b>                                                                                                                                                                       |                 |                       |                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------------|-----------------------|
| <b>Activity</b>                                                                                                                                                                                                                               | <b>Location</b> | <b>07:00 to 23:00</b> | <b>23:00 to 07:00</b> |
| Resting                                                                                                                                                                                                                                       | Living Rooms    | 35 dB LAeq,16hour     | ~                     |
| Dining                                                                                                                                                                                                                                        | Dining          | 40 dB LAeq,16hour     | ~                     |
| Sleeping (daytime resting)                                                                                                                                                                                                                    | Bedroom         | 35 dB LAeq,16hour     | 30 dB LAeq,8hour      |
|                                                                                                                                                                                                                                               |                 |                       |                       |
| Section G1 of BS 8233 advises that, Where windows are open for ventilation, then sound reduction is limited to 15dB. The internal criteria given may therefore be corrected by this factor, to derive external limit values for open windows. |                 |                       |                       |

BS8233:2014 notes that if the design of the building is relying on closed windows to meet the guide values, there needs to be appropriate alternative ventilation that is does not compromise the façade insulation or resulting noise level. A system such as a suitably rated mechanical ventilation systems with heat recovery (MVHR) or alternative would be the most suitable option.

**REASON:**

In the interests of residential amenity.

**CONDITION 8:**

The development shall not be occupied until all parts of the existing access adjacent to No. 62 Church Street within the public highway not included in the permitted means of access has been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority.

**REASON:**

In the interests of public and highway safety

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work extensively with the applicant and agent 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:**

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



NB - birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

#### INFORMATIVE 3:

The applicant should comply with the Council's Standards of Amenities. For this purpose, the proposed bedrooms should be a minimum room size of 7m<sup>2</sup> for a single room and 10.5m<sup>2</sup> for a double room.

The total habitable floor area for a one person, one bedroom, self contained flat should be approximately 21.5m<sup>2</sup> and 31.5m<sup>2</sup> for a two person, one bedroom, self contained flat.

If the proposed development is to be used to provide rented accommodation the applicant will be required to comply with Parts 1 and 7 of the Housing Act 2004, as applicable.

It is expected Building Control will ensure appropriate fire safety measures are installed to the building/accommodation, including suitable interlinked fire detection systems and ensuring adequate fire separation between the proposed units of accommodation as well as between the proposed accommodation and the existing commercial premises, where applicable.

For further information contact Housing Enforcement on (01788) 533890.

#### INFORMATIVE 4:

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

Monday - Friday, 07:30 - 18:00

Saturday 08:30 - 13:00

No work on Sundays or Bank Holidays

If work at other times is required permission should be obtained from the Local Planning Authority.

#### INFORMATIVE 5:

Condition number 8 requires 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.

**AGENDA MANAGEMENT SHEET**

|                                    |                                                                                                                                                                                                                                                               |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name of Meeting</b>             | Planning Committee                                                                                                                                                                                                                                            |
| <b>Date of Meeting</b>             | 7th September 2016                                                                                                                                                                                                                                            |
| <b>Report Title</b>                | Planning Appeals Update                                                                                                                                                                                                                                       |
| <b>Portfolio</b>                   |                                                                                                                                                                                                                                                               |
| <b>Ward Relevance</b>              | All                                                                                                                                                                                                                                                           |
| <b>Prior Consultation</b>          | None                                                                                                                                                                                                                                                          |
| <b>Reporting Director</b>          | Head of Growth and Investment                                                                                                                                                                                                                                 |
| <b>Contact Officer</b>             | Greg Vigars Tel: Ext.3621                                                                                                                                                                                                                                     |
| <b>Report Subject to Call-in</b>   | N/A                                                                                                                                                                                                                                                           |
| <b>Report En-Bloc</b>              | N/A                                                                                                                                                                                                                                                           |
| <b>Forward Plan</b>                | N/A                                                                                                                                                                                                                                                           |
| <b>Corporate Priorities</b>        | <p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p> |
| <b>Statutory/Policy Background</b> | The Planning Appeals procedure which came into effect on 6 <sup>th</sup> April 2009.                                                                                                                                                                          |
| <b>Summary</b>                     | This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2015 to 31/03/2015.                                                                                                          |

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

**Planning Committee – 7 September 2016**

**Planning Appeals Update**

**Report of the Head of Growth and Investment**

**Recommendation**

The report be noted.

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

**1.1 Appeals determined**

During the last quarter from 1<sup>st</sup> of March to 30<sup>th</sup> of June a total of 8 planning appeals were determined, of which 1 were allowed, 7 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

**1.2 Appeals outstanding/in progress**

As at 30<sup>th</sup> June 2016 there were 10 planning appeals and 0 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee  
Date of Meeting: 7 September 2016  
Subject Matter: Planning Appeals  
Originating Department: Head of Growth and Investment

### **LIST OF BACKGROUND PAPERS**

\* There are no background papers relating to this item.

(\*Delete if not applicable)

**APPENDIX A**

**PLANNING APPEALS DETERMINED FOR THE PERIOD: 1<sup>st</sup> March 2016 – 30<sup>th</sup> June 2016**

| <b>Appeal Site Location</b>                                            | <b>Description of Development</b>                                                                                                                               | <b>Case Officer<br/>Planning Ref No.<br/>Planning Inspectorate<br/>Ref No.</b> | <b>Date of Refusal<br/>and Type of Appeal</b>                   | <b>Appeal<br/>Outcome</b>       |
|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------|
| Springfield<br>Cawston Lane<br>Dunchurch<br>Rugby<br>CV22 7RX          | Erection of a new detached dwelling adjacent to the existing dwelling                                                                                           | Owain Williams<br>R15/0684<br>APP/E3715/W/15/3135872                           | Refusal<br>11/05/2015<br><b>Written Reps</b>                    | <b>Dismissed<br/>07/04/2016</b> |
| 4 Livingstone Avenue<br>Long Lawford<br>Rugby<br>CV23 9BA              | Erection of five dwellings (existing dwelling to be demolished) (outline application to include access with appearance, landscaping, layout and scale reserved) | Chris Kingham<br>R15/0775<br>APP/E3715/W/15/3137402                            | Refusal<br>25/09/2015<br><b>Written Reps</b>                    | <b>Dismissed<br/>14/04/2016</b> |
| Grange Farm<br>Brandon Lane<br>Coventry<br>CV3 3GU                     | Outline Application: 5 no. eco-houses; Access, Layout & Scale.                                                                                                  | Karen McCulloch<br>R15/1137<br>APP/E3715/W/16/3143182                          | Refusal<br>31/07/2015<br><b>Written Reps</b>                    | <b>Dismissed<br/>25/04/2016</b> |
| Glebe Farm Barn<br>Birdingbury Road<br>Bourton-on-Dunsmore<br>CV23 9RA | Erection of a single storey extension.                                                                                                                          | Jo Orton<br>R15/2536<br>APP/E3715/D/16/3142423                                 | Refusal<br>13/01/2016<br><b>Written Reps</b>                    | <b>Dismissed<br/>04/05/2016</b> |
| Lodge Farm<br>301 Easenhall Road<br>Harborough Magna<br>CV23 0HX       | Erection of detached garage                                                                                                                                     | Nisar Mogul<br>R15/2205<br>APP/E3715/D/16/3143227                              | Refusal<br>02/12/2015<br><b>Householder Appeals<br/>Service</b> | <b>Dismissed<br/>10/05/2016</b> |
| The Yard<br>Kings Newnham Lane<br>Bretford<br>CV23 0JU                 | Erection of two detached dwellings and formation of a new access.                                                                                               | Lizzie Beresford<br>R15/1662<br>APP/E3715/W/15/3139960                         | Refusal<br>14/12/2015<br><b>Written Reps</b>                    | <b>Dismissed<br/>17/05/2016</b> |

| Appeal Site Location                                  | Description of Development                                          | Case Officer<br>Planning Ref No.<br>Planning Inspectorate<br>Ref No. | Date of Refusal<br>and Type of Appeal                           | Appeal<br>Outcome               |
|-------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------|
| 16 Dyson Close<br>Hillmorton<br>Rugby<br>CV21 4LG     | Erection of a two-storey side<br>extension                          | Paul Varnish<br>R16/0444<br>APP/E3715/D/16/3149756                   | Refusal<br>30/03/2016<br><b>Householder Appeals<br/>Service</b> | <b>Allowed<br/>21/06/2016</b>   |
| Willow House<br>33 Haswell Close<br>Rugby<br>CV22 5LU | Retention of new vehicular access<br>and 2m high wall inc railings. | Richard Redford<br>R15/1844<br>APP/E3715/D/16/3146166                | Refusal<br>08/02/2016<br><b>Householder Appeals<br/>Service</b> | <b>Dismissed<br/>23/06/2016</b> |



## APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.06.2016

| Appeal Site Location                                                                               | Description of Development                                                                                                                                                                                                                                                                                                                                                                                                    | Case Officer<br>Planning Ref No.<br>Planning Inspectorate Ref No.                    | Date of Refusal                 | Type of Appeal |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------|----------------|
| The Furniture Gallery<br>Coventry Road<br>CV23 9JP                                                 | Retention of change of use of B1 unit and associated storage to retail (A1) use (resubmission of R15/0566)                                                                                                                                                                                                                                                                                                                    | Ruari McKee<br>R15/1317<br>APP/E3715/C/15/3139060                                    | Committee Refusal<br>30/09/2015 | Written Reps   |
| Glebe Farm Barn<br>Birdingbury Road<br>Bourton-on-Dunsmore<br>CV23 9RA                             | Erection of single storey extension                                                                                                                                                                                                                                                                                                                                                                                           | Jo Orton<br>R15/1357<br>APP/E3715/D/15/3139899                                       | Committee Refusal<br>20/08/2015 | Written Reps   |
| Fosse Cottage Farm<br>Rugby Road<br>Street Ashton<br>CV23 0PL                                      | Retention of an outbuilding and lean-to extension to shed (retrospective)                                                                                                                                                                                                                                                                                                                                                     | Paul Varnish<br>Enforcement Notice Appeal against R15/2056<br>APP/E3715/C/16/3142842 | Delegated Refusal<br>27/11/2015 | Written Reps   |
| Land at Clifton Lakes Farm<br>Clifton Lakes<br>Watling Street<br>Clifton Upon Dunsmore<br>CV23 0AQ | Retention of alterations and change of use forming access way and landscaping and provision of fencing, hardstanding, further landscaping and other associated works to create a sheep and cattle holding area.                                                                                                                                                                                                               | Richard Redford<br>ENF/2015/0494 against R14/1141<br>APP/E3715/C/16/3144362          | Delegated Refusal<br>30/01/2015 | Written Reps   |
| Land at Nelsons Wharf<br>Rugby Road<br>Stockton<br>CV47 8AA                                        | Erection of workers' dwelling.                                                                                                                                                                                                                                                                                                                                                                                                | Karen McCulloch<br>R15/2389<br>APP/E3715/W/16/3146581                                | Delegated Refusal<br>02/02/2016 | Written Reps   |
| Land North of Ashlawn Road<br>Ashlawn Road<br>Rugby<br>CV22 5SL                                    | Outline application for the demolition of existing buildings, erection of up to 860 dwellings, land for a potential primary school, two vehicular accesses from Ashlawn Road and the provision of a bus link control feature to Norton Leys, open space, green infrastructure, landscaping and associated infrastructure, including sustainable urban drainage features. All matters to be reserved except access points into | Richard Holt and Karen McCulloch<br>R13/2102<br>APP/E3715/W/16/3147448               | Committee Refusal<br>27/01/2016 | Inquiry        |

| Appeal Site Location                                                      | Description of Development                                                                                                                                   | Case Officer<br>Planning Ref No.<br>Planning Inspectorate Ref No. | Date of Refusal                 | Type of Appeal                     |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------|------------------------------------|
|                                                                           | the site.                                                                                                                                                    |                                                                   |                                 |                                    |
| 12 Poplar Grove<br>Coventry<br>CV8 3QE                                    | Erection of a first floor side extension above the existing garage, single storey rear extension and new entrance porch                                      | Paul Varnish<br>R16/0543<br>APP/E3715/D/16/3148782                | Delegated Refusal<br>04/04/2016 | <b>Householder Appeals Service</b> |
| Keepers Cottage<br>Newnham Paddocks<br>Coal Pit Lane<br>Rugby<br>CV23 0RX | Extensions and alterations to existing dwelling, and erection of a replacement garage building, together with associated works.                              | Chris Davies<br>R15/2521<br>APP/E3715/D/16/3149784                | Delegated Refusal<br>25/02/2016 | <b>Householder Appeals Service</b> |
| 82 Bilton Road<br>Rugby<br>CV22 7AX                                       | Provision of a dropped kerb, and hard surfacing of the front garden to form an off-street parking area.                                                      | Chris Davies<br>R15/0949<br>APP/E3715/W/16/3145467                | Delegated Refusal<br>18/12/2015 | <b>Written Reps</b>                |
| The White House<br>Oxford road<br>Princethorpe<br>Rugby<br>CV23 9QD       | Certificate of lawful development for existing use of buildings for storage, fabrication, car repairs and light engineering within Use Classes B1, B2 and B8 | Richard Redford<br>R15/0490<br>APP/E3715/X/16/3150665             |                                 | <b>Written Reps</b>                |

**AGENDA MANAGEMENT SHEET**

|                                     |                                                                                                  |
|-------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>Name of Meeting</b>              | Planning Committee                                                                               |
| <b>Date of Meeting</b>              | 7th September 2016                                                                               |
| <b>Report Title</b>                 | Delegated Decisions – 30 <sup>th</sup> June 2016 to 10th August 2016                             |
| <b>Portfolio</b>                    | N/A                                                                                              |
| <b>Ward Relevance</b>               | All                                                                                              |
| <b>Prior Consultation</b>           | None                                                                                             |
| <b>Contact Officer</b>              | Dan McGahey 3774                                                                                 |
| <b>Report Subject to Call-in</b>    | N/A                                                                                              |
| <b>Report En-Bloc</b>               | N/A                                                                                              |
| <b>Forward Plan</b>                 | N/A                                                                                              |
| <b>Corporate Priorities</b>         | N/A                                                                                              |
| <b>Statutory/Policy Background</b>  | Planning and Local Government Legislation                                                        |
| <b>Summary</b>                      | The report lists the decisions taken by the Head of Growth and Investment under delegated powers |
| <b>Risk Management Implications</b> | N/A                                                                                              |
| <b>Financial Implications</b>       | N/A                                                                                              |

***Environmental Implications*** N/A

***Legal Implications*** N/A

***Equality and Diversity*** N/A

***Options*** N/A

***Recommendation*** The report be noted.

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

**Rugby Borough Council**

**Planning Committee – 7th September 2016**

**Delegated Decisions – 30<sup>th</sup> June 2016 to 10th August 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 Appendices attached.

Name of Meeting: Planning Committee  
Date Of Meeting: 7th September 2016  
Subject Matter: Delegated Decisions – 30<sup>th</sup> June 2016 to  
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 30.06.2016 TO 20.07.2016

**A. APPLICATIONS – DELEGATED**

| <b>Applications Refused</b>                                                                    |                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>R16/1057<br/>Refused<br/>07.07.2016</i>                                                     | Garden Cottage<br>Leicester Road<br>Wolvey Heath<br>Hinckley                      | Erection of a first floor over existing detached garage to form a home office (partly retrospective).                                                                                                                                                                                                                                                                                  |
| <i>R16/1105<br/>Refused<br/>12.07.2016</i>                                                     | Land to the south of<br>and adj to The Chalet<br>Hinckley Road<br>Wolvey<br>Rugby | Retrospective application for retention of new stables with access road and hardstanding and including fixing of external light fitting to gable of building (re-submission of R15/0175 refused on 14th May 2015).                                                                                                                                                                     |
| <i>R16/1163<br/>Refused<br/>13.07.2016</i>                                                     | Land to the West of<br>Ash Fell<br>13 Hall Lane<br>Wolvey<br>Rugby                | Erection of a detached dormer bungalow (Resubmission of a previously refused scheme for erection of a dwelling under R14/1848 refused 10th November 2015)                                                                                                                                                                                                                              |
| <i>R16/0951<br/>Refused<br/>13.07.2016</i>                                                     | Land at Gypsy Lane<br>Gypsy Lane<br>Wolvey                                        | New stables and menage (Re-submission of application R15/0334 refused on 14th May 2015).                                                                                                                                                                                                                                                                                               |
| <i>R16/0446<br/>Refused<br/>15.07.2016</i>                                                     | Caravan at Rose Field<br>Hinckley Road<br>Wolvey                                  | Continued use of land for the siting of a temporary mobile home and the siting of a temporary building containing WC, shower and utility area for mobile home and stable for a temporary period of 3 years. (Removal of Condition 4 of planning permission R14/1383 dated 02/09/2014 which restricts to occupation of the site to Mr. & Mrs. Aaron Smith and their dependent children) |
| <i>R16/1114<br/>Refusal of Certificate<br/>of Lawful Use or<br/>Development<br/>15.07.2016</i> | Highview<br>Withybrook Lane<br>Shilton                                            | Certificate of Lawfulness for Construction of Wall and Gates.                                                                                                                                                                                                                                                                                                                          |
| <i>R16/0497<br/>Refused<br/>19.07.2016</i>                                                     | Fishpools Farm<br>Main Street<br>Frankton                                         | Erection of three log cabin holiday lets (to be installed in place of the three teepees approved under planning permission reference                                                                                                                                                                                                                                                   |

|                                             |                                                                                                       |                                                                                                                                                                                  |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | Rugby                                                                                                 | R15/2129, dated 23/12/15).                                                                                                                                                       |
| <b>Applications Approved</b>                |                                                                                                       |                                                                                                                                                                                  |
| <i>R16/1166<br/>Approved<br/>30.06.2016</i> | Roseycombe PH<br>Rugby Road<br>Binley Woods<br>Coventry                                               | Erection of rear extension to replace existing conservatory.                                                                                                                     |
| <i>R16/1173<br/>Approved<br/>30.06.2016</i> | 1 Lauderdale Close<br>Long Lawford<br>Rugby                                                           | Erection of part two storey and part single storey side and rear extension.                                                                                                      |
| <i>R16/1177<br/>Approved<br/>30.06.2016</i> | 87 Crick Road<br>Hillmorton<br>Rugby                                                                  | Erection of detached garage.                                                                                                                                                     |
| <i>R15/1119<br/>Approved<br/>30.06.2016</i> | 6 Benn Street<br>Rugby                                                                                | Erection of a single storey rear extension.                                                                                                                                      |
| <i>R16/1060<br/>Approved<br/>01.07.2016</i> | Land South of Coventry<br>Road and North East of<br>Cawston Lane<br>Coventry Road<br>Cawston<br>Rugby | Provision of temporary access to Coventry Road, for 12 months, serving site compound to facilitate highways works to the adjacent roundabout.                                    |
| <i>R16/1206<br/>Approved<br/>04.07.2016</i> | 4 Whiley Close<br>Clifton Upon Dunsmore<br>Rugby                                                      | Erection of a single storey extension (re-submission of R15/1972).                                                                                                               |
| <i>R16/1195<br/>Approved<br/>04.07.2016</i> | 85 Beswick Gardens<br>Bilton<br>Rugby                                                                 | Erection of single storey rear extension                                                                                                                                         |
| <i>R16/1223<br/>Approved<br/>04.07.2016</i> | 27 Ilmer Close<br>Brownsover<br>Rugby                                                                 | Erection of single storey side and rear extension (re-submission of R15/1228)                                                                                                    |
| <i>R15/1911<br/>Approved<br/>05.07.2016</i> | 41 Wood Street<br>Rugby                                                                               | Change of use of ground floor from Class A1 (retail) to Class C3 (5no.residential one room units), and subdivision of the existing first floor flat to create 2no smaller flats. |
| <i>R16/0935<br/>Approved</i>                | 56 Wordsworth Road<br>Rugby                                                                           | Erection of a two storey front extension.                                                                                                                                        |



|                                             |                                                                                                   |                                                                                                                                                                                                                                                    |
|---------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06.07.2016                                  |                                                                                                   |                                                                                                                                                                                                                                                    |
| <i>R16/0992<br/>Approved<br/>07.07.2016</i> | The Cottage<br>4 Main Street<br>Grandborough<br>Rugby                                             | Renewal of planning permission reference R13/1657 (Erection of a two storey side and single storey rear extension, demolition of existing garage, erection of a replacement garage and re-positioning of vehicular access), dated 02 October 2013. |
| <i>R16/0496<br/>Approved<br/>07.07.2016</i> | 118 Tennyson Avenue<br>Rugby                                                                      | Erection of a two storey front extension and two storey rear extension.                                                                                                                                                                            |
| <i>R16/1274<br/>Approved<br/>08.07.2016</i> | Sycamores Shade<br>13 Dunsmore Heath<br>Rugby                                                     | Erection of a single storey front extension                                                                                                                                                                                                        |
| <i>R16/0987<br/>Approved<br/>08.07.2016</i> | Brandon Club<br>Main Street<br>Brandon<br>Coventry                                                | Single storey rear extensions and alterations to provide enlarged store and reconfiguration of committee room to allow the provision of accessible WC and ramped access                                                                            |
| <i>R15/0953<br/>Approved<br/>11.07.2016</i> | Buildings South-West of<br>and adjacent to<br>Mill House<br>Stockton Road<br>Birdingbury<br>Rugby | Conversion of agricultural buildings to residential dwelling with link extension.                                                                                                                                                                  |
| <i>R16/1269<br/>Approved<br/>11.07.2016</i> | 15 Francis Drive<br>Cawston<br>Rugby                                                              | Erection of a single storey side extension and garage conversion to residential (ancillary to the main property)                                                                                                                                   |
| <i>R16/1153<br/>Approved<br/>11.07.2016</i> | Greenacres<br>24 Little London Lane<br>Rugby                                                      | Proposed single storey extensions to side and rear with associated alterations.                                                                                                                                                                    |
| <i>R16/1215<br/>Approved<br/>11.07.2016</i> | 20 Hillfield Road<br>Bilton<br>Rugby                                                              | Erection of a first floor side extension and porch                                                                                                                                                                                                 |
| <i>R16/1164<br/>Approved<br/>11.07.2016</i> | Kilbracken House<br>9 Barby Road<br>Rugby                                                         | Creation of a walkway to include the erection of three timber pergolas and a landscaped area.                                                                                                                                                      |
| <i>R16/1227<br/>Approved<br/>11.07.2016</i> | 26 Follager Road<br>New Bilton<br>Rugby                                                           | Proposed conversion of garage to habitable room                                                                                                                                                                                                    |

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| <i>R16/1221<br/>Approved<br/>11.07.2016</i> | 29 Willow Brook Road<br>Wolston<br>Rugby                    | Erection of a single storey side extension and canopy to front elevation to form porch.                                                                      |
| <i>R16/1134<br/>Approved<br/>12.07.2016</i> | 113 Bilton Road<br>Bilton<br>Rugby                          | Erection of a garden room.                                                                                                                                   |
| <i>R16/0948<br/>Approved<br/>12.07.2016</i> | 1 Cornflower Drive<br>Brownsover<br>Rugby                   | Conversion of an integral garage into habitable room                                                                                                         |
| <i>R15/1411<br/>Approved<br/>12.07.2016</i> | Ashmoor<br>Coventry Road<br>Rugby                           | Erection of three dwellings.                                                                                                                                 |
| <i>R16/1233<br/>Approved<br/>13.07.2016</i> | 115 Yates Avenue<br>Newbold<br>Rugby                        | Single storey rear extension                                                                                                                                 |
| <i>R16/1228<br/>Approved<br/>13.07.2016</i> | Brandreth<br>174 Dunchurch Road<br>Rugby                    | Erection of a two storey side and rear extension and a single storey rear extension                                                                          |
| <i>R16/0125<br/>Approved<br/>13.07.2016</i> | Rear of 10 and 12<br>Campbell Street<br>New Bilton<br>Rugby | Erection of a detached dwelling                                                                                                                              |
| <i>R16/0440<br/>Approved<br/>14.07.2016</i> | Daru House<br>Northampton Lane<br>Rugby                     | Erection of single storey swimming pool enclosure, single storey side extension and demolition of existing building to build new annex                       |
| <i>R16/0852<br/>Approved<br/>14.07.2016</i> | 26 Boundary Road<br>Rugby                                   | Erection of first floor rear and two storey side extension and associated works                                                                              |
| <i>R16/1285<br/>Approved<br/>14.07.2016</i> | 47 Overslade Lane<br>Rugby                                  | Erection of a two storey front & side extension and single storey rear extension (Part retrospective, amendment to previously approved application R16/0012) |
| <i>R16/1256<br/>Approved<br/>14.07.2016</i> | 1 Holbrook Avenue<br>Rugby                                  | Erection of a garage.                                                                                                                                        |

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| <i>R16/1289<br/>Approved<br/>15.07.2016</i> | 13 Critchley Drive<br>Dunchurch<br>Rugby              | Erection of a single storey side and front extension                                                                                                                                                                                                                                                                    |
| <i>R16/1330<br/>Approved<br/>15.07.2016</i> | 2 Dalkeith Avenue<br>Bilton<br>Rugby                  | Addition of plant room to approved application R15/0802.                                                                                                                                                                                                                                                                |
| <i>R16/1171<br/>Approved<br/>15.07.2016</i> | 31 Planter Close<br>Cawston<br>Rugby                  | Erection of a single storey rear extension.                                                                                                                                                                                                                                                                             |
| <i>R16/1326<br/>Approved<br/>15.07.2016</i> | 3 Brooklime Drive<br>Brownsover<br>Rugby              | Retrospective variation of Condition 2 of Planning Permission R14/1656 (Erection of a first floor side extension, dated 01 October 2014), to allow alterations to first floor window arrangement in the rear elevation.                                                                                                 |
| <i>R16/1336<br/>Approved<br/>15.07.2016</i> | 9 Hawthorne Close<br>Wolston<br>Rugby                 | Erection of a single storey side extension and single storey rear extension.                                                                                                                                                                                                                                            |
| <i>R16/1332<br/>Approved<br/>15.07.2016</i> | 24 Crick Road<br>Hillmorton<br>Rugby                  | Variation of Condition 2 of approval R15/2059 (Demolition of Existing Bungalow and Garage and the Erection of Four New Dwellings with Garages) to allow minor alterations including an increase to the width of the vehicular access; an increase to the spacing between all 4 plots and a small enlargement to plot 1. |
| <i>R16/1122<br/>Approved<br/>18.07.2016</i> | 69 Bucknill Crescent<br>Hillmorton<br>Rugby           | Erection of a single storey side and rear extension                                                                                                                                                                                                                                                                     |
| <i>R16/1314<br/>Approved<br/>18.07.2016</i> | 17 Elms Drive<br>Rugby                                | Installation of dormer window to rear roof slope and roof lights to front roof slope.                                                                                                                                                                                                                                   |
| <i>R16/1351<br/>Approved<br/>19.07.2016</i> | Bilton Social Club<br>34 The Green<br>Bilton<br>Rugby | Substitution of house type for plot 6 of approval R15/2047 (Erection of 11 dwelling houses, together with the provision of a new vehicular access and associated landscaping and works) dated 22nd February 2016. This substitution of house type includes the erection of an attached single storey side garage.       |
| <i>R16/0646</i>                             | 117 Grosvenor Road                                    | Conversion of the main dwelling to 3No. one                                                                                                                                                                                                                                                                             |

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| <i>Approved</i><br>19.07.2016                                               | Rugby                                                                            | bed flats including a single storey rear extension and conversion of the existing outbuilding to 1No. One bed flat including associated parking.                |
| <i>R16/1348</i><br><i>Approved</i><br>20.07.2016                            | 53 Rugby Road<br>Dunchurch<br>Rugby                                              | Erection of a single storey rear extension.                                                                                                                     |
| <i>R16/1108</i><br><i>Approved</i><br>20.07.2016                            | Cross In Hand Farm<br>Lutterworth Road<br>Monks Kirby                            | Installation of a 24 metre mast to support 6 No antennas, 2 no dishes and 3 no cabinets and a meter cabinet within a compound and ancillary development thereto |
| <i>R16/0937</i><br><i>Approved</i><br>20.07.2016                            | Aldi Stores Limited<br>Aldi Central Park Local<br>Centre<br>Bryant Road<br>Rugby | Demolition of existing commercial retail unit and extension of existing food store car park.                                                                    |
| <i>R16/0802</i><br><i>Approved</i><br>20.07.2016                            | Land to the rear of<br>28 Broad Street<br>Brinklow<br>Rugby                      | Extension and conversion of existing outbuilding to form new single storey dwelling house                                                                       |
| <i>R16/0809</i><br><i>Approved</i><br>20.07.2016                            | 28 Fareham Avenue<br>Hillmorton<br>Rugby                                         | Erection of a single storey side extension                                                                                                                      |
| <i>R16/0926</i><br><i>Approved</i><br>20.07.2016                            | 61 Crick Road<br>Hillmorton<br>Rugby                                             | Retrospective planning permission for the erection of a single storey side extension                                                                            |
| <b><i>Prior Approval Applications</i></b>                                   |                                                                                  |                                                                                                                                                                 |
| <i>R16/1211</i><br><i>Prior Approval Required and Granted</i><br>30.06.2016 | 4 Shenstone Avenue<br>Rugby                                                      | Rear extension measuring 4 metres in depth; 3.561 metres in height to the ridge; and 2.405 metres in height to the eaves.                                       |
| <i>R16/1065</i><br><i>Prior Approval Not Required</i><br>11.07.2016         | Barn at Cathiron Fields<br>Farm<br>Cathiron Lane<br>Cathiron<br>Rugby            | Prior notification of intention to change the use of the barn to 1no.dwellinghouse (notification under Class Q(b) only).                                        |
| <i>R16/1297</i><br><i>Prior Approval Not</i>                                | 44 Manor Estate<br>Coventry                                                      | Prior notification for the erection of a single storey rear extension projecting 4.1 metres                                                                     |

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| <i>Required</i><br>11.07.2016                                               |                                                                                                       | from the rear elevation of the original dwelling, 3.2 metres in height to the eaves and 3.7 metres in height to the highest point of the extension                                                                                             |
| <i>R16/1174</i><br><i>Prior Approval Not Required</i><br>12.07.2016         | Fosse Farm<br>Fosse Way<br>Coventry                                                                   | Conversion of two agricultural buildings into two new dwellings including associated demolition of barn buildings and highways works.                                                                                                          |
| <i>R16/0965</i><br><i>Prior Approval Not Required</i><br>12.07.2016         | 31 Montague Road<br>Bilton<br>Rugby                                                                   | Prior Approval application for a single storey rear extension projecting 4.5 metres from the original rear elevation of the dwelling, 3.1 metres in width, 2.3 metres to the eaves with a maximum height to the ridge of 3.0 metres.           |
| <i>R16/0989</i><br><i>Prior Approval Required and Granted</i><br>14.07.2016 | 60 Lower Road<br>Barnacle<br>Coventry                                                                 | Prior Approval application for the erection of a single storey rear extension projecting 6 metres from the original rear elevation of the dwelling, 4.9 metres in width, 3 metres to the eaves height, with a maximum height of 3.5 metres.    |
| <i>R16/1334</i><br><i>Prior Approval Not Required</i><br>15.07.2016         | 20 Sidney Road<br>Rugby                                                                               | Prior notification for the erection of a single storey rear extension projecting 3.8 metres from the rear elevation of the original dwelling, 2.6 metres in height to the eaves and 3.6 metres in height to the highest point of the extension |
| <i>R16/1349</i><br><i>Prior Approval Not Required</i><br>19.07.2016         | Baby Barn Pram and<br>Nursery Centre Ltd<br>Marton Fields Farm<br>Fields Farm Lane<br>Marton<br>Rugby | Conversion of part redundant barn to form extension to nursery.                                                                                                                                                                                |
| <b>Listed Building Consents</b>                                             |                                                                                                       |                                                                                                                                                                                                                                                |
| <i>R16/0563</i><br><i>Listed Building Consent</i><br>27.06.2016             | Red Rose Cottage<br>26 Southam Road<br>Dunchurch                                                      | Listed Building Consent for removal and replacement of existing internal staircase and balustrade, replacement flooring to parts of ground floor, and associated works.                                                                        |
| <i>R16/0276</i><br><i>Listed Building Consent</i><br>30.06.2016             | 7 Coventry Road<br>Rugby                                                                              | Replacement of existing windows from single to double glazed.                                                                                                                                                                                  |
| <b>Advertisement</b>                                                        |                                                                                                       |                                                                                                                                                                                                                                                |

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| <b>Consents</b>                                                            |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <i>R16/0972<br/>Advertisement<br/>Consent<br/>30.06.2016</i>               | The George<br>2-4 The Green<br>Bilton<br>Rugby                      | Provision of replacement illuminated and non-illuminated signs to the exterior of the building                                                                                                                                                                                                                                                                                                                            |
| <i>R16/1099<br/>Temporary<br/>Advertisement<br/>Consent<br/>05.07.2016</i> | Land at Williams Fields<br>Coventry Road<br>Cawston<br>Rugby        | Two free standing advertisement boards                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>R16/0757<br/>Advertisement<br/>Consent<br/>18.07.2016</i>               | Unit 1 Hermes<br>Over View Way<br>Rugby Gateway<br>Rugby            | Installation of non-illuminated signage, including 181 loading bays signs.                                                                                                                                                                                                                                                                                                                                                |
| <b>Approval of Details/<br/>Materials</b>                                  |                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <i>R16/0459<br/>Approval of Details<br/>01.07.2016</i>                     | Land to the Rear of 52 to<br>56 Hillmorton Road<br>Rugby            | Erection of four detached dwellings to the rear of 52, 54 and 56 Hillmorton Road. (Re-submission of a previously approved scheme under R11/0890 for erection of 4 three bedroom mews dwellings granted 4th September 2013 and erection of 2no. dwellings including garages, and erection of a building comprising a studio, garages and a store to serve No.56 Hillmorton Road. under R08/0605/PLN granted 6th June 2008) |
| <i>R14/0440<br/>Approval of Details<br/>04.07.2016</i>                     | Stepnell Limited<br>Lawford Road/Paynes<br>lane<br>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>R16/0266<br/>Approval of Reserved<br/>Matters<br/>06.07.2016</i>        | Cawston Extension Site<br>Coventry Road<br>Cawston<br>Rugby         | Spine road and strategic landscaping (Phases 1a and 2a) only, Approval of Reserved Matters in relation to outline planning permission R11/0114.                                                                                                                                                                                                                                                                           |
| <i>R12/1194<br/>Approval of Details<br/>06.07.2016</i>                     | Land off Priory Road and<br>School Street<br>Priory Road<br>Wolston | Erection of 80 dwellings with associated open space, landscaping, infrastructure and newt reserve (resubmission of refused application ref R10/1131 dated 28th Feb 2012)                                                                                                                                                                                                                                                  |
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| <p><i>R12/1353</i><br/> <i>Approval of Details</i><br/> 07.07.2016</p>          | <p>Coton House<br/> Lutterworth Road<br/> Churchover<br/> Rugby</p>                                   | <p>A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J &amp; K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p> |
| <p><i>R14/2248</i><br/> <i>Approval of Details</i><br/> 08.07.2016</p>          | <p>Coppicewell Rare Breeds Farm<br/> Wolvey Road<br/> Bulkington<br/> Bedworth</p>                    | <p>Demolition of existing agricultural building and erection with a residential bungalow.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><i>R16/0337</i><br/> <i>Approval of Reserved Matters</i><br/> 08.07.2016</p> | <p>Rugby Radio Station<br/> Watling Street<br/> Clifton Upon Dunsmore<br/> Rugby</p>                  | <p>Key Phase1 Parcels G(part), J and L(part) - Submission of reserved matters comprising access, appearance, landscaping, layout and scale for the erection of 104 dwellings together with garages, access roads, parking and associated works pursuant to outline planning permission ref.no R11/0699 dated 21st May 2014.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><i>R14/1070</i><br/> <i>Approval of Details</i><br/> 11.07.2016</p>          | <p>Rugby Radio Station (Key Phase 1)<br/> A5 Watling Street<br/> Clifton Upon Dunsmore<br/> Rugby</p> | <p>Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of access, appearance, landscape, layout and scale in respect of primary infrastructure, ground remodelling and associated works at Key Phase 1of the Rugby Radio Station development including internal primary and secondary street network, junctions and turning heads, land reprofiling, utilities infrastructure including alignment of service runs and gas governor, foul and surface water drainage infrastructure including pumping station, any necessary demolition, archaeological investigations, temporary stockpiling of construction materials, and areas for construction use. (GREY INFRASTRUCTURE - Part Discharge of Condition 15 of the Outline Planning Permission - R11/0699)</p>                                                                                              |

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| <p><i>R14/1071</i><br/> <i>Approval of Details</i><br/> 11.07.2016</p> | <p>Rugby Radio Station<br/> (Key Phase 1)<br/> A5 Watling Street<br/> Clifton Upon Dunsmore<br/> Rugby</p> | <p>Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of appearance, landscape, layout and scale in respect of strategic green infrastructure and associated works at Key Phase 1 of the Rugby Radio Station development comprising areas of common or strategic green infrastructure including wildlife corridors, Great Crested Newt holding habitats including any necessary fencing, hibernacula and crossings, productive landscape, footways/cycleways, lighting, sustainable drainage features, construction of engineered drainage works, planting, any necessary ground remodelling and demolition and connections to existing ditch courses, temporary construction compound, stockpiling and construction areas and construction access from the A428.(GREEN INFRASTRUCTURE - Part Condition 15 of the Outline Planning Permission - R11/0699)</p> |
| <p><i>R12/1353</i><br/> <i>Approval of Details</i><br/> 14.07.2016</p> | <p>Coton House<br/> Lutterworth Road<br/> Churchover<br/> Rugby</p>                                        | <p>A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J &amp; K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p>  |
| <p><i>R14/2236</i><br/> <i>Approval of Details</i><br/> 15.07.2016</p> | <p>Former Peugeot Factory<br/> Site C<br/> Oxford Road<br/> Ryton on Dunsmore</p>                          | <p>Outline planning application for redevelopment of 13.65ha of the southern part of the former Peugeot Works site for Class B2 (general industry) &amp; Class B8 (warehouse, storage &amp; distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><i>R15/0852</i><br/> <i>Approval of Details</i></p>                 | <p>Topiary Cottage<br/> Coton House</p>                                                                    | <p>Two storey extension and alterations to existing dwelling house with erection of</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



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| 18.07.2016                                                           | Lutterworth Road<br>Churchover<br>Rugby                                      | detached double of garage                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <i>R16/0117</i><br><i>Approval of Details</i><br>18.07.2016          | 16 School Street<br>Dunchurch                                                | Proposed erection of new dwelling within the garden of 16 School Street (Amendment to previously approved application R14/0063)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>R12/2253</i><br><i>Approval of Details</i><br>20.07.2016          | Land adj. to Europark<br>A5 Watling Street<br>Clifton upon Dunsmore<br>Rugby | <p>Part outline planning permission for the erection of two buildings and use for purposes falling within Class B2 (General Industrial) of The Town and Country Planning (Use Classes) Order 1987, as amended, together with ancillary offices and ancillary storage, parking, servicing, drainage and landscaping - all matters reserved.</p> <p>Part full planning permission for the construction of an access road with associated drainage, earthworks and drainage infrastructure comprising surface water and foul sewers and package treatment plant to serve the proposed outline development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>R11/0699</i><br><i>Approval of Reserved Matters</i><br>20.07.2016 | Dollman Farm<br>Crick Road<br>Hillmorton<br>Rugby                            | <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</p> |

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|                                                                     |                                              | 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. |
| <b>Approval of non-Material Changes</b>                             |                                              |                                                                                                                                                                                                                 |
| <i>R16/0002<br/>Approval of Non-Material Changes<br/>11.07.2016</i> | 10 Smite Close<br>Monks Kirby<br>Rugby       | Erection of a single storey side extension.                                                                                                                                                                     |
| <i>R16/0991<br/>Approval of Non-Material Changes<br/>13.07.2016</i> | 3 Swedish Houses<br>Birdingbury Road<br>Hill | Extensions and alterations to dwelling.                                                                                                                                                                         |
| <b>Withdrawn/<br/>De-registered</b>                                 |                                              |                                                                                                                                                                                                                 |
| <i>R16/1302<br/>Withdrawn<br/>01.07.2016</i>                        | 25 Cambridge Street<br>Rugby                 | Prior approval application for single storey rear extension: 3.9m projection from original dwelling, 2.3m eaves height, 3.4m ridge height.                                                                      |
| <i>R16/1199<br/>Withdrawn<br/>05.07.2016</i>                        | Hensborough Cottage<br>Southam Road<br>Rugby | The Erection of Four Self-catering Holiday Accommodation units and associated access and parking (All other matters reserved)                                                                                   |

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 21.07.2016 TO 10.08.2016

**A. APPLICATIONS – DELEGATED**

|                                             |                                                                   |                                                                                                                                                                                                                                                                                      |
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| <b>Applications Refused</b>                 |                                                                   |                                                                                                                                                                                                                                                                                      |
| <i>R16/1197<br/>Refused<br/>03.08.2016</i>  | Home Farm<br>Main Street<br>Broadwell<br>Rugby                    | Erection of agricultural workers dwelling.                                                                                                                                                                                                                                           |
| <i>R16/1428<br/>Refused<br/>08.08.2016</i>  | 35 Church Road<br>Shilton<br>Coventry                             | Erection of a first floor rear bedroom extension                                                                                                                                                                                                                                     |
| <b>Applications Approved</b>                |                                                                   |                                                                                                                                                                                                                                                                                      |
| <i>R16/0317<br/>Approved<br/>20.07.2016</i> | Shilton House Farm<br>15 Church Road<br>Shilton<br>Coventry       | Part demolition, alterations, extensions and conversion of existing redundant barns to form 10 dwelling houses, together with the demolition of the existing farmhouse and erection of replacement dwelling house together with associated parking and garages and associated works. |
| <i>R16/1100<br/>Approved<br/>21.07.2016</i> | 183 Alwyn Road<br>Bilton<br>Rugby                                 | Proposed two storey side extension and single storey front and rear extension together with external rendering                                                                                                                                                                       |
| <i>R16/0877<br/>Approved<br/>20.07.2016</i> | Land to the West and North of Draken Drive<br>Ansty Park<br>Ansty | Installation of outdoor gym equipment and associated works to create a trim trail together with benches, picnic tables and bins.                                                                                                                                                     |
| <i>R16/0732<br/>Approved<br/>21.07.2016</i> | 18 Grendon Drive<br>Brownsover<br>Rugby                           | Erection of a covered seating area to the rear and a car port to the side (retrospective).                                                                                                                                                                                           |
| <i>R16/1253<br/>Approved<br/>22.07.2016</i> | South Lodge<br>10 South Road<br>Dunchurch                         | Conversion of garage into ancillary annex including provision of glazed covered walkway and erection of shed within rear garden                                                                                                                                                      |
| <i>R15/2267<br/>Approved</i>                | The Evergreens<br>Wood Lane                                       | Permanent permission application for use of land as a private gypsy and traveller site for 2                                                                                                                                                                                         |

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| 25.07.2016                         | Shilton<br>Coventry                                         | mobile homes, including stables and storage buildings (previous temporary permissions R12/0342 and R13/1494) - Variation of Condition 1 of planning permission R14/2048 dated 20th April 2015 to changed named occupiers of the site.                              |
| R16/1374<br>Approved<br>26.07.2016 | TY Gwynt<br>Grays Orchard<br>Thurlaston<br>Rugby            | Erection of a Timber Garage                                                                                                                                                                                                                                        |
| R16/1360<br>Approved<br>26.07.2016 | The Former Coffin<br>Works<br>Hunter Street<br>Rugby        | Variation of Condition 2 of approval R11/0997 (Erection of 2 dwellings) dated 20th November 2013 to allow alterations to the dwellings including a 0.8 metre separation between the two dwellings and an increase in height of the dwellings by approx 0.1 metres. |
| R16/1296<br>Approved<br>26.07.2016 | 19 Alwyn Road<br>Bilton<br>Rugby                            | Erection of a two storey side extension and single storey front and rear extension                                                                                                                                                                                 |
| R16/1407<br>Approved<br>27.07.2016 | 15 Main Street<br>Newbold<br>Rugby                          | Proposed alterations to shop front together with the installation of an external flue (retrospective)                                                                                                                                                              |
| R16/1378<br>Approved<br>28.07.2016 | Heathlands<br>Coventry Road<br>Cawston<br>Rugby             | Erection of two single storey rear extensions.                                                                                                                                                                                                                     |
| R16/1441<br>Approved<br>29.07.2016 | Clock Towers Shopping<br>Centre<br>Market Mall<br>Rugby     | Works to the roofs of the existing lift pods at car park level and removal of the canopy along North Street and the installation of temporary boarding.                                                                                                            |
| R16/1291<br>Approved<br>29.07.2016 | Longacre<br>Main Street<br>Willey<br>Rugby                  | Erection of replacement conservatory                                                                                                                                                                                                                               |
| R16/1156<br>Approved<br>29.07.2016 | Navigation Bungalow<br>Longdown Lane<br>Willoughby<br>Rugby | Replacement of existing front conservatory with an oak framed porch                                                                                                                                                                                                |
| R16/1162                           | The Coach House                                             | Erection of a two storey rear extension.                                                                                                                                                                                                                           |

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| <i>Approved</i><br>29.07.2016                    | Fitzjohns<br>Barby<br>Rugby                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <i>R16/1275</i><br><i>Approved</i><br>29.07.2016 | Lodge Farm<br>301 Easenhall Road<br>Harborough Magna<br>Rugby                                 | Erection of replacement garage                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>R16/1425</i><br><i>Approved</i><br>29.07.2016 | 38 Townsend Road<br>Rugby                                                                     | Erection of single storey rear extension                                                                                                                                                                                                                                                                                                                                                                                  |
| <i>R15/2474</i><br><i>Approved</i><br>02.08.2016 | Woodside Café<br>8 Wood Street<br>Rugby                                                       | Change of use from café to Chinese take away.                                                                                                                                                                                                                                                                                                                                                                             |
| <i>R16/1158</i><br><i>Approved</i><br>02.08.2016 | 66 Heather Road<br>Binley Woods<br>Coventry                                                   | Erection of first floor extension and provision of new pitched roof to form detached two storey dwelling house.                                                                                                                                                                                                                                                                                                           |
| <i>R15/2528</i><br><i>Approved</i><br>02.08.2016 | Clifton Road Car Sales<br>123 Clifton Road<br>Rugby                                           | Removal of existing vehicle repair and sales workshops and replacement with 6 no. 1 bedroom flats, parking and amenity space                                                                                                                                                                                                                                                                                              |
| <i>R16/1115</i><br><i>Approved</i><br>02.08.2016 | Highview<br>Withybrook Lane<br>Shilton                                                        | Retrospective application for extensions and alterations to dwelling house, retention of detached garage and outbuilding and alteration to boundary of residential curtilage.                                                                                                                                                                                                                                             |
| <i>R16/1328</i><br><i>Approved</i><br>02.08.2016 | Bilton Grange<br>Rugby Montessori<br>School Bilton Grange<br>Rugby Road<br>Dunchurch<br>Rugby | Demolition of the existing grounds man's hanger building and provision of staff and visitors car parking area including access, amenity lighting and landscaping. (Amendment to a previously approved scheme under R16/0360 granted 7th April 2016 for demolition of the existing grounds man's hanger building and provision of staff and visitors car parking area including access, amenity lighting and landscaping.) |
| <i>R16/0967</i><br><i>Approved</i><br>03.08.2016 | Bilton Grange<br>Rugby Montessori<br>School Bilton Grange<br>Rugby Road<br>Rugby              | Erection of a groundman's ganger (Reserved matters application for layout, appearance and landscaping following outline planning approval under R16/0361 granted 11th April 2016).                                                                                                                                                                                                                                        |
| <i>R16/1361</i>                                  | Clifton Hall                                                                                  | Proposed replacement triple garage                                                                                                                                                                                                                                                                                                                                                                                        |

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| <i>Approved</i><br>03.08.2016                    | Hillmorton Lane<br>Clifton<br>Rugby                             |                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>R16/1298</i><br><i>Approved</i><br>03.08.2016 | 33 Dyson Close<br>Hillmorton<br>Rugby                           | Retention of a two storey side extension and single storey front and rear extensions - resubmission of a previously approved scheme under planning reference number R13-2289 granted 8th April 2014 for a two storey side extension and single storey front and rear extensions (Amendment to include change of external materials to render and other minor external alterations). |
| <i>R16/1402</i><br><i>Approved</i><br>04.08.2016 | 45 Lime Tree Avenue<br>Bilton<br>Rugby                          | Erection of single storey extension to existing garage and erection of canopy porch to dwelling                                                                                                                                                                                                                                                                                     |
| <i>R16/1291</i><br><i>Approved</i><br>04.08.2016 | Longacre<br>Main Street<br>Willey<br>Rugby                      | Erection of replacement conservatory                                                                                                                                                                                                                                                                                                                                                |
| <i>R16/1165</i><br><i>Approved</i><br>04.08.2016 | Land to the Rear of<br>24 Leicester Road<br>Shilton<br>Coventry | Retention of two storey stable block                                                                                                                                                                                                                                                                                                                                                |
| <i>R16/0321</i><br><i>Approved</i><br>05.08.2016 | 8 Brambling Close<br>Rugby                                      | Erection of a single storey rear extension                                                                                                                                                                                                                                                                                                                                          |
| <i>R16/1230</i><br><i>Approved</i><br>05.08.2016 | 51 Townsend Lane<br>Rugby                                       | Erection of single storey extension                                                                                                                                                                                                                                                                                                                                                 |
| <i>R15/2219</i><br><i>Approved</i><br>08.08.2016 | The Hall<br>Rugby Road<br>Wolston                               | Change of use from residential care home (C2 Use Class) to four residential dwellings (C3 Use Class) and associated residential parking area                                                                                                                                                                                                                                        |
| <i>R16/0395</i><br><i>Approved</i><br>08.08.2016 | The Hall<br>Rugby Road<br>Wolston                               | Change of use from residential care home (C2 Use Class) and part of social club (Sui-Generis Use Class) to offices (B1 Use Class) and one residential dwelling (C3 Use Class) and associated parking area (resubmission following withdrawal of application R15/2220)                                                                                                               |
| <i>R16/1492</i>                                  | 95 Crick Road                                                   | Replacement porch to front elevation.                                                                                                                                                                                                                                                                                                                                               |

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| <i>Approved</i><br>10.08.2016                                       | Hillmorton<br>Rugby                                                                       |                                                                                                                                                           |
| <i>R16/1243</i><br><i>Approved</i><br>10.08.2016                    | Murco Petroleum Limited<br>Murco Petroleum Limited<br>Coventry Eastern<br>Bypass<br>Rugby | Demolition of existing service station shop and erection of new shop with ATM machine and associated re-alignment of on-site car parking                  |
| <b>Prior Approval Applications</b>                                  |                                                                                           |                                                                                                                                                           |
| <i>R16/1419</i><br><i>Prior Approval Not Required</i><br>27.07.2016 | 8 Pinewood Drive<br>Binley Woods<br>Rugby                                                 | Prior approval for the erection of a single storey rear extension.                                                                                        |
| <i>R16/1207</i><br><i>Prior Approval Not Required</i><br>29.07.2016 | First Floor<br>9 North Street<br>Rugby                                                    | Prior approval change of use of part of the first floor from offices (Use Class B1a) to 4 residential flats (2 x one-bed and 2 x two-bed) (Use Class C3). |
| <i>R16/1545</i><br><i>Prior Approval Not Required</i><br>10.08.2016 | 21 Robertson Close<br>Rugby                                                               | Rear extension measuring 4.5 metres in depth; 3.3 metres in height to the ridge; and 2.3 metres in height to the eaves.                                   |
| <b>Listed Building Consents</b>                                     |                                                                                           |                                                                                                                                                           |
| <i>R16/1254</i><br><i>Listed Building Consent</i><br>22.07.2016     | South Lodge<br>10 Rugby Road<br>Dunchurch                                                 | Listed Building Consent for conversion of garage into ancillary annex including provision of glazed covered walkway and erection of shed in rear garden   |
| <i>R16/1372</i><br><i>Listed Building Consent</i><br>29.07.2016     | Brimham<br>Main Street<br>Easenhall<br>Rugby                                              | Listed Building Consent for external works to the building including an entire re-roof; replacement finial; re-pointing and repairs to front windows.     |
| <i>R16/1042</i><br><i>Listed Building Consent</i><br>03.08.2016     | George Inn<br>The George<br>2-4 The Green<br>Bilton<br>Rugby                              | Listed Building consent for external and internal works to the building.                                                                                  |
| <b>Advertisement Consents</b>                                       |                                                                                           |                                                                                                                                                           |
| <i>R16/1359</i>                                                     | Unit 3 Elliotts Field                                                                     | Advertisement consent for the installation of                                                                                                             |

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| <i>Advertisement Consent</i><br>21.07.2016                             | Shopping Park<br>Leicester Road<br>Rugby                                  | 2no. Signs (retrospective).                                                                                                                                                                                                                                        |
| <i>R16/0353 Advertisement Consent</i><br>25.07.2016                    | DHL<br>Plot 4 Waver Way<br>Rugby Gateway<br>Employment<br>Rugby           | Installation of non-illuminated signage, including 20 loading bays signs.                                                                                                                                                                                          |
| <i>R16/0136 Advertisement Consent</i><br>02.08.2016                    | Woodside Café<br>8 Wood Street<br>Rugby                                   | Erection of two fascia signs.                                                                                                                                                                                                                                      |
| <b>Certificate of Lawful Use or Development</b>                        |                                                                           |                                                                                                                                                                                                                                                                    |
| <i>R16/1564 Certificate of Lawful Use or Development</i><br>29.07.2016 | 45-47 Somers Road<br>New Bilton<br>Rugby                                  | Certificate of Lawfulness for proposed installation and operation of gas powered electricity generators (Use Class B2)                                                                                                                                             |
| <i>R16/0371 Certificate of Lawful Use or Development</i><br>05.08.2016 | Fayreview Bungalow<br>Brandon Lane<br>Brandon<br>Coventry                 | Certificate of Lawfulness for proposed single storey rear and side extensions                                                                                                                                                                                      |
| <i>R15/2102 Certificate of Lawful Use or Development</i><br>08.08.2016 | 42 Fisher Avenue<br>Rugby                                                 | Certificate of Lawfulness for proposed loft conversion with dormer and a velux rooflight to front elevation                                                                                                                                                        |
| <b>Approval of Details/ Materials</b>                                  |                                                                           |                                                                                                                                                                                                                                                                    |
| <i>R16/0002 Approval of Details</i><br>21.07.2016                      | 10 Smite Close<br>Monks Kirby<br>Rugby                                    | Erection of a single storey side extension.                                                                                                                                                                                                                        |
| <i>R15/2361 &amp; R15/2362 Approval of Details</i><br>13.07.2016       | New Directions Rugby Limited<br>Richmond Lodge<br>27 Bilton Road<br>Rugby | Demolition of existing single-storey conservatory extension to Richmond Lodge, and erection of a 3-storey rear extension, together with alterations to existing boundary along Merttens Drive and the erection of a proposed orangery and interior refurbishments. |
| <i>R15/2361 &amp; R15/2362 Approval of Details</i>                     | New Directions Rugby Limited                                              | Demolition of existing single-storey conservatory extension to Richmond Lodge,                                                                                                                                                                                     |



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| 25.07.2016                                                              | Richmond Lodge<br>27 Bilton Road<br>Rugby                                                    | and erection of a 3-storey rear extension, together with alterations to existing boundary along Merrtens Drive and the erection of a proposed orangery and interior refurbishments.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>R14/2095<br/>Approval of Details<br/>25.07.2016</i>                  | Land at Junction One<br>Retail Park<br>Leicester Road<br>Rugby                               | Variation of Conditions 2 and 11 of approval R13/2074 (The erection of a terrace of 5 units providing 5,670sqm non-food Class A1 retail floorspace together with car parking, landscaping and associated works) to allow the occupation by B&M Bargins.                                                                                                                                                                                                                                                                                                                                                |
| <i>R15/0876<br/>Approval of Details<br/>25.07.2016</i>                  | Land adjacent existing<br>cottages at Coton House<br>Lutterworth Road<br>Churchover<br>Rugby | The erection of a detached dwelling and double garage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>R14/0241<br/>Approval of Details<br/>28.07.2016</i>                  | 9 Lower Street<br>Hillmorton<br>Rugby                                                        | Variation of condition 2 of planning permission R10/0528 (Erection of 4 houses (accessed from Constable Road) and 1 bungalow (accessed from Lower Street) - amendment to planning permission reference 210 to show amended siting of bungalow, revised rear garden boundaries for proposed houses and amended site boundary) to make alterations to approved dwellings on plots 1, 2, 3 and 4 including amending design of front elevation, increasing width and height of dwellings, omitting ground and first floor windows in side elevations and altering window configurations in rear elevations |
| <i>R14/0407 and<br/>R15/2239<br/>Approval of Details<br/>28.07.2016</i> | Land adjacent<br>Ridgeway Farm<br>Ashlawn Road<br>Hillmorton<br>Rugby                        | Outline planning application for demolition of agricultural buildings and use of land for residential development and associated works, including access.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <i>R16/0337<br/>Approval of Details<br/>01.08.2016</i>                  | Rugby Radio Station<br>Watling Street<br>Clifton upon Dunsmore<br>Rugby                      | Key Phase1 Parcels G(part), J and L(part) - Submission of reserved matters comprising access, appearance, landscaping, layout and scale for the erection of 104 dwellings together with garages, access roads, parking and associated works pursuant to outline planning permission ref.no R11/0699 dated 21st May 2014.                                                                                                                                                                                                                                                                               |
| <i>R14/0407 &amp; R15/2239<br/>Approval of Details<br/>02.08.2016</i>   | Land adjacent<br>Ridgeway Farm<br>Ashlawn Road<br>Hillmorton<br>Rugby                        | Outline planning application for demolition of agricultural buildings and use of land for residential development and associated works, including access.                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| <i>R15/0876<br/>Approval of Details<br/>02.08.2016</i> | Land Adjacent<br>Existing Cottages at<br>Coton House<br>Lutterworth Road<br>Churchover<br>Rugby          | The erection of a detached dwelling and double garage.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>R13/0783<br/>Approval of Details<br/>02.08.2016</i> | The Old Dairy<br>Coton House<br>Lutterworth Road<br>Churchover<br>Rugby                                  | Listed Building Application for the alteration and extension of the Old Dairy to form a single dwelling house                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>R11/1521<br/>Approval of Details<br/>03.08.2016</i> | Land South of<br>Coventry Road and<br>North East of<br>Cawston Lane<br>Coventry Road<br>Cawston<br>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>R15/2256<br/>Approval of Details<br/>03.08.2016</i> | Hallmark Care Homes<br>Rugby Limited<br>Anya Court<br>286-290 Dunchurch<br>Road<br>Rugby                 | Erection of outbuilding for water booster equipment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <i>R12/1353<br/>Approval of Details<br/>03.08.2016</i> | Coton House<br>Lutterworth Road<br>Churchover<br>Rugby                                                   | A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total). |
| <i>R12/1353</i>                                        | Coton House                                                                                              | A Hybrid Planning Application seeking Full                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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| <p><i>Approval of Details</i><br/>04.08.2016</p>                              | <p>Lutterworth Road<br/>Churchover<br/>Rugby</p>                                                                                                    | <p>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 &amp; K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p>                                            |
| <p><i>R12/1353</i><br/><i>Approval of Details</i><br/>04.08.2016</p>          | <p>Coton House<br/>Lutterworth Road<br/>Churchover<br/>Rugby</p>                                                                                    | <p>A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J &amp; K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).</p> |
| <p><i>R16/0860</i><br/><i>Approval of Reserved Matters</i><br/>04.08.2016</p> | <p>Radio Station Rugby<br/>Key Phase 1<br/>Land for Primary School<br/>East of Rugby<br/>West of A5<br/>off Crick Road<br/>Hillmorton<br/>Rugby</p> | <p>Urban extension to Rugby under ref. no. R11/0699 approved on 21st May 2014 – Application for reserved matters approval for construction of a 3 form entry primary school in Key Phase 1 of the Radio Station Rugby development with associated (vehicular, cycle and pedestrian) access, hard and soft landscaping and lighting, laying out and grading of playing fields including associated drainage works, boundary treatments, car and cycle parking provision and engineering works, including provision of drainage and utilities infrastructure including construction of substation, and ground re-modelling.</p>                                                                                                                                                                                                                                                                                                |
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| R16/1332<br>Approval of Details<br>05.08.2016            | 24 Crick Road<br>Hillmorton<br>Rugby                            | Variation of Condition 2 of approval R15/2059 (Demolition of Existing Bungalow and Garage and the Erection of Four New Dwellings with Garages) to allow minor alterations including an increase to the width of the vehicular access; an increase to the spacing between all 4 plots and a small enlargement to plot 1.                                                                                                                 |
| R14/2369<br>Approval of Details<br>08.08.2016            | Newbold Farm<br>Main Street<br>Newbold<br>Rugby                 | Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. Dwelling houses with associated garages and car parking.                                                                                                                                                                                                                                                        |
| R14/0407 & R15/2239<br>Approval of Details<br>10.08.2016 | Land adj Ridgeway Farm<br>Ashlawn Road<br>Hillmorton<br>Rugby   | Outline planning application for demolition of agricultural buildings and use of land for residential development and associated works, including access.                                                                                                                                                                                                                                                                               |
| <b>Withdrawn/<br/>De-registered</b>                      |                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| R16/1310<br>Withdrawn<br>22.07.2016                      | Foxstones Cottage<br>1 The Ryelands<br>Lawford Heath<br>Rugby   | Erection of a single storey home workshop building                                                                                                                                                                                                                                                                                                                                                                                      |
| R16/0470<br>Withdrawn<br>02.08.2016                      | Land at Stretton Croft<br>A5 A Road<br>Watling Street<br>Wolvey | Variation of condition 17 of planning permission R11/0239 [Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.] to require highways improvements to be carried out prior to occupation of the development, rather than prior to commencement of development. |