

27 October 2017

PLANNING COMMITTEE - 8 NOVEMBER 2017

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 8 November 2017 in the Council Chamber at the 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 September 2017.

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 – 31 August 2017 – 11 October 2017.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2017/18 – 9) are attached.

Membership of the Committee:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Butlin, Cranham, Ellis, Gillias, Miss Lawrence, Lewis, Mistry, Sandison and Srivastava.

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

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.
The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website (www.rugby.gov.uk/speakingatplanning).*

Planning Committee – 8 November 2017

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	R17/0011	New Ash Tree Farm, Leicester Road, Churchover Demolition of existing farm building. Construction of new Motorway Service Area ("MSA") to comprise: Amenity Building, Lodge (use class C1), Drive Thru Coffee Unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a Fuel Filling Station with retail shop, together with alterations to the adjacent roundabout on the M6 to form an access point and works to the local highway network. Provision of landscaping, signage, infrastructure and ancillary works including diversion of bridleway.	3
2	R17/1781	College of Policing, Leamington Road, Ryton-on-Dunsmore, CV8 3EN Variation of condition 4 of R13/0695 (Retention of one and two storey office, conference, dining and ancillary accommodation, car parking and internal site access road) to allow retention for up to 5 years.	43

Reference number: R17/0011

Site address: New Ash Tree Farm, Leicester Road, Churchover

Description: Demolition of existing farm building. Construction of new Motorway Service Area ("MSA") to comprise: Amenity Building, Lodge (use class C1), Drive Thru Coffee Unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a Fuel Filling Station with retail shop, together with alterations to the adjacent roundabout on the M6 to form an access point and works to the local highway network. Provision of landscaping, signage, infrastructure and ancillary works including diversion of bridleway.

Case Officer Name & Number: Nathan Lowde 01788 533725

Introduction

This application is to be determined by members of the planning committee as it constitutes a major development. In addition to this over 15 household objections have been received.

The development proposal is considered to be an Environmental Impact Assessment (EIA) development and as such, in accordance with the relevant regulations is accompanied by an Environmental Statement (ES). The ES provides an overview of the environmental impact of the proposals with a summary of mitigation measures proposed and contains a methodology for assessing the significance of the environmental effects and the cumulative impact. A series of technical papers consider the range of environmental factors.

Description of Site

The application site is located north of Junction 1 of the M6, in the north-west quadrant of the junction. The site is located approximately 4km to the north of Rugby, located within an area of the Borough designed as countryside. The site itself covers an area of approximately 10.8ha and comprises of a parcel of arable farmland which is part of New Ash Tree Farm. The land gradually rises northward from the M6 and forms a plateau at around 131AOD (above ordnance datum). To the north of the site is New Ash Tree Farm and its existing farmhouse and outbuildings are immediately to the north of the site. Access to New Ash Tree Farm, as existing, is accessed via a vehicular drive from the A426. Further beyond this farmstead is open agricultural land and residential properties along Coton Road. The site is bounded to the east by the A426, and beyond is Coton House (Grade II* listed), a former training centre now being redeveloped for housing. To the west by a wooded area named Smith's Spinney. The southern boundary of the site is the southbound section of the M6 motorway, and a slip road which leads to the roundabout at Junction One. An existing bridleway (ref: R102) traverses the southern section of the site from east to west from the A426 towards the southern edge of Smith's Spinney wood.

To the north west of the site is the village of Churchover, located approximately 1km to the north west of the site. The village is washed by a Conservation Area which includes a number of listed buildings including the Holy Trinity Church which is a Grade II* listed building.

To the south of the site and beyond the M6 Motorway are industrial and other commercial building include recently developed industrial buildings associated with the Rugby Gateway development.

Description of Proposal

This application is for full planning permission for the proposed redevelopment of 10.8ha of land to the site is located north of Junction 1 of the M6, in the north-west quadrant of the junction. The applicant Moto operates other such facilities across the country.

The proposed MSA will increase:

1. Vehicular access

The proposed MSA takes its vehicular access from Junction 1 of the M6 in the north-west corner of the roundabout. The new design for the junction extends the roundabout northward to enable segregation of traffic movements.

2. Main Amenity Building

The amenity building would be positioned towards the northwest boundary of the site, to the east of the retained agricultural building. This building would be built on a finished floor level of 130.00 and would be approximately nine metres in height with a gross internal area of 3,959m². Included in the amenity building would be a restaurant, shops, tourist information and games/leisure area, toilet facilities and wash room. To the west of the building a recreational open space will be provided with picnic areas. This area will contain benches and play equipment. A number of mobile retail and food kiosk units will be sited in close proximity to the main amenity building entrance.

The main elevation of the building includes a V-shaped structural colonnade supporting over-sailing roof planes. External materials include glazed walls to the main front elevation and linear window features to first floor offices.

To the north of this building is a service yard with a series of freestanding amenity building comprising of:-

- Biomass Energy Centre (40m², 3.5m roof height) with a 10.6m high stainless steel flue
- Energy Centre (64m², 3.6m roof height)
- Aircooled Chiller (2.2m top level height)
- Water Tank (3.6m top level height)
- Substation (2.4m roof height)
- LPG Compound 6no. enclosed with 2m Palisade fencing
- LPG Compound 2no. enclosed with 2m Palisade fencing

To the north of this building is an area of hardstanding that will provide 21 staff car parking spaces, together with a bike shelter and rack for 20 bikes for staff personal.

3. Lodge Building

This lodge building will fall within a Class C1 use class comprising of 100 no. bedrooms (internal floor space of 2,841m²). This building will be located adjacent to the main amenity building, on the western part of the site, and will be set against the backdrop of Smith's Spinney. Owing to the fall in ground levels to the site, the floor level of this building is 127.50, 2.5m lower than the amenity building. The lodge would be three storeys, with a maximum height of 10 metres.

4. Fuel Filling Station (FFS)

The Fuel Filling Station will be positioned towards the northeast of the site. The fuel pumping provisions would be covered with a canopy (6.7m in height). The kiosk unit will be single storey, has a height of 4.1m and a gross internal area of 261m². This facility would be built on a finished floor level of 132.25. This facility will be supported by 12 car parking spaces.

5. Drive-thru Coffee Unit

This facility is a separate, stand-alone drive-thru coffee unit, with a dine-in service facility, located to the south of the main amenity building, and has 43 car parking spaces. This unit, would be built with a finished floor level of 129.25 and will be single storey unit (6m in height) with an internal floor space of 205m².

6. Parking Provision

Located to the front of the main amenity building is an area of car parking to serve both the main amenity building and lodge building. The capacity of this parking area is 388 car parking spaces.

HGV parking will be accommodated as an entirely separate and dedicated parking area in the eastern section of the site. This area will accommodate 98 HGV parking spaces.

A separate dedicated parking area for coaches and caravans would be provided between the main car parking area and the HGV parking area. This area will provide 18 coach parking spaces and 11 caravan parking area.

7. External Lighting

The site access road, internal circulates routes and car parking areas would be lit by lamps on 6m high columns. The coach and caravan parking area would be lit by lamps on 6m high columns. The HGV parking area would be lit by lamps on 12m high columns. Pedestrian footways would be lit by feature columns. The refuelling forecourts would be lit by downlighters located in the forecourt canopies.

8. Other external works

Other external works comprise of the following:-

- Soft landscaping
- Hard landscaping
- Water features
- Picnic areas (located to the southwest of the main amenity building)
- External seating areas
- Dog walking areas
- Site-wide surface water drainage via sustainable drainage systems (SuDS)
- Re-routing of existing bridleway

9. Signage

Whilst a number of the proposed signage would be assessed as part of a separate advertisement consent application, a number of totem structures would require planning permission an form part of the overall assessment of this application.

The proposed advertisements are as follows:

- Sign 1 - Internally illuminated 7m high FFS totem sign
- Sign 2 - Internally illuminated 8m high FFS totem sign
- Sign 4 - Internally illuminated 5.2m high totem sign x2
- Sign 5 - Internally illuminated 3.7m high totem sign
- Sign 6 - Internally illuminated 1.5m high on porch roof to amenity building
- Sign 7 - Internally illuminated 2.4m high on canopy edge
- Sign 8 - Lodge sign on a PPC Aluminium panel
- Sign 9 - Lodge sign on a PPC Aluminium panel
- Sign 10 - Stainless Steel COSTA sign
- Sign 11 - 'COSTA Drive Thru' sign
- Sign 12 – Internally illuminated FFS shop sign

Technical Consultation Responses

Heath and Safety Executive

Do Not Advise Against

BPA Pipelines

Not in Zone of Interest

WCC Water Officer

No objection subject to condition relating to the submission of a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site.

WCC Flood Risk Management Team

No objection subject to condition

Environment Agency

No objection

Severn Trent

No objection subject to conditions

Natural England

The proposal is unlikely to affect statutory protected sites or landscapes

Rugby Ramblers

No objection to the principle of the diversion, subject to details of the track surface.

WCC Rights of Way Team

No objection subject to conditions and informatives

WCC Archaeology

No objection subject to conditions

WCC Planning Department

No comments received

NATS

No safeguarding objection to the proposal.

Daventry District Council

No comments received

Harborough District Council

No comments received

RBC Tree Officer

No objection subject to conditions

- Tree Impact

Key arboricultural features are proposed to be retained and incorporated within the development without any adverse impact. Where tree/hedge losses are proposed these tree/hedges are of low value and mitigation landscaping throughout the site will enhance screening, biodiversity and amenity potential. Proposed new planting and habitat creation provides improved linkages therefore increasing biodiversity potential.

- Landscape Impact

The proposed landscaping scheme will ensure that overtime (approximately 15 years) views of the service station will be completely screened.

WCC Landscaping Team

The overall landscape framework proposed will help to reduce the overall scale and massing as well as providing an attractive environment for customers and staff alike.

WCC Ecology Unit

No objection subject to conditions requiring badger mitigation details, and submission of a scheme to ensure that there is no net biodiversity loss as a result of the development.

Warwickshire Wildlife Trust

Agree with recommendations made by WCC Ecology.

WCC Water Officer

No objection subject to an approved plan conditions

Stagecoach

The proposed bus provisions along the A426 would be utilised by Arriva/HinckleyBus x40. In addition to these provisions an on-site bus stop within the coach parking area would be advantageous.

RBC Economic Development Officer

No comments received

RBC Env. Services (excluding ground contamination, air quality and artificial lighting proposals)

Relevant sections pertinent to Environmental Health are deemed acceptable.

These sections include:

- Document RD 17 – Lighting Statement
- Section 12 of Environmental Statement – Noise & Vibration
- Document 11 – Baseline Noise Survey
- Document 12 – Construction Noise Assessment Assumptions
- Document 13 – Operational Noise Assumptions
- Document 14 – Assessment of Suitability of Site for Hotel
- Document RD12 – Draft Construction Environmental Management Plan

It is recommended that a condition is attached to ensure the development is constructed in accordance with the approved details.

RBC Commercial Regulation Team (Air quality and Land Contamination)

No objection subject to conditions

Rugby Art Gallery comments

Condition requested relating to the provision of Public Art

Warwickshire & West Mercia Police

Comment received on measures to be incorporated to deter/stop crime

Warwickshire Police's Traffic Management Advisor concerns

- Consideration needs to be given to the both Pedestrian and Non-Motorised Vehicle user facilities.
- The current proposal for the uncontrolled crossing point is likely to put pedestrians at risk as drivers will be focusing on vehicles merging two lanes into one rather than the pedestrians crossing the road.
- Concern regarding the construction of the MSA is the congestion this is going to cause on the A426 and M6 at Junction 1 whilst the works to construct the access roads and Island are under taken.
- Currently Rugby is undergoing unprecedented growth and the A426 is already under pressure from lane closures to allow work to be carried out alongside it. This is exacerbated by the high volumes of traffic using the A5 / A426 / M06 link at Junction 1. The result of all this congestion is that drivers then try to find alternative short cuts which is resulting in appropriate use of minor roads and abuse of weight limit restrictions.
- This congestion is also putting pressure on all the emergency services managing responses to incidents in and around the Rugby area. If this planning application is successful then there needs to be some planning intervention to make sure that there is co-ordination with the build phase and the other works ongoing around Rugby otherwise we will see the area gridlocked and this will create more misery to Rugby residents.

Warwickshire/West Mercia Counter Terrorism Unit comments

- CCTV and lighting should be incorporated within the public service area
- Clearly marked and control 'staff only' areas
- All vehicles prevented from accessing any pedestrian areas
- Use of blast resistant laminated glass from all frontages and internal shop windows

Ancient Monument Society

No comments to make

Coventry Airport

No comments received

Campaign for the Protection of Rural England (CPRE)

No comments received

WCC Highway Authority

no objection subject to conditions and planning obligations

Highways England

no objection

The applicants have demonstrated that safe access can be achievable in principle, subject to conditions.

Historic England

Welcomes the offer of the applicant to interpret the scheduled monument and provide funds which would contribute towards its conservation. This is a great step in expressing their concern for nationally important heritage.

Remain concerned about the location of the proposed development and impact upon the historic landscape and remain of the view that the scheme will have a harmful effect on the historical environment.

RBC Heritage Consultant Objection

The application would cause detrimental harm to the setting of the adjacent heritage assets as a result of its urbanisation of the landscape and impact upon openness. The harm is identified as being 'less than substantial'.

RBC Lighting Consultant

There are still some outstanding elements to be addressed, however overall the design is deemed to be acceptable for preliminary design purposes.

Third Party Comments

Neighbours (69 Household objections)

Traffic and Highways

- Increase in volume of traffic in an area which is already extremely busy and set to increase with extant and proposed development within the area
- Increase in traffic and congestion at Junction 1
- Increase in traffic and congestion on A426
- Impact on turn right out of Churchover Lane
- Traffic rat running through Churchover
- Service station has a rear access encouraging rat running through Churchover
- Existing A426 (traffic) queues back to M6 J1 –
- Application makes no proposals to improve an already failing road network
- The MSA would be a destination in its own right
- Problems with traffic queues leaving the motorway which have proven fatal; road safety issues associated with queuing on the slips
- Attract more people to Rugby increasing congestion
- The area is an accident hotspot
- Rugby already suffers from congestion along Leicester Road
- Proposed access is unworkable
- No consideration of the application at Coton House for 100 dwellings within the Transport Statement

Air Quality

- House on Coton Road will suffer from traffic fume pollution
- The village of Churchover will suffer from traffic fume pollution
- Increased pollution from vehicles using the facility on completion
- Additional NOX.

- Increased pollution in addition to the road network and gas distribution stations
- Increased pollution “during the build process” (i.e. throughout construction)

Light

- Problem of light pollution for the houses living close to the junction including New Ash Tree Farm.
- 24-hour lighting being very intrusive for those residents living on Coton Park and on Coton Road in Churchover.
- Problem of light and noise pollution.
- The new industrial park on the other side of the roundabout is a major problem in terms of light pollution at night. This will exacerbate the problem.

Noise

- Noise pollution affecting the houses on Coton Road and new houses within the existing grounds of the Coton House Estate.
- The site would generate significant noise which would be closer to residential properties than existing road noise and, due to its variable level and frequency, would be more noticeable than the steady roar of road traffic which is limited by the motorway being in cutting at the closest point.
- The traffic noise pollution will increase from already high levels

Visual Impact and Landscape Character

- Churchover is a village of outstanding nature beauty with breath-taking view over the swift valley
- Impact upon the historic rural settlement and community of Churchover
- Impact upon the village of Churchover as a place to live
- Effects on Coton House.
- Effects on the Swift Valley
- There would be a significant adverse effect on the landscape due to the large area of hard surfacing and the introduction of buildings into open countryside.
- It is vital that urban sprawl does not link Rugby with Lutterworth and this area is should be protected.
- Impact upon the semi-rural character of the area

Ecology

- Wildlife rich
- Loss of farm land which will affect the availability of food, shelter and ability to breed for wildlife

Need

- Not a need for this development within the area, as there are services at Leicester Forest East, Watford Gap and Corley Services, the truck stop on the A5, Premier Inn at Junction 1, Brewers Fayre and associated shops, and land purchased for services on the A14, J1, Welford.
- Better signposting to existing facilities is an alternative option
- Would be better located on the south side of the M6 along the Gateway development

Heritage

- Harm to the setting of the Grade II Listed Coton House, Grade II* Listed Holy Trinity Church in Churchover and the Churchover Conservation Area
- Impact upon the importance of the surrounding rural area to the significant of the church and village
- Application site within the setting of Churchover and Coton House
- The site has strong and direct historical, social and economic connections with both the village and Holy Trinity Church
- The site historically belonged to Coton House Estate, many villagers were employed by the estate and the landowners worshipped at Holy Trinity it follows that the historic, social and economic links are equally strong between the land, village and Coton House
- Impact upon the historic rural settlement and community of Churchover
- Loss of ancient farmland

Other Matters

- Odour nuisance and increase in litter in the area
- Impact upon flooding
- Set a precedent for further development
- Of no benefit to the local community and town of Rugby

Need/Principle

- The site is not allocated in any Local Plan
- There is no need for an additional service area in this location.
- Nowhere in the EIA or the TA is the issue of alternative sites to the East of the M1 discussed.

Traffic

- Conflicts with the Dept. of Transport guidance 10/9/2013 which states "22. However, where proposals are not consistent with the adopted Local Plan then a full assessment of their impact will be necessary, which will be based on the performance and character of the strategic road network as determined by the presumption that the Plan proposals will be fully implemented."
- A junction site is more likely to become a destination as it fully connected to the wider road network which gives access to its facilities such as a hotel and a drive- through food outlet.
- Traffic Assessment represents an incomplete analysis of the predicted level of traffic, as WCC is carrying out a Strategic Transport Assessment. Therefore, only once this STA has been completed can an assessment of traffic at this junction be correctly predicted.
- The A426 and the roundabout cannot cope with the amount of traffic it has on it at the moment at peak times. Even with the proposed changes we believe the roundabout will not cope.
- At peak times now the junction is gridlocked with traffic queued right across the junction and traffic backing up down the motorway slip roads. With the majority of the traffic movements coming from the motorway there is the chance that traffic may well queue all the way down the slip road to the motorway, creating the sort of traffic hazard that has only recently been got rid of at the Catthorpe Interchange.

Churchover and Heritage

- Ash Tree Farm is one of three farms that were the cornerstone of Churchover
- It is important for the protection of the Conservation Area that the rural setting bounded by the M6, A426, A5 and Pailton Road is kept free of any large scale developments.
- Significant change in the landscape to properties on Coton Road
- Adverse impact upon the setting of the Grade II* listed Holy Trinity church and Churchover Conservation Area

Other Matters

- The new houses at Coton House will also be significantly affected by the scale of this development so close to these properties.
- Increased light pollution

Cllr Carolyn Robbins

Although at within the ward of Coton and Boughton, the development will have an effect upon it. This is a positive development which will be of service to the whole borough.

Cllr Leigh Hunt objection

- Not allocated within the current or emerging Local Plan.
- The wider landscape around the Churchover area should be preserved.
- Light spillage which would not be mitigation by landscaping in the winter
- Not the right development in the right place
- There are motorway service facilities less than 15-20 minutes away along the M6 and M1.
- On the A5 there are facilities less than 10 minutes' away at the Truck Stop
- Junction 1 roundabout is already at capacity
- Proposed changes will not alleviate the current problem and proposed volume of traffic envisaged
- No consideration of cyclists and pedestrians
- Existing volume of traffic would worsen
- If minded to approve traffic light should be installed at the end of Coton Road and at the entrance to the Coton House Estate.
- Impact upon the welfare and quality of life for residents of Churchover, Coton House Park and Coton Park.

Support Letters

Neighbours 1 letter

- Supports the proposed MOTO application

CALA HOUSE

- Will provide considerable benefit to the existing and future residents within the CALA Homes development, as its facilities such as a shop and fuel station will be available to those residents.
- Creation of jobs
- Assessable to staff by sustainable modes of transport
- Need for a cycle/pedestrian link across Junction 1 to link up with the Rugby Urban Area

Millbridge Group Ltd

- Strong supports of better quality facilities for commercial drivers across the UK
- Provides much needed facilities for HGV Drivers

Relevant Planning Policy

Core Strategy

- CS1 Development Hierarchy
- CS11 Transport and New Development
- CS16 Sustainable Development
- CS17 Reducing Carbon Emissions

Saved Local Plan Policies

- GP2 Landscaping
- E6 Biodiversity
- T5 Parking Facilities

National Planning Policy

National Planning Policy Framework

Department of Transport Circular 02/2013 *"The Strategic Road Network and the Delivery of Sustainable Development"*

Assessment of Proposal

1. Principle

1.1 Highway need

Local Plan Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("2004 Act") amends the Town and Country Planning Act 1990 ("1990 Act") and sets out the requirement that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

There are no policies with the Core Strategy with relate specifically to Motorway Services Areas or roadside development. The Urban Proposals Map confirms there are no site-specific proposals relating to the site. The site is designated as being within a countryside location.

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference.

Policy CS1 states:

“The location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy....”

COUNTRYSIDE • New development will be resisted; only where national policy on countryside locations allows will development be permitted”

National Government Policy

The National Government policy relating to the strategic road network is contained within Department for Transport (DfT) Circular 02/2013 ‘The Strategic Road Network and the Delivery of Sustainable Development’. This guidance removed the minimum distance stipulated within the former Circular 02/2007: Planning and the strategic road network and Circular 01/2008: Policy on service areas and other roadside facilities on motorways and all-purpose trunk roads in England.

Paragraph 31 of the NPPF states that *“Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for growth of ports, airports or other major generators of travel demand in their areas. The primary function of roadside facilities for motorists should be to support the safety and welfare of the road user”*.

The Transport Assessment and the Alternative Site Assessment, submitted by the applicant, both details the case for an MSA at Rugby based upon Government Policy contained within Circular 02/2013 and specific provision of MSA facilities on the M6 motorway.

Annex B of the circular sets out policy on the provision on standards for road facilities (including MSAs) on the strategic road network. The circular (para.B4) emphasises that MSAs perform an important road safety function by providing opportunities for the travelling public to stop and take a break. This links to the National Planning Policy Framework (para 31) which states that the primary function of roadside facilities should be to support the safety and welfare of the road user. Highways England’s recommendation (para B5, B6 and B7) is that MSAs should be spaced such that there is a maximum of 30 minutes travelling time between facilities. This can typically be a maximum distance of 28 miles or less on congested sections, but can be shorter, with no specified minimum.

Paragraph B8 confirms that in determining applications for new MSAs, Local Planning Authorities should not need to consider the merits of spacing of sites beyond conformity with the maximum and minimum spacing criteria established for safety reasons. Nor should they seek to prevent competition between operators; rather they should determine applications on their specific planning merits. Ultimately, it is interpreted that once a gap between MSAs is shown to exist it is not necessary to have regard to other considerations in determining whether a need exists, a need either exists or it does not.

The applicant’s submission identifies that the application site lies within a 25 mile gap some 11 miles north of Watford Gap MSA on the M1 and 14 miles from the Corley MSA on the M6. The gap between Junction 1 and the services on the M1 north at Leicester Forest East is now 27 miles via the M6 and M69 motorways. For users leaving the M6 to continue their journey along the A14 trunk road, the distance between the Corley MSA and Cambridge MSA is 76 miles. The proposed MSA at Junction 1 would reduce that gap to 62 miles, broadly equivalent to one hours driving time. These distances are both within and outside the Government’s maximum distances.

Fundamental to the provision of a safe Motorway Network is the provision of appropriately spaced MSAs. Where gaps in the Network exist, it goes without saying that the safety and welfare risks for drivers and their passengers increase. The purpose of MSAs is to make appropriate provision for the safety and welfare of road users on the Motorway Network. In respect of the proposed MSA it is accepted that the need for the MSA has been proven, judged against the Government’s policy in Circular 02/2013. This should accordingly be afforded weight as a material consideration in favour of the application.

The applicant's highway consultant have carried out a study of conditions on the local road network in the area surrounding the M6, Junction 1 to assess the extent of HGV parking in either laybys or on-street. This study concludes that there is a shortfall of HGV parking within Rugby. A summary of the HGV parking survey (Table 3.12 of the Transport Assessment) shows that a large number of HGVs use industrial estate roads such as Central Park Drive and Castle Mound Way, situated to the east of A426 and south for overnight parking.

The applicants consider that the HGV parking problems identified enhances their case of need for an MSA at Junction 1 in that the HGV parking facilities it would provide would relieve problems in the surrounding area whilst also providing the provision of secure parking facilities of HGVs.

1.2 Consideration of Alternative Sites.

There is no formal requirement for a sequential assessment for considering the location of a Motorway Service Area. However, as the proposals are EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, Schedule 4 Part 2 does require an alternative study for inclusion in the Environmental Statement.

The applicant's submission outlines an assessment of potential site locations within the area of identified need along the M6 motorway at both on-line (Cathorpe Interchange, between Junction 1 and 2 of the M6, and between Junction 2 to Corley MSA) and existing junction locations (incl. junctions 2 and 3). The selected sites were considered against a range of policy (e.g. green belt, site allocations) and site specific constraints (e.g. highway access impacts and environmental impacts etc.) which concludes that the application site provides the optimal location in which to accommodate the proposed MSA.

Representations have been made that there is a hotel and other facilities close to Junction 1 of the M6. These facilities are within the Central Park Local District Centre, which includes a hotel together with a number of small retail units and a foodstore. However, as these could not be signposted from the motorway, as they do not meet the requirements set out within the DfT Circular 02/2013, motorway users would be unaware of these facilities. The advantage with signed posted facilities on the motorway is that road users are directed to suitable facilities without leaving the motorway. This applies equally to the A5 truck stop.

Representations have also been made to Junction 1 of the A14 as a suitable alternative site for a MSA. Planning permission was granted under reference DA/92/0849 for an outline application for a motorists' service area to comprise hotel, restaurant, amenity building petrol filling station, car and HGV parking and highway improvements. This site is located within the south-west quadrant of this Junction has been promoted through the Daventry Local Plan 1997 under policies CM3 and CM4. It should be noted that a recently Section 73 application (variation of condition 1 of reserved matters approval DA/1997/1074) was submitted to Daventry District Council to allow revisions to the approved layout. This application was approved on the 11th October 2017. This site lies 22 miles from the application site, 36 miles from Corley MSA and 49.5 miles from Cambridge MSA.

The applicants have reviewed this site and concluded that the provisions of services at this Junction would not meet the safety and welfare requirements for the gap in the M6/M1 services. In addition to this the fact that the site has not been developed for 20 years confirms that it is not viable as it is a despoiled mineral working site. The site cannot be developed for Motorway Services as it is a trunk road. The site is too small to accommodate the full range of parking and other requirements.

1.3 Main Town Centre uses

The proposed MSA will incorporate a range of retail, leisure, hotel and other main town centre uses. However, it is accepted that MSAs are a sui generis use, the range of facilities that the MSA provides are designed to be attractive to motorway drivers, rather than as a shopping or a leisure destination in its own right.

Paragraph B29 contained within Circular 02/2013 states that *'the scope and scale of retail activities at roadside facilities is a matter for consideration by the relevant local planning authority in line with the National Planning Policy Framework and local planning policies. However, local planning authorities*

should have regard to the primary function of roadside facilities which is to support the safety and welfare of the road user.'

National and local planning policy establishes that out of centre retail and leisure proposals should be located within town centres and where they are proposed outside of town centres must be subject to a sequential and an impact assessment (subject to scale). It is to be noted that there is nothing within the Core Strategy or the NPPF to suggest that this requirement should not apply to main town centre uses contained within an MSA. Whilst it is accepted that it is not the purpose of national and local policy to direct Motorway Service Areas to town centres, this must not give carte blanche to allow any range and scale of town centre uses to be located within MSAs without adequate assessment or compliance with local and national policy.

The applicant's submission includes a sequential test which considered alternative sites that are suitable for the development proposed and accordingly require sites to be either directly adjacent to the motorway, at an existing junction off the motorway. The applicant has considered alternative sites along the corridor of the M6 (this being the stretch of the M6 that best meets the gap in service provision along the M6). It is recognised that there are no defined centres within that length of motorway, and to locate the MSA within, or on the edge of any nearby centres would result in the MSA being located on a site wholly unsuitable for the operation of the development. It is therefore accepted that there are no sequentially preferable sites which are suitable for the development proposed.

The applicant has not assessed the impact of the development on nearby centres (and investment within those centres) in the 'traditional' manner; rather they have set out why such an approach would not work with this type of development. Traditionally an assessment would be made on the level of spend likely to be diverted to the MSA, and where that spend had been diverted from. However, with an MSA, predicting where customers may have come from would be close to impossible given that users of MSAs could be travelling from all over the country. In addition, trade is not diverted from town centres in a way consistent with a 'normal' retail development. The range of facilities that the MSA provides are designed to be attractive to motorway drivers, rather than as a shopping or a leisure destination in its own right. As a result, it is accepted that the proposal is unlikely to result in a significant adverse impact to the vitality and viability of any nearby centre, or to planned and committed investment within those centres.

However, the MSA may become a destination for occupier of the neighbouring residential development such as Coton House and the village of Churchover where such facilities do not exist. Whilst the presence of a retail outlet such as M&S Simply Foods, would be an attraction to these nearby communities, this diversion would not be away from the Town Centre, and conditions could be imposed limiting the amount of floor space of individual unit sizes to prevent the creation of a single large retail unit with the amenity building.

1.4 Destination in its own right

Circular 02/2013 Paragraph B11 of Annex B states:

"In circumstances where there is potential for these (roadside service areas) to become destinations in their own right, the Highways Agency will only support proposals for or within service areas and other roadside facilities if it can be shown that there would be no overall increase in trip mileage, and always provided that there would be no significantly adverse impact on the safety and operation of the strategic road network."

As referred to above the range of facilities that the MSA provides are typical to others up and down the country, designed to be attractive to motorway drivers, rather than as a shopping or a leisure destination in its own right. The proposed hotel is aimed at the long distance travellers to provide an opportunity for overnight accommodation. By placing them within the MSA avoids the need to travel off the motorway in search of accommodation, thereby reducing journeys on the local road network. There is limited potential for the hotel to become a destination in its own right used by local people who are not travelling on the motorway. In the same way the proposed retail units are targeted to the travelling public and it is unlikely that someone would travel to the MSA solely to fulfil a retail purchase.

In terms of a place of employment, the MSA will be a destination in its own right. This is inevitable as the MSA will be the place of work for the staff required to operate the facility.

Highways England, having reviewed the relevant information submitted pertaining to this issue are of the opinion that the proposed MSA would not become a destination in its own right, in accordance with Circular 02/2013, Annex B paragraph B11.

1.5 Employment

The proposed MSA would result in significant investment (circa £40-50 million) and create local employment opportunities. The development proposed is estimated to generate 215 permanent full-time jobs.

1.5 Conclusion

Policy CS1 as contained within the Core Strategy states that only where national planning policy allow will development be permitted. It is accepted the need for the MSA has been proven, judged against the Government's policy in Circular 02/2013. It is unlikely that such a development would impact upon the viability and vitality of the town centre. Therefore the location of the proposed development is considered, in principle acceptable.

Land Designation and Use

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

Approach to Agricultural Land

The above policy position implies that a sequential approach should be considered where poorer graded land is potentially considered in advance of higher quality land. Although no sequential assessment has been undertaken by the applicant's with regard to agricultural land, the NPPF indicates that it is for Local Planning Authorities to judge the economic and other benefits of the best and most versatile agricultural land. This is consistent with the technical note produced by Natural England entitled 'Agricultural Land Classification: protecting the best and most versatile agricultural land' (2012). This note emphasises the importance of such land as a natural resource which is vital to sustainable development. However, it does note that decisions rest with planning authorities and that the agricultural land classification is not the sole consideration.

Agricultural Land Classification within Warwickshire and Rugby

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

Land Designation and Use Conclusions

The application site has been assessed as being grade 2 (very good) agricultural land. The site area comprises of 10.80 hectares. The proposed development would result in an irreversible loss of land classified as being the best and most versatile agricultural land.

Trees and Hedgerows

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

An Arboricultural Impact Assessment has been prepared and submitted with this application.

The primary arboricultural feature located adjacently to the site is Smith's Spinney. This is an established mature woodland, predominately Ash, located on the sites western boundary, and forms an established wooded belt currently separating 2no. arable fields. This area of woodland is of high arboricultural quality, and is an important biodiversity, amenity and screening feature. As part of the proposed development this important arboricultural feature is to be retained and the proposed development has been designed in such a manner to show good spatial integration between the proposed development and this area of woodland, meaning both should be able to co-exist during development and post development with minimal or no direct impact, subject to conditions.

Similarly, the other primary arboricultural feature is an ornamentally planted shelterbelt planted around New Ash Farm (G2) located adjacent to the northern boundary. This arboricultural feature contains a mix of species and serves as an important biodiversity, screening and amenity feature. This is also to be retained as part of the development, and again the proposed development has been designed in such a manner to show good spatial integration between the proposed development and this area of woodland, meaning both should be able to co-exist during development and post development with minimal or no direct impact, subject to conditions.

Minimal tree/hedge losses are proposed and these are primarily to facilitate creation of the new entrance and to accommodate the new road re-alignment. The tree/losses at this point are relatively low value and mitigation landscaping throughout the site will enhance screening, biodiversity and amenity potential.

The existing Smith's Spinney is somewhat isolated in its present context with no connecting landscape features at present to link it to other habitat features. Proposed new planting and habitat creation "fills in the gaps" and provides improved linkages therefore increasing biodiversity potential.

Ecology

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

The proposed Environmental Statement has been reviewed by WCC Ecology.

Bats

Given the existing vegetation being retained and the creation of habitats which will create addition foraging/commuting routes it is unlikely that the proposed development would impact upon this protected

species and their habitat and foraging/commuting routes. Measures should be incorporated to reduce the light spill with the north-eastern area, north-western boundary and the south-western area on the boundary.

Badger

A badger mitigation plan is required to be submitted. This can be covered by a condition.

Biodiversity enhancement

A condition would be proposed to ensure that there is no net biodiversity loss as a result of the development.

It is therefore considered, subject to conditions, that the proposal would not adversely impact upon protected species/habitats, and would ensure a no net biodiversity loss.

Impact on amenity (incl. noise)

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

The proposed MSA is to operate on a 24hr basis and this brings the potential for noise and disturbance from vehicle movement, lighting and plant/equipment for nearby residents and also residents of the hotel element of the scheme. This application is supported by a noise report which considers the impact of construction and operational noise associated with the proposed development upon existing nearby residents and proposed occupiers of the hotel. The Council's Environmental Services have reviewed the contents of the documents submitted and conclude that the proposal would not have an undue impact upon local residences.

An additional noise assessment has been undertaken at Coton House to take into account any future housing growth at this site as identified within the emerging Local Plan. This has been assessed by the Council's Environmental Services and considers that this proposed development would not have a significant effect on any future phase 2 of the Coton estate and future occupiers should not be compromised by noise from the MSA.

A site suitability assessment has been undertaken to assess in noise terms, of the suitability of the site for residential development. This report concludes that subject to mitigation, the site the proposed location of the hotel is suitable, subject to mitigation. The Council's Environmental Services have reviewed the contents of this report and consider that the proposed façade mitigation as detailed within this report should be incorporated into a suitably worded condition.

Archaeology

The proposed development site lies within an area of significant archaeological potential. Settlement activity spanning the later prehistoric and Romano-British has been identified c. 300m to the south of the site boundary (Warwickshire Historic Environment Record MWA 29643). Several small rectangular enclosures c. 550 m to the west are visible as cropmarks on aerial photographs (MWA 6384 & MWA 6386). A Scheduled Bowl Barrow (NHLE No. 127661, MWA2780) of probable Bronze Age date is approximately 12m to the east of the site boundary. The deserted medieval settlement of Coton (MWA 2778) was located c. 300 m to the south east of the site and the Cosford shrunken medieval settlement scheduled monument (NHLE No. 1002988, MWA 4194) is c. 800 m to the south-west.

An archaeological geophysical survey and archaeological evaluation by trial trenching was undertaken across of the site. Warwickshire County Council Archaeology have reviewed the contents of the documents submitted and have raised no objection to the principle of development, subject to conditions relating to the implementation of a programme of archaeological work.

Heritage

The subject site does not contain any designated or non-designated Heritage Assets, however lies within close proximity to a number of surrounding heritage assets.

Heritage Assets

Opposite the A426 is a Bowl Barrow, a Scheduled Ancient Monument (SAM) of National Importance. It is understood that SAM's are equivalent to a grade 1 listed building, and therefore of national importance. This monument includes the buried and earthwork remains of a bowl barrow. The Bowl Barrow is also listed as 'heritage at risk' in the latest Historic England Heritage At Risk Register 2016 and has been on the register for a number of years. The condition of the bowl barrow is 'generally unsatisfactory with major localised problems' and with a 'declining' trend. Within the immediate setting of this SAM is a telecommunication mast.

The site is also within close proximity to the Coton House estate which comprises a grade II* Georgian building believed to be designed by Samuel Wyatt and curtilage listed Games Larder and Old Dairy situated towards the centre of the estate. Within the grounds of Coton House are the Grade II listed Stable block. Coton House is also surrounded by large grounds, which were designated as a park and garden of Local and Regional significance by Warwickshire County Council (MWA12639), and forms a non-designated heritage asset.

The Conservation Area of Churchover is located 900m to the north of the application site. The Conservation Area contains a number of listed buildings and most notably is the Grade II* listed church which is situated 1.3km to the north of the site.

Policy background

Policy CS16 also refers to the historic environment. It states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings.

In considering a proposal that may affect the setting of a heritage asset, the duty imposed by section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Court of Appeal in *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and Others* (2014) made clear that special regard to the desirability of preservation means that avoiding harm to a listed building, or its setting, is a factor that is not only one of considerable importance, but also one that attracts considerable weight in any balancing exercise.

Another key judgement recently is the Kedleston Hall high court appeal [Case No: CO/5004/2016]. This is a key judgement with regards to setting and how the surrounding rural context plays an important role in the significance of a heritage asset.

There is no statutory duty, equivalent to those imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the determination of planning applications for proposals affecting the setting of a Conservation Area, ancient monuments or other archaeological deposits. However any planning application should be determined in accordance with the development plan and all other material considerations. Government guidance set out in the National Planning Policy Framework (NPPF) is clear that the effect of the proposed development on 'heritage assets' including scheduled monuments is material to the consideration of planning applications.

National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage

assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.' Paragraph 131 of the National Planning Policy Framework (the Framework) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

Bowl Barrow

This is a scheduled Bronze Age barrow house located on the eastern side of the A426 and M6 Junction 33m to the east of the application site, and is separated from the barrow by the A426/M6 junction.

The significance of the barrow resides primarily in its archaeological interest and in its evidential archaeological value in particular (i.e. the earthwork itself and the archaeological features and deposits contained within and immediately adjacent to it). The primacy of the archaeological interest is clear from the SAM's schedule entry, although it is perhaps a given that an archaeological site must derive its significance principally from its archaeological interest in any event. It is also reconsidered to have historical, aesthetic and communal value. It has no architectural or artistic interest.

The barrow is located in the south eastern corner of an arable field on the north side of the M6. The barrow has a number of trees and shrubs growing on its mound. Immediately to the south of the barrow is a metal communications tower. There is a hedge immediately to the west of the barrow beyond which is the A426/M6 junction which is a busy and noisy road. The M6 runs in a cutting immediately to the south of the barrow and to the south of the M6 are a number of large and prominent industrial/distribution sheds. There are clear views to the east/north east across an arable field toward the Coton House Cala Homes on-going residential development. Coton House and the listed stables are not visible. Views to the west are largely blocked by the hedge on the eastern side of the barrow and also the hedge along the eastern edge of the proposed MSA site.

Its current surroundings are in no way comparable to those present at the time of construction. At the time of construction, the area would have been open countryside with a small settlement nearby; the barrow being constructed as a standalone feature reflecting funerary practices of the time. Within the setting of the barrow include a number of elements that are considered to have a negative contribution to the significance of the barrow, and detract from the significance of the bowl. These are the M6, the A426, together with associated highway signage, the sound and the movement of the traffic along these roads, and the adjacent communications tower with its associated infrastructure i.e. cabinets. Also visible within the setting which has created a more urbanised appearance within the setting includes the Coton House Cala Homes development and the distribution warehouses associated with Rugby Gateway and the Coton Estate. All these modern features influence the way that the SAM is experienced. Coton House itself built thousands of years after the barrow would have been at odds with the original environment.

Overall, the setting of the barrow is much changed. One of the key aspects to the significance of this asset is that it is a landscape feature set which is experienced within the open landscape which consists of long distance views and rolling hills. As a result of modern twentieth-century development to the north, south, and west, it is considered that the field to the east of the barrow and the views beyond, enable an observer to appreciate how the barrow would once have been in a more open landscape. The barrow is currently somewhat divorced from the application site by the A426 and the large conifer hedges along the eastern boundary of the application site.

Vegetation around and on top of the mound has been left to become established reducing the legibility of this heritage asset. This however, takes nothing away from the heritage significance of the SAM to accept that its importance/significance is illegible to the untrained eye.

The proposed development would not cause harm to the primary archaeological interest of the SAM and the perceived harm is through the urbanising effect upon the landscape character (including lighting, noise and increase traffic) towards the north, and the proposed screening would further isolate this heritage asset from the landscape. It is therefore considered that there would be 'less than substantial' harm to this asset. This 'less than substantial' harm does not result in a 'less than substantial' objection and attracts considerable importance and weight, as clarified in the Barnwell judgement of February 2014.

The SAM is currently on Historic England's 'At Risk' Register. Unless steps are taken to restore it, its long-time survival is therefore in doubt. At the same time, the SAM's very nature, combined with its location, limit

the opportunities for people to understand and appreciate its significance. The applicants have agreed to undertake the external work along the A426/Highway Boundary as detailed within Ancient Monument Scope of Works and provide integration boards within the highway to increase the legibility of this heritage asset. This would be secured via a suitability worded condition. A further financial contribution would be secure for the internal works within the field, outside the control of the applicant. This contribution would be secured via a S106 agreement. This offers opportunities to enhance the legibility of the SAM and increase awareness of its significance.

Historic England welcomes these proposals stating that '*it is a great step in expressing their concerns for national important heritage*', and therefore addresses their concerns relating to the impact of the proposed upon the Bowl Barrow.

It is therefore considered that the 'less than substantial' harm to this designated heritage asset is reduced by the proposed measures outlined above and welcomed by Historic England, and therefore is not considered adverse.

Coton House together with Park and Gardens

Coton House is a grade II* listed house located 670m and the associated stable block (grade II) is located 410m to the north east of the proposed MSA site. Within the setting of this house are a number of listed buildings and curtilage listed buildings. Although not set in a formally designated landscape, the park and garden which are considered as significant as a non-designated asset. Views from longer distances are limited due to surrounding tree cover. However, within the gardens there are numerous key views within which the significance of Coton House is best appreciated. Given the dense boundary planting the listed buildings within the site cannot be readily appreciated outside of their curtilage. As such Coton House is best experienced within the gardens and parkland. Indeed an important part of the setting of the house is the open parkland confined within its distinctive boundary belts of tree planting. Further to this the application site is also not visible at first floor level from Coton House. The lack of inter-visibility of Coton House from the A426 does not reduce the significance of the building, and the access into the Coton House estate lined with trees which is publically visible from the A426 installs a sense of grandeur and anticipation.

Historically Coton House has been set within an isolated countryside location and the surrounding landscape character and farmland landscape contribute towards achieving the experience of the country house estate as an isolated estate within the countryside and which is experienced from surrounding footpaths. Historic maps show the house in 1793 at the heart of and surrounded by an extensive field system. Indeed in previous times there may well have been a functional and historical link between the two as it is likely that the application site could have been farmed as part of the extensive Coton House Estate. More recent development within the curtilage of Coton House included an extensive mix of 20th Century modern building associated with its former use as a training centre which have recently been demolished and replaced by the Cala Homes residential development. This planning permission ref: R12/1353 permitted 60 dwellings to the west of Coton House. These more modern forms of development represent a significant phase in changes to the original historic estate, its setting, its experience, and how it is viewed as an isolated county house within a countryside location. The recent housing development has, created a more suburban appearance within this setting. Furthermore Coton House is being promoted within the draft Local Plan for residential development for up to 100 dwellings. The draft local plan has been submitted for examination and is expected to be adopted by March 2018. This sites allocation within this draft local plan can only be afforded limited weight as a material consideration because it is still subject to change.

Dispute these recent development pressures around Coton House, given the setback nature of the recent housing development within Coton House, from the A426 the landscape retains a largely rural character. This rural character and sense of remoteness is diminished slightly when viewed along public right of way R105 where elements of the modern housing within Coton House are visible. This rural character does also erode travelling southbound along the A426 towards Rugby, on the approach to the application site and a more urbanised appearance is formed by the highways signage, laybys and the Junction 1 island.

The proposed landscaping would lessen the impact of the development on this heritage asset. Taking into consideration the juxtaposition of the application site to this heritage asset and its positioning close to Junction 1, the impact of the development upon the rural setting of the Coton House Estate is lessened.

Nevertheless the proposal would have an urbanising effect within the landscape which this heritage asset is set within. It is therefore considered that there would be 'less than substantial' harm to this asset.

Churchover Conservation Area and Holy Trinity Church Grade II*

Churchover Conservation Area is located 900m (at its closest point) to the north of the application site and includes a Grade II* listed parish church.

Churchover Conservation Area is a contained settlement in the countryside which is demarcated by the large spire of the Holy Trinity Church which rises some 25 metres. The setting of the Conservation Area creates a backdrop for the village and places it in a rural agricultural context. This has a positive contribution to the significance of the village as there is a functional and historic relationship between the rural village and its agricultural hinterland. This contribution is a very secondary element to the significance of the village as it is within the Conservation Area itself that the character and significance primarily resides. Within a recent appeal decision (ref: 2227479) relating to a proposed wind farm appeal nr Churchover, the inspector concluded that the qualities of the Conservation Area are appreciated mainly from the street within the settlement and close to buildings [par. 252]. This appeal decision further stated that the proposed turbines would not impinge to any great extent on the appreciation of the heritage significance of the Conservation Area [par. 252].

The Conservation Area Appraisal identifies a number of key views and vistas within and towards the Conservation Area. None of these include views to or from the application site. These two key views out of the village are not within the direction of the application site. There would still be views from the Conservation Area towards the application site. These views are limited. The photomontage submitted with the ES shows at viewpoint 7 views of the proposed development within the Conservation Area where element of the proposed building would be visible. This would, overtime be screened by the proposed landscaping.

One of the key views across the River Swift towards the village of Churchover is on the approach from the west along the footpath that leads from Montillo Lane towards the village. From this viewpoint given the juxtaposition is such that the Church and the Conservation Area of Churchover can still be seen and appreciated within a rural context.

Given that the qualities of the Conservation Area are appreciated mainly from the streets within the settlement, as stated within the appeal decision cited above, it is considered that the proposed development would not impinge to any great extent on the appreciation of the heritage significance of the Conservation Area.

There would be no direct impact on the fabric of the church, which stands at a prominent location in the centre of the village on the edge of the southern valley slope, and its 15th Century spire (rebuilt in the 19th Century) which is a noticeable feature within the surrounding landscape. Indeed elements of the Church and its 15th century spire are visible in some views along the public right of way R102 which runs through the application site. The spire is also visible from the M6 (briefly but conspicuously) on the approach to Junction 1. Where the spire is visible from the M6, the proposed development would not impede upon this view, and the existing and proposed landscaping would ensure that the proposed development does not impact to any great extent upon how this view is appreciated with the spire protruding above the rural landscape. The existing footpath R102 is proposed to be rerouted along the northern perimeter of the site and therefore the inter-visibility of the church and the Conservation Area from long distance views and from public rights of ways would not be lost. This existing footpath runs along the southern boundary of the application where the distribution/warehouse facilities at Rugby Gateway are viewed along this footpath together with the M6 and the noise of traffic along the M6. The re-routing of this footpath along the northern perimeter of the site would not impact to any great degree upon the experience of how the spire of this grade II* church is appreciated from long distances. Taking into consideration the juxtaposition of the application site to the church, and the existing and proposed landscaping around the boundary of the application site, the proposal would not interfere with views of the church and would not noticeably diminish the significance of the church in its landscape setting.

It is evidence that both the church and the Conservation Area have a longstanding association with the surrounding land, as such the rural setting appreciably adds to its historical significance. The urbanising effect of the proposed development upon this historical landscape would result in some harm to these heritage assets. The juxtaposition of the application site to these assets is such that the level of harm

would not be adverse, but nevertheless harm does exist and this is considered to be 'less than substantial' harm to these assets.

Conclusion

The applicants contend within their Heritage Statement dated April 2017 that the proposed MSA will not result in any harm to the significance of the designated heritage assets in the vicinity. Both Historical England and the Council's Conservation Consultants conclude that there is harm and in all instances would be 'less than substantial'. For the reasons set out above the Council agree that a 'less than substantial harm' exists and therefore paragraphs 133 and 134 of the NPPF is engaged.

Flood Risk and Drainage

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 100-103). The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Policy CS16 of the Core Strategy and policy GP2 of the Local Plan are consistent with this and set out that sustainable drainage systems (SUDS) should be proportionality incorporated into new development where practical.

In terms of flood risk the application site is located within a Flood Zone 1 and is not at particular risk from surface water flooding. The site is within the catchment of the River Swift. Significant areas of commercial development in Rugby downstream of the site are at risk of flooding from this watercourse. As such, any increase in runoff from this site has implications for downstream property owners. This risk will be controlled using a system of sustainable drainage measures. Such measures include rainwater harvesting systems, filter drains, filter strips, tree pit storage, bio-retention planters, planted swales, below ground storage system and attenuation basins.

Warwickshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the application and raised no objection subject to conditions.

The proposed drainage for the MSA has been revised and the scheme now includes a connection into the public sewer. This connection will be made into the sewage pumping station in Cosford, where sewage is pumped to Rugby's sewage treatment plant for treatment. This method of disposal poses the least risk to the water environment and therefore the Environment Agency has raised no objection.

Landscape and Visual Impact

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

The application site does not lie with any nationally, regional or locally designated landscape. The application site is within the High Cross Open Plateau local landscape type. The Warwickshire Landscape Guidelines 2006 describe this landscape as "*a large scale rolling landscape characterised by wide views and a strong impression of 'emptiness' and space*". The landscape still retains its strong rural character which is emphasised by the many wide views over rolling farmland. Settlement tends to be sparse with villages lying on lower ground creating a strong impression of remoteness and space. This is a landscape where new development or moving traffic is often very visible. Visual sensitivity is defined as moderate owing to rolling topography and this is reduced on the plateau summit where there is a combination of more gently rolling landform and very distinctive shelterbelts.

The application site sits on a plateau summit with contours around 131m AOD. The land falls to the west with the most marked drop approximately 10-11m.

Paragraphs 617, 618 and 620 of the Environmental Statement describe a generally undeveloped and open/rural nature of the 'zones' yet give only a medium susceptibility to the type of development proposed because of the sites proximity to the motorway corridor. Overall these 'zones' would have a high susceptibility to change because they are defined over far more extensive areas than the Land Cover Parcels and therefore should reflect the rural qualities of their landscape settings.

The application site lies within two Land Cover Parcels LCP22 and LCP25 as defined in the 2006 Landscape Assessment of the Borough of Rugby Sensitivity and Condition Study that have a weak condition and an overall moderate sensitivity. The condition of the landscape is a measure of how far removed that landscape is from an 'optimal' state where all the key characteristics are present and functional. A landscape's condition is considered weak where change of use is high or moderate and cultural pattern is declining. The condition can alter as a result of external factors, such as land use change, agricultural intensification or neglect. The High Cross Open Plateau landscape is characterised by large hedged fields and without this primary feature the condition of the landscape is in decline. Paragraph 4.01 of the Design and Access Statement and paragraph 4.1 of the Lighting Statement refer to the recent removal of hedgerows that previously separated two arable fields.

Paragraph 4.02 of the Design and Access Statement describes the current group of farm buildings on visually prominent ground "*creating a considerable footprint and elevational scale*" with the overall height of the roofline given as 140.55m AOD. The existing buildings are just below 10m in height. However, these are farm buildings and therefore are not viewed as detractors in the landscape. By way of comparison the overall height of the proposed buildings will also be around 10m in height. The height of the canopy of Smiths Spinney is said to range from 140.06m and 145.68m AOD. Therefore it may be possible to see the roofline of the proposed hotel and main service area building and the stack for the biomass boiler just above this Spinney from the west.

With regard to potential views from the north the majority of the existing farm buildings are to be retained and a combination of mounding, native feathered trees and shrub screen planting (including evergreens) is proposed. It is likely that there will be potential views to the north until this planting matures. To the east the native tree and shrub planting includes scattered standard trees and a higher percentage of evergreens to increase the level of screening. Additional tree/shrub planting including new hedgerows are proposed across the site as part of the overall landscape framework and this will help to reduce the overall scale and massing as well as providing an attractive environment for customers and staff alike.

Consequently it is concluded that harm to the character and appearance of the countryside would be limited.

Sustainable Design and Construction

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

Water Efficiency

Policy CS16 and SDC SPD specifically state that all new non-residential developments over 1000sqm should incorporate measures to demonstrate water efficiency of a relevant BREEM very good standard. This is consistent with paragraph 94 of the NPPF which outlines the need to take account of water supply and demand. A proposed rainwater reclamation system would be installed to service all amenity building WC requirements.

Carbon Dioxide Emissions

Policy CS17 and SDC SPD specifically state that development must comply with the Building Regulations relevant at the time of construction. It also sets out that as a minimum all all new non-residential developments over 1000sqm should incorporate measures to demonstrate water efficiency of a relevant BREEM very good standard.

The inclusion of renewable energy in the form of a biomass boiler is proposed. This would serve the main amenity building and would provide an efficient alternative to the conventional gas boiler, and would be fuelled by biomass pellets from sustainable sources.

Further reduction in energy demand would also be employed through passive design measures.

Sustainable Design and Construction Conclusions

It is considered that the proposed development would be able to reduce carbon emissions through improving energy efficiency in construction and design whilst also increasing water efficiency. Planning conditions would need to be imposed to ensure that this is provided.

Land Contamination

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

In support of the application, the applicants have submitted a Geo-Environmental Site Assessment. This has been reviewed by the Council's Environmental Services who are supportive of the report.

Air Quality

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

Circular 02/2013 highlights that motorway service areas perform an important road safety function by providing opportunities for the travelling public to stop and take a break in the course of their journey. As such the primary purpose of the development is to serve the travelling public therefore there is limited scope to minimise the travel demand and resultant impacts arising as a result of the proposed development.

Circular 02/2013 highlights that motorway service areas perform an important road safety function by providing opportunities for the travelling public to stop and take a break in the course of their journey. As such the primary purpose of the development is to serve the travelling public therefore there is limited scope to minimise the travel demand and resultant impacts arising as a result of the proposed development.

However Rugby has a large warehouse and distribution industry with a predominant north-south and east-west major transport arteries and it is considered an MSA to the north of Rugby will attract additional HGV movements via transport links to this area. The north of Rugby already suffers from a shortfall in HGV parking and correspondingly results in indiscriminate HGV street parking issues and associated traffic impediment, littering and inappropriate disposal of faeces and urine. An MSA would provide a very useful servicing area for the high number of HGV movements associated with Rugby's warehouse and distribution industries and certainly reduce episodes as detailed above. In fact the DfT report in November 2011 highlighted Rugby displayed the greatest demand in the region, with a shortfall in on-site parking of around

80 spaces dependent on laybys and on-street parking. The MSA is proposing 98 spaces for HGVs that would help in accommodating HGV parking demand in addition to removing unwanted street parking and accompanying driver behaviours.

Therefore it is recognised that an MSA facility has the potential to generate significant additional vehicle movements within and outside of the NO2 Air Quality Management Area with current demand recognised. This is supported by the transport assessment that concludes an MSA is unlikely to generate additional traffic on the motorway network, however being located at a junction, there will be more traffic movements at the junction. The Commercial Regulation Team also consider that this will coincide with additional traffic movements through Rugby and subsequent increases of air quality impacts that require appropriate mitigation as detailed further below in mitigation comments.

The proposed biomass boiler flue has been reduced from 12 metres in height to 10 metres in height. This reduction in height, was requested in response to comments from WCC Landscape Team who considered that a flue height of 12 metres would protrude above the Spinney to the west. This reduction in height of the flue has been assessed by the Council Environmental Services and considered it acceptable from an air quality perspective.

Highways implications

Policy

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

Proposal

The proposed development would be an off-line service, with direct access of the M6 Junction 1 roundabout, which will be modified to accommodate an addition arm. An access point would be created at the south eastern corner of the site with a separate 'in; and 'out' access lanes.

The existing roundabout is partially signalised controlling the northwest and southeast quadrants of the roundabout. The proposed access arrangements include traffic signals on the northeast and southwest quadrants. The modified roundabout will be further signalised.

There are existing laybys on the A426 approaches to Junction 1. It is proposed that the laybys to the north of the junction are closed as the proposed development will provide purpose built, safe and secure facilities for all road users. The proposals anticipate modifications to the laybys to become bus laybys.

Location

In terms of on-line and junction sites, 'on-line' MSAs are considered to be more accessible to road users and as a result are more attractive and conducive to encouraging drivers to stop and take a break. They also avoid the creation of any increase in traffic demand at existing Junctions (Paragraph B13). When considering competing sites, on the assumption that all other factors are equal, there is a preference for new facilities at on-line locations (Paragraph B14).

However (paragraph B15) where an on-line service area “cannot be delivered due to planning, safety, operational or environmental constraints, a site sharing a common boundary with the highway at a junction with the strategic road network is to be preferred to the continued absence of facilities.”

Analysis

The Highway Authority has undertaken a full assessment of the development proposals in accordance with national and local planning and transport policy. In addition consultation has been held with technical departments including Road Safety, Transport Planning and Traffic Signals and Information Control. This assessment includes:

1. Trip Generation:

The applicant has undertaken a robust assessment to obtain and representative trip profile for the development proposals. This was generated using comparative MSA sites across the Strategic Road Network which identified the level of traffic generated, focusing on one example as required by the Highway Authority and Highway England. The Highway Authority have reviewed this trip generation assessment and concluded that the methodology conforms to the requirements set out within the NPPF, National Planning Policy Guidance, Circular 02/2013 and Warwickshire Local Transport Plan 2011-2026. Furthermore the calculations and trip generation outputs are acceptable and representative.

Third parties have contended that the trip generation has been underestimated. The Highway Authority does not accept the argument put forward that the trip generation is underestimated.

2. Trip Distribution:

The Highway Authority has considered the trip distribution as identified. It should be noted that the trips that the site will generate are already on the highway network predominantly on the M6 Corridor. The MSA will divert these trips to enable motorists to rest and take a break during their journey. New trips to and from the MSA will be minimal as these will be focused on staff employed at the MSA. It is therefore anticipated that the majority of trips will be from the M6, with trips from the A426 forming only 15%. Based on the evidence provided in regards to other MSA operations this is representative, and has been agreed with Highways England. The Highway Authority has no objection the trip distribution.

3. Highway Network and Junction Impact Assessments;

The Highway Authority is of the opinion that based on the existing arrangement and future traffic growth the junction will continue to function within its operational capacity. This assessment takes into account sites which have been granted planning permission, in this case DIRFT III, DHL Warehouse at Magna Park, Rugby Gateway and Rugby Masts Site. It does not include Magna Park Expansion and Db Symmetry Site, as these do not have planning permission and therefore cannot be included. Furthermore the recent application at Land to the West of Coton House, Ref: R15/1195 cannot be considered as part of this assessment as it does not benefit from planning permission. Whilst this site is allocation within the draft Local Plan the National Planning Practice Guidance Notes entitled Travel Plans, Transport Assessments and Statements states that “*It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next three years.)*” It goes on to state “*...impact of those adopted Local Plan allocations which have potential to impact on the same sections of transport network.*” It is therefore clear within the NPPG that there is no requirement for the applicant to consider this site allocation within the draft Local Plan as part of their Transport Assessment. The Highway Authority have not objected to the omission of this site within the Transport Assessment and are satisfied that the assessment undertaken conforms to recognised transport planning practice and guidance based on a robust methodology. It should also be noted that the Transport Assessment submitted as part of the Coton Park development has considered the MSA within its assessment.

In order to accommodate the development proposals, the junction needs to be fully signalised. The Highway Authority therefore concludes that the development proposals will not have a detrimental impact upon the operation of the network. Therefore the Highway Authority has no objection to the proposed access arrangements and junction improvement at M6 Junction 1, in regards to operational matters.

With regard to the impact of the proposal upon the access/egress to Churchover or the Coton House development, WCC Highways consider that as the MSA will primarily serve traffic from the M6 Motorway, the impact of the development in the operation to Churchover and Coton House is not considered severe under Paragraph 32 of the NPPF.

4. Access Arrangements:

The proposed access will be obtained from M6 Junction 1 with the creation of a new arm, capacity improvements on the gyratory and full signalisation.

The proposals have been supported by the provision of a Road Safety Audit Stage One and tracking drawings for vehicles accessing and exiting the proposed site, as well as vehicles travelling through the revised junction layout.

The Highway Authority in consultation with the Road Safety Traffic Signals and Information Control and Transport Planning Teams, have reviewed the proposals and raised no objection subject to technical approval and suitable conditions.

5. Access by Public Transport:

The Highway Authority will require the provision of bus stops to be provided within the proximity of the development on the A426.

The Highway Authority requests the sum of £45,000.00 for the following requirements;

Alteration of the existing pair of lay-by on the A426 north of M6 Junction 1 to comprehensive bus stops by means of:

- Provision of a raised bus boarding area, a bus stop pole and provision of a bus stop clearway box markings at each bus stop;
 - Provision of a bus shelter at each bus stop in order to further improve the waiting environment, particularly during inclement weather conditions;
 - Provision of a No Parking (Except Buses) sign with a pole at each bus stop;
 - Necessary complementary works to ensure that bus shelters can be accommodated at the locations, e.g. footpath widening works and removal of shrubbery;
 - Design and site management charges to be applied by WCC Design Services;
- and,
- Maintenance of each bus shelter for 5 years.

6. Access on Foot or by Bike.

The Highway Authority has considered that the provision of footways to the site from Churchover and Coton House are not necessary to make the development acceptable in planning terms. This is because the core function of the development site is to serve traffic on the Strategic Road Network and provide a safe resting area and associated services for these motorists. Its function is not to serve local residents, and therefore the provision of footways to Coton House and Churchover is not directly related to the development.

Finally it is unreasonable for the developer to fund the footways which will provide betterment to an existing residential development, which was not required to improve pedestrian footways and access as part of its original planning application.

A pedestrian crossing will be included to support the relocation of the existing bus stops and associated infrastructure. This will be in the form of a dropped crossing. A signalised crossing was considered by the Highway Authority in partnership with the Traffic Control and Information Systems Team. However based on their assessment the pedestrian demand would not be sufficient to warrant such a crossing at this location. In addition it would be in close proximity to Junction 1 of the M6 which would impact upon its operational capacity.

The Road Safety Team has raised concerns about the lack of pedestrian footway provision which would leave pedestrians crossing the junction vulnerable to being hit by a vehicle, notably at the on-slips where vehicle speed can be significant. The Highway Authority considers that a S.106 contribution towards pedestrian and cyclist enhancements at this location would be suitable to mitigate the concerns. This contribution would go towards the formalisation of pedestrian facilities across Junction 1 of the M6, to ensure the development proposal is accessible by all modes of transport in accordance with paragraph 32 and 35.

7. Impact upon the Strategic Road Network (SRN) (M6 Motorway)

Highways England has confirmed that safe access should be achievable in principle, subject to the management of design and delivery process through planning conditions. In addition to this, the applicants have demonstrated that the transportation of archaeological material would not adversely affect the SRN, and that the approach to the Air Quality Management Area is considered to be satisfactory in relation to assessment of the levels of impacts on the sensitive receptors in proximity to the SRN. Matters pertaining to the piping and cabling of utilities and drainage crossing the M6 have been assessed and considered acceptable. The Road Safety Audit has been completed by the applicant to the satisfaction of Highways England.

8. Summary

Based on the information which has been submitted, the proposed access arrangements and improvements to M6 Junction 1 the Highway Authority submits a response of no objection subject to the following conditions and planning obligations.

Travel Plan

As part of a range of travel plan measures include the implementation/encouragement of bus provisions along the A426, car sharing and electric vehicle charging.

Right of Way

The proposal would require the re-routing of an existing bridlepath R102 which crosses the site. WCC Rights of Team has raised no objection in principle to the proposed development but request that any consent, if granted, carries a condition to the effect that no vegetation may be planted within 2 metres of the diverted public bridleway until details of the species to be planted have been approved by the Rights of Way team, and any new vegetation of a type likely to grow more than one metre in height must be planted at least two metres away from the edge of the diverted public bridleway to help ensure that mature growth will not encroach onto the public bridleway.

Lighting

The NPPF at paragraph 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The National Planning Policy Guidance – Light Pollution, advises on how to consider light within the planning system and how getting the design right and setting is important as artificial lighting can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky.

The lighting appraisal submitted by the applicant has been reviewed by the Council's Lighting Consultant. Overall the Council's Lighting Consultant considers the preliminary design of the lighting to be acceptable, and the design seeks to reduce this impact in line with current standards whilst still providing a safe place for people to stop on their journey. Glare and spill light have been considered from the main building internal space, which has demonstrated that the effect for spill light will be negligible. However, its visual impact from a distance may still cause concern and needs further investigation at a detailed design stage.

There are still some outstanding elements that need to be addressed and these would be covered by a suitably worded condition.

Public Art

The Planning Practice Guidance relating to design recognises that public art and sculpture can play an important role in making interesting and exciting places that people enjoy using. The integration of public art within this development would provide visual interest, help create a sense of place, as well as an opportunity to promote Rugby and its proud history together with creating a sense of place.

Following discussion between the applicant and the case officer, the applicants are intending to integrate a public art feature within the main plaza area in front of the amenity building. The art work will be integrated into the raised planter feature at the top of the main pedestrian pathway though the car park as it arrives at the plaza.

The art work will be inspired by aspects of Rugby's history, detail of which to be defined in consultation with local people. Themes could include the following, but not exclusively:

- Characters from Alice's Adventures in Wonderland, recognising the author Lewis Carroll's connection to Rugby.
- The Soldier (poem); Rupert Brooke, war time poet born in Rugby
- The Game of Rugby; William Webb Ellis
- Rugby's engineering history (e.g. Frank Whittle, jet engine design at the Former British Thomson-Houston works)
- Other art work as agreed with the Council

The artist selected to deliver the art work is to be determined and will be open to local and national artists. A plaque recognising the artist and subject matter will be positioned adjacent to the work.

Designing out Crime

Paragraph 69 of the NPPF seeks to ensure that the planning system plays a positive role in providing safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Within the Design National Planning Practice Guidance states that designing out crime and designing in community safety should be central to the planning and delivery of new development. This NPPG further states that new development should promote appropriate security measures.

The proposed site layout has been designed with security in mind with the emphasis on maximising natural surveillance. Where possible the applicants have incorporated suggestions made by Warwickshire Crime Prevention.

Benefits of Scheme

The DfT Circular 02/2013 confirms that the provision of MSAs is for the safety and welfare of motorists on the motorway network. It is accepted the need for the MSA has been proven, judged against this Circular. This should accordingly be afforded weight as a material consideration in favour of the application. The safety and welfare benefits are significant in favour of the application.

The MSA proposed represents a substantial investment and will generate significant new employment opportunities. Employment generation would be both at the construction phase and operation phase. At the construction phase the estimated gross amount of jobs created is 63 Full Time Employees which an estimated construction cost of £28.4million. At the operation phase the proposal would create 215 Full Time Employees.

The proposal lies within a significant gateway into the borough and will help attract investors/occupier/tourism to the area. The proposed provision of public art would provide an opportunity to promote Rugby and its proud history together with creating a sense of place.

The creation of a safe and convenient MSA with access to the welfare needs for motorists is a significant social benefit. The proposal also includes outdoor amenity space with seating areas and children's play facility.

The proposed development adjoins the M6 motorway, served off Junction 1 and can be accessed by other modes of transport other than the private car and would not result in any demonstrable harm to the operation of the highway network. A contribution is to be sort to improve pedestrian facilities across Junction 1.

The proposed scheme involves the creation of new wildlife habitats and biodiversity enhancement through the provision of ponds, amenity areas, and enhanced boundary planting and internal areas within the MSA.

Overall, the proposed MSA development will deliver a substantial range of economic, environmental and social benefits for the borough.

Balancing Exercises and Conclusion

The NPPF is a key material consideration in determining planning proposals. In this case this national policy establishes an approach to dealing with certain matters and/or circumstances.

It has been identified that the derived harm as a result of the proposed development to the various identified heritage assets are 'less than substantial'. The harm identified would be to the historical landscape which these assets are set within and the urbanising effect of the proposed development would have upon it. The harm to the Barrow is to a certain degree reduced by the proposed works and financial contribution offered by the applicant and welcomed by Historic England. The harm to the Churchover Conservation Area and grade II* listed church are not considered to be adverse for the reasons stated within the report. It is therefore considered that the greatest harm exists to the Coton House Estate, which is lessened by the juxtaposition between the application site and this heritage asset and the proposed landscaping.

As a 'less than substantial harm' has been identified, it is considered, as set out within a recent high court judgement *Forest Dean District Council v SofS for Communities & Local Government* dated 4th March 2016, that a presumption in favour of sustainable development, as set out within paragraph 14, does not exist. In these circumstances where the presumption does not apply it is necessary to balance benefits and harm in accordance with Paragraph 134 of the NPPF.

It is important to note that whilst a 'less than substantial' harm has been identified it does not result in a 'less than substantial' objection and attracts considerable importance and weight, as clarified in the *Barnwell* judgement of February 2014. The duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering. This statutory duty only applies to listed buildings and their setting and there is no statutory duty, equivalent to those imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the determination of planning applications for proposals affecting the setting of a Conservation Area, ancient monuments or other archaeological deposits. However, the NPPF is clear that the effect of the proposed development on 'heritage assets' including scheduled monuments and Conservation Area's is material to the consideration of planning applications.

Further harm from the proposal exists from the loss of best and most versatile agricultural land.

The fundamental nature of an MSA as an appropriate provision for the safety and welfare of road users on the Motorway Network is also given considerable weight. The lack of alternative locations along the M6 to accommodate this demand is also given significant weight. The substantial ranges of economic, social and environmental benefits are to be proportioned significant weight.

The balancing exercise required by paragraph 134 is quintessentially a matter of judgement for the LPA. It is considered, on balance, whilst having regard to the statutory presumption contained within section 66, that the benefits of the scheme clearly and demonstrably outweigh the harm to the identified heritage assets, and the loss of agricultural land.

Having regard to a recent appeal decision ref: APP/D0840/W/15/3014917 dated 26th July 2017, the inspector states that: "if a conclusion is reached that the public benefits outweigh the harmful impacts on designated heritage assets that paragraph 14 can be reactivated". It is therefore considered that the proposal amounts to sustainable development and benefits from the presumption in favour of sustainable development set out in the NPPF at paragraph 14.

Recommendation

Approval subject to conditions and S106 agreement

APPLICATION NUMBER

R17/0011

DATE VALID

05/01/2017

ADDRESS OF DEVELOPMENT

NEW ASH TREE FARM
LEICESTER ROAD
CHURCHOVER
RUGBY
CV23 0EZ

APPLICANT/AGENT

Mr Tony Collins
Collins & Coward Ltd
The Courtyard
9a East Street
Coggeshall
CO6 1SH

On behalf of Mr M Franks, Moto Hospitality Limited

APPLICATION DESCRIPTION

Demolition of existing farm building. Construction of new Motorway Service Area ("MSA") to comprise: Amenity Building, Lodge (use class C1), Drive Thru Coffee Unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a Fuel Filling Station with retail shop, together with alterations to the adjacent roundabout on the M6 to form an access point and works to the local highway network. Provision of landscaping, signage, infrastructure and ancillary works including diversion of bridleway.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Amended Plans/Documents:

- Proposed Incoming Water and Fire Hydrant Plan - Drawing No. 8299-PE-Z0-XX-DR-ME-0802 Rev P01 - Received on the 13/03/2017
- Water Supplies for Fire Fighting Vehicles - ref: JTH/NJF/160135/17-4/ N104 Issue CP05-24 Rev B - received on the 13/03/2017
- Amenity Building – Elevations – Drawing No. 8299/PL030 Rev. C
- Proposed Biomass Boiler Flue Drawing No. 8299-PE-ZO-XX-DR-M-0803 Rev P01 dated 24.03.17
- Lodge Elevations - Drawing No. 8299/PL046 Rev B
- Fuel Filling Stations Elevations – 8299/PL066 Rev C
- Ancillary Buildings - Biomass and Energy Centre – 8299/PL070 Rev C dated 29/03/17
- Foul Drainage Route to Cosford Drawing. No. 4620-SK-013 Rev A - received on the 24/05/2017

- Foul drainage strategy for Moto Rugby (Motorway Service Area) - REVISION B dated 18th May 2017
- Amended Low and Zero Carbon Technologies Design Statement issue 02
- Supplementary Air Quality Note dated 19th April 2017
- Ancient Monument Scope of Works received on the 18/07/2017
- Proposed Signage- Drawing PL-015 Rev. B received 06/09/2017
- Landscape Masterplan Drawing No. 21605/01 Rev G dated 28.3.2017
- Boundary Treatment 21605/14 Rev C
- Proposed Site Plan Drawing No. 21605/03 Rev H
- Proposed External Lighting Layout Drawing No. 8299-PE-Z0-XX-DR-E-0102 Rev P09 dated 24.03.17

Original Plans/Document

Existing Site Plan -	Drawing No. PL-002 Rev A
Existing Building to be demolished – Section	Drawing No. PL-005 Rev A Drawing No. 21605/08 Rev B
Amenity Building - Ground Floor Plan -	Drawing No. PL-020 Rev A
Amenity Building - First Floor Plan –	Drawing No. PL-021 Rev A
Amenity Building - Roof Plan -	Drawing No. PL-022 Rev B
Extent of Retail Area	Drawing No. PL-099 Rev A
Amenity and Lodge LPG Compounds	Drawing No. PL-072 Rev A
Chiller, Water tank and Substation	Drawing No. PL-071 Rev A
Plaza Detail	Drawing No. 21605/06 Rev B
Lodge - Ground Floor Plan -	Drawing No. PL-040 Rev A
Lodge - First, Second Floor and Roof Plan -	Drawing No. PL-041 Rev A
Costa - Ground Floor, Roof Plan and Sections	Drawing No. PL-050 Rev A
Costa – Elevations	Drawing No. PL-055 Rev B
Fuel Filling Station - Ground Floor Plan	Drawing No. PL-060 Rev A
Fuel Filling Station - Roof Plan	Drawing No. PL-061 Rev A
Planting Strategy	Drawing No.21605/011 Rev C
SuDs Schematic	Drawing No. 21605/010 Rev D
Storm Drainage	Drawing No. 4620-SK-004 Rev P4
Outline of access arrangements	Drawing No. M326/31 Rev A
Preliminary horizontal geometry	Drawing No. M326/22 Rev A
Preliminary longitudinal sections	Drawing No. M326/23 Rev A
Preliminary Proposed Road Markings	Drawing No. M326/40
Vehicle Tracking Cars	Drawing No. 4620-SK-007 P5
Vehicle Tracking Caravans	Drawing No. 4620-SK-008 P5
Vehicle Tracking Coaches	Drawing No. 4620-SK-009 P4
Vehicle Tracking HGV	Drawing No. 4620-SK-010 P5
Vehicle Tracking Abnormal Load	Drawing No. 4620-SK-011 P4
Vehicle Tracking Fire Engine	Drawing No. 4620-SK-012 P3
Proposed Incoming Services Plan	Drawing No. 8299-PE-ZZ-00-DR-ME-0801
Parking numbers	Drawing No. 21605/02 Rev F

Travel Plan ref: RD05

Design and Access Statement RD11 December 2016

Environmental Impact Assessment Vol. I, II and III (except for documents/parts and plans superseded by amended plans/documents set out above)

Geo-Environmental Site Assessment Report - REPORT NO. SW-692.1.1 REVISION 1 dated 18/10/16

REASON:

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

CONDITION: 3

The development hereby permitted shall not exceed the total quantum of development as detailed below:

- Amenity building – 3,959sqm (gross internal floorspace) containing
- Retail units of which no individual retain unit contained within the amenity building shall not exceed 359sqm (gross internal floorspace)
- Administration and staff facilities at first floor level shall not exceed 598sqm
- Up to a 100 bed hotel
- Drive-thru coffee unit (205sqm gross internal area)
- Fuel Filling Station (261sqm gross internal area in respect to a kiosk unit)

REASON

To ensure the development does not adversely impact on the vitality and viability of Rugby Town Centre.

Landscaping**CONDITION: 4**

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON:

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

CONDITION: 5

Notwithstanding any indication on the approved plans, no part of the development shall be occupied until full details of the proposed landscaping to enclose the proposed diverted public right of way, have been submitted to and approved by the LPA. The approved landscaping shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON:

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

CONDITION: 6

No works or development shall take place until a final arboricultural method statement/tree protection plan for the protection of the retained trees (section 5.5 & 6.1, BS5837:2012) has been agreed in writing with the LPA. This scheme must include details and positioning of tree protection fencing, ground protection measures, root pruning/access facilitation pruning specification, project phasing and an auditable monitoring schedule.

REASON:

To ensure all retained trees are not damaged during the development phase and are successfully integrated into the scheme

CONDITION: 7

No part of the development shall be occupied until a specification of all proposed tree planting shall be submitted to and approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

REASON:

To maintain enhance continuity of tree cover within the site for the purposes of screening, amenity value and biodiversity enhancement.

Highways**CONDITION: 8**

No construction will be undertaken until a Construction Management Plan, which must contain a Construction Phasing Plan, details to prevent mud, debris and obstacles on the Highway and HGV Routing Plan, is submitted and approved by both the Planning and Highway Authorities.

REASON

In the interest of highway safety

CONDITION: 9

No part of the development hereby permitted shall be occupied until the detailed design of the site access arrangements (as indicatively shown on Drawing M326/22), and have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved highway access works shall be implemented in accordance with the approved plans and permanently retained thereafter.

REASON

In the interest of highway safety

CONDITION: 10

No part of the site shall be occupied on any part of the site until the approved highway access works have been completed, as evidenced by the issuing of a Certificate of Substantial Completion by the Highway Authority.

Minor alterations maybe required during the detailed design process.

REASON

In the interest of highway safety

CONDITION: 11

No part of the development hereby permitted shall be occupied until the detailed design of the M6 Junction 1 Improvement Scheme (as indicatively shown on Drawing M326/31), and have first been submitted to and approved in writing by the District Planning Authority and address the following matters;

- a. Provision of an engineering layout demonstrating the geometry of the junction layout and lane widths;
- b. Identification of the detection system and cabling routing through the junction;
- c. Identification of the method of control and back-up system for the operation of M6 Junction 1;
- d. Identification of the location for a maintenance vehicle bay near the traffic signal controllers;
- e. Identification of the locations for two PTZ CCTV cameras for traffic management of M6 Junction 1;
- f. Identification of the locations for street lighting of M6 Junction 1;
- g. Provision of Stage 2 Road Safety Audits based on the detailed drawings.

Thereafter the approved highway access works shall be implemented in accordance with the approved plans and permanently retained thereafter.

No part of the site shall be occupied on any part of the site until the approved highway access works have been completed, as evidenced by the issuing of a Certificate of Substantial Completion by the Highway Authority.

Minor alterations maybe required during the detailed design process.

REASON

In the interest of highway safety

CONDITION: 12

No part of the development hereby permitted shall be occupied until the detailed design of lane markings and location of signage for the M6 Junction 1 Improvement Scheme (as indicatively shown on Drawing M326/40), and have first been submitted to and approved in writing by the District Planning Authority.

REASON

In the interest of highway safety

CONDITION: 13

Prior to making any submission to the local planning authority in respect of the discharge of any of the conditions herein, the developer shall first submit a written schedule, setting out in respect of the relevant condition, those matters (if any) that relate to the operation of the Strategic Road Network and shall provide written evidence to the Local Planning Authority of Highways England's approval of such schedule.

REASON

In the interest of certainty of the implications of development for the safe operation of the Strategic Road Network.

CONDITION: 14

No development shall commence until a scheme of works as shown indicatively in the latest drawing numbers, or as amended by Detailed Design and Road Safety Audit, is implemented. This scheme of works shall include (but not be limited to) the following items:

- M326/31 Revision A Outline of Access Arrangements
- M326/22 Revision Preliminary Horizontal Geometry
- M326/23 Revision A Preliminary Longitudinal Section
- M326/38 Northbound Slip Road and Merge Arrangements
- M326/39 Southbound Slip Road and Merge Arrangements
- M326/40 Preliminary Proposals for Road Markings
- M326/42 Diagrammatic Layout of Signs

a) Boundary of the works site

b) Scope of works – including but not limited to the following – alteration of the M6 overbridge, new local highway including new access roads and supporting infrastructure, revised highway drainage system.

c) Detailed Design approvals of the revised and new road infrastructure, and highway structures to be obtained from Highways England and Warwickshire County Council.

d) Detailed Signage Strategy and associated designs approved by Highways England and Warwickshire County Council.

REASON

To ensure the safe and free flow of traffic on the Strategic Road Network and in the interest of certainty and to enable the development to proceed.

CONDITION: 15

No on-site construction of the development hereby permitted shall be carried out prior to the building of a suitable access and shall be in accordance with the details shown on the submitted plans referred to in Condition 14 or as amended by Detail Design and Road Safety Audit.

REASON

To ensure the safe and free flow of traffic on the Strategic Road Network.

CONDITION: 16

No development shall commence until a Construction Environmental Management Plan for the development has been submitted to, and approved in writing by, the local planning authority and written confirmation of approval has been received from Highways England and provided to the local planning authority. The plan shall include details of:

- a. the hours of construction work and deliveries;
- b. area(s) for the parking of vehicles of site operatives and visitors;
- c. area(s) for the loading and unloading of plant and materials;
- d. storage of plant and materials used in constructing the development;
- e. wheel washing facilities;
- f. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- g. mitigation measures in respect of noise and disturbance during the construction phase including vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
- h. a scheme to minimise dust emissions arising from demolition / construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
- i. waste management.
- j. routing of construction traffic during the phases of development.
- k. drainage during the construction phase shall identify how surface water run-off will be dealt with so as not to increase the risk of flooding to downstream areas as a result of the construction programme.
- l. protection measures for hedgerows and grasslands. There shall be no burning of materials on site during construction.
- m. Risk Assessments and Method Statements for the works.

REASON:

Development shall take place in accordance with the approved Construction Environmental Management Plan.

CONDITION: 17

No development shall commence until details of connections to utility services and supporting infrastructure, including details of construction and maintenance of the supply infrastructure are submitted for approval by the local planning authority in consultation with Highways England.

REASON:

To comply with paragraph 49 of DfT Circular 02/2013 *The Strategic Road Network and Sustainable Development* ('The Circular').

CONDITION: 18

No part of the development hereby approved shall be used by the public until all parking spaces, internal access roads, turning and manoeuvring areas, and footpaths have been constructed and laid out in accordance with relevant plans listed in Condition 2 and 3.

REASON:

In the interest of highway safety.

CONDITION: 19

No part of the development hereby approved shall be used by the public until a Management and Maintenance Plan for all roads within the site, including verges has been submitted to the local planning authority and written confirmation of approval of such details has been received from Highways England and provided to the local planning authority. The Management and Maintenance Plans shall incorporate a drawing setting out the maintenance boundaries between the Motorway Service Area and the M6 motorway. Such details shall thereafter be adhered to.

REASON:

In the interest of road safety and to safeguard the character and appearance of the area.

HERTIAGE and ARCHAEOLOGY

CONDITION: 13

Prior to the development being brought into use the applicant shall undertake the external work along the A426/Highway Boundary as detailed within Ancient Monument Scope of Works, unless otherwise agreed in writing by the LPA.

REASON

To enhance the setting and legibility of this heritage asset.

CONDITION: 14

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

REASON:

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

ENVIRONMENTAL HEALTH

CONDITION: 15

The proposed Hotel shall not be occupied until a noise survey has been completed and details to be submitted and approved by the LPA. These details shall seek to achieve the internal noise levels as stipulated within the table below.

<i>Activity</i>	<i>Location</i>	<i>07:00 to 23:00</i>	<i>23:00 to 07:00</i>
<i>Resting</i>	<i>Living room</i>	<i>35dB_LAeq,16hour</i>	-
<i>Dining</i>	<i>Dining room / area</i>	<i>40dB_LAeq,16hour</i>	-
<i>Sleeping</i>	<i>Bedroom</i>	<i>35dB_LAeq,16hour</i>	<i>30dB_LAeq,8hour</i>

Any mitigation measures identified shall be implemented and retained thereafter in accordance with the approved details.

REASON

In the interest of amenities of users of the hotel

CONDITION: 16

With the exception of works on the highway, the hours of work during the construction phase of the development hereby approved and any traffic movements into and out of the site associated with the construction or maintenance of the authorised development shall be 08:00 to 1800 hours on Monday to Friday and 08:00 to 13:00 hours on Saturday. No work shall take place outside these times, or on public holidays, unless otherwise agreed by the LPA. Outside of these hours, work at the site shall be limited to foundation concrete pouring, site security, testing of plant and equipment and emergency works including any works to prevent or remedy environmental pollution or health and safety risks (provided that the developer retrospectively notifies the LPA of any emergency works within 24 hours).

REASON

In the interest of residential amenities

CONDITION: 17

Any fixed plant(s) to be installed shall not be operated until a scheme to control noise emitted from it has been approved in writing by the LPA and installed as approved. The scheme shall limit noise from fixed plant(s) to a rating level of at least 5dBA below existing background noise level from existing receptors as set out within Table 12.13 with measurements and assessment made in accordance with BD4142:2014. The approved scheme shall be retained thereafter in accordance with the approved details.

REASON

To protect the amenities of nearby residential properties.

CONDITION: 18

Prior to installation of the biomass boiler full manufacturing details of the boiler appliance shall be submitted to and approved by the LPA. Any mitigation measures shall be fully implemented prior to it being brought into use and thereafter retained in accordance with the approved details.

REASON

In the interest of residential amenities

CONDITION: 19

Prior to the installation of on-site back-up generators, full details shall be submitted and approved by the LPA detailing their predicted associated emission concentrations in respect to receptors in proximity likely located at the Amenity Building or where relevant. Any mitigation measures shall be fully implemented prior to it being brought into use and thereafter retained in accordance with the approved details.

REASON

In the interest of residential amenities

CONDITION: 20

The development hereby permitted shall not commence until an Air Quality Defra Cost Assessment shall be undertaken and submitted to and approved in writing by the LPA. Any mitigation measures shall be fully implemented prior to the development being brought into use and thereafter retained in accordance with the approved details.

REASON

In the interest of residential amenities

CONDITION: 21

Prior to the first occupation of the development, details of Electric Vehicle Charging Points (active and passive) to be provided shall be submitted to and approved in writing by the LPA. The works shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details.

REASON

In the interest of promoting sustainable travel opportunities and to form part of air quality mitigation measures.

CONDITION: 23

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

A validation/verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that successful remediation has been carried out.

REASON:

To ensure the protection of controlled waters.

CONDITION: 24

Full detail of any Fuel tanks/tank farm shall be submitted to and approved in writing by the LPA prior to its installation. The fuel tanks/tank farm shall be installed in accordance with the approved details.

REASON

To prevent contamination to ground and controlled waters.

CONDITION: 25

Prior to the demolition of any existing buildings a full Asbestos Survey shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION: 26

The use shall not be brought into operation until a grease trap has been provided on the drainage outlet(s) from the food preparation area(s). The grease trap shall be retained at all times thereafter.

REASON

To ensure the removal of grease from waste effluent in the interest of general amenity

ECOLOGY**CONDITION: 27**

No part of the development hereby permitted, including site clearance, shall be commenced until an updated badger survey, including timetabled mitigation measures where appropriate, has been carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the Local Planning Authority. This should show an appropriate buffer zone around the vicinity of the identified sett during construction and details of whether a development licence is required, including the location of a badger tunnel under the proposed access roads to the services and appropriate fencing within the design of the proposed development. The approved mitigation plan shall thereafter be implemented in full.

REASON:

To ensure appropriate measures are taken in relation to protected species.

CONDITION: 28

No development shall commence unless and until a scheme ("the scheme") to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity offsetting metric as applied in the area in which the site is situated at the relevant time and the scheme shall include:

1. Proposals for on-site mitigation and/or for off-site offsetting;
2. A methodology for the identification of any receptor site(s) for offsetting measures;
3. The identification of any such receptor site(s);
4. The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and
5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).

The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the scheme or any variation so approved.

REASON

To ensure a no net loss of biodiversity

Flooding

CONDITION: 29

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to 26l/s for the site or a revised estimate of the QBar rate.
- Provide provision of surface water attenuation storage as stated within the submitted plans (drawing number: 21605/10) or in accordance with '*Science Report SC030219 Rainfall Management for Developments*'.
- Surface water is to be provided via a minimum of two trains of treatment using the proposed above ground drainage features within the drainage design.
- Undertaken infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide a maintenance plan to the LPA giving details on how the entire surface water systems shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the LPA.

REASON

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

PUBLIC ART

CONDITION: 30

No part of the development shall be occupied unless and until full details of the proposed public art feature within the main plaza area in front of the amenity building has been submitted to and approved in writing by the LPA. The art work will be inspired by aspects of Rugby's history. Themes could include the following, but not exclusively:

- Characters from Alice's Adventures in Wonderland, recognising the author Lewis Carroll's connection to Rugby.
- The Soldier (poem); Rupert Brooke, war time poet born in Rugby
- The Game of Rugby; William Webb Ellis
- Rugby's engineering history (e.g. Frank Whittle, jet engine design at the
- Former British Thomson-Houston works)

- Other art work as agreed with the Council

Such details shall include scale plans of the public art, the artist selected to deliver the art work, and the selection proceeds undertaken to select the chosen artist. A plaque recognising the artist and subject matter will be positioned adjacent to the work.

REASON

In the interest of visual amenity

LIGHTING

CONDITION: 31

Prior to commencement of development a detailed lighting scheme shall be submitted to and approved by the LPA. Such details shall address all of the outstanding issues outlined within the documents entitled Planning Application Lighting Assessment prepared by IT DOES LIGHTING LTD for Rugby Borough Council dated 22nd September 2017. Such details shall also include permanent and temporary external lighting of the site and new junction with the M6. The approved lighting shall be implemented, prior to occupation, and retained in accordance with the details approved.

REASON

In the interest of 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.

ENVIRONMENTAL STATEMENT:

The information contained within the Environmental Statement submitted under the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) as part of this planning application has been taken into account in the assessment, consideration and determination of the application by the Local Planning Authority.

INFORMATIVES:

INFORMATIVE: 1

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

Should you require any further information please contact us on the telephone number or email below.

INFORMATIVE: 2

Public bridleway RB30 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction.

The applicant must make good any damage to the surface of public bridleway caused during construction. No construction may begin on the existing recorded alignment of public bridleway RB30 unless and until it has been diverted by a confirmed legal order that has come fully into effect.

If it is necessary to temporarily close public bridleway RB30 during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this.

Any disturbance or alteration to the surface of public bridleway RB30 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public bridleway.

In order to divert the public bridleway, as indicated on the approved proposed site plan, you would be required to apply to the Local Authority under section 257 of the Town and Country Planning Act 1990.

INFORMATIVE: 3

The applicant is advised that advertisement consent is required for the proposed advertisements.

INFORMATIVE: 4

This planning permission is subject to a S106 agreement.

Reference number: R17/1781

Site address: College of Policing, Leamington Road, Ryton-on-Dunsmore, CV8 3EN

Description: Variation of condition 4 of R13/0695 (Retention of one and two storey office, conference, dining and ancillary accommodation, car parking and internal site access road) to allow retention for up to 5 years.

Case Officer Name & Number: Karen McCulloch, 01788 533623

This application is being reported to Committee as it is necessary to refer the application to the National Planning Casework Unit, as the development comprises inappropriate development in the Green Belt that will have a floorspace greater than 1,000 square metres.

Background

This application is one of 5 applications currently under consideration for works at the College of Policing, formerly the National Policing Improvement Agency, which is located in the Green Belt close to Ryton on Dunsmore. The other applications can be determined using delegated powers.

The applications being considered are:

R17/1780: Variation of condition 3 of R13/0702 (Retention of temporary construction access to A423 Oxford Road) to allow retention for up to 5 years.

R17/1781: Variation of condition 4 of R13/0695 (Retention of one and two storey office, conference, dining and ancillary accommodation, car parking and internal site access road) to allow retention for up to 5 years.

R17/1782: Variation of condition 1 of R09/0561/PLN (Erection of 1 single storey temporary office building and 1 temporary store building and associated works) to allow retention for up to 5 years.

R17/1783: Variation of condition 4 of R13/0694 (Retention of single storey temporary building, canopies and covered link with associated works) to allow retention for up to 5 years.

R17/1784: Variation of condition 4 of R13/0158 (Retention of 2 generators, substation and diesel tank) to allow retention for up to 5 years.

These relate to the retention of works which were granted temporary permissions in 2008, 2009 and 2013. These temporary consents will lapse in 2018.

The original permissions relating to this application are R08/1640/MDPT, R09/0256/MDPT.

Temporary consent was originally applied for as the works and buildings were required in the short term as a large scale redevelopment of the site was proposed. A hybrid application for this redevelopment was approved in 2010 (R10/0084), this proposed:

Development/redevelopment of land and buildings, comprising: Part full planning permission for site access, gatehouse and associated facilities, temporary training shed (for up to 4 years), lighting, CCTV, substations, switchrooms, perimeter fencing, security path and other site infrastructure, alterations and additions to internal site roads and demolition/part demolition of existing buildings (Phase A). Part outline planning permission for new buildings to provide conference, meeting, dining, office, operational, training and ancillary accommodation, temporary and permanent car parking, other ancillary buildings and infrastructure works and demolition/part demolition of existing buildings (Phases B, C, D, E & F).

Since this approval the Government has made changes to policing and formed the College of Policing in 2012, this has taken over some of the functions of the NPIA which no longer exists.

Due to these changes the majority of works previously approved have not been carried out and the period to submit reserved matters in relation to the hybrid application expired in January 2017.

The Design and Access Statement submitted with the current applications details that future development plans are currently being explored by the College of Policing however it is considered that further development of the site and retention of existing assets is considered essential for the provision of training and conferencing facilities and the effective national delivery of Police Services.

The applications currently under consideration will allow the temporary works to be retained for a further 5 years by which time the future accommodation requirements of the organisation should have been established.

Description of site and proposals

The site is located within the Green Belt outside of Ryton-on-Dunsmore. The College of Policing site is a large complex with a range of building heights, styles and sizes. Some of these can be seen from the road but others are screened by the landscaping and fencing.

This application seeks the retention of 2 large buildings, and associated works, for a further 5 years. The buildings are modular style buildings due to being a temporary solution. The two storey office building is large with a floor area of 28 metres x 40 metres, and a height (flat roof) of 6 metres. The support building is a single storey building; however this is large, 20metres x 30 metres and has a ridge height above the adjacent office building.

Parking areas have been provided resulting in the provision of additional parking spaces. A new access road was also constructed around the proposed buildings linking with existing roads within the site.

The site is located within the Green Belt.

Third party comments

None received to date

Technical consultation responses

WCC Ecology No objection Subject to informative

Relevant policies and guidance

Rugby Borough Core Strategy, 2011

CS1	Complies	Development Strategy
CS16	Complies	Sustainable Design

Rugby Borough Local Plan, 2006 – saved policies

E6	Complies	Biodiversity
----	----------	--------------

National Planning Policy Framework, 2012

Assessment of proposals

The key issue to assess in relation to this application is whether the principle of the development is acceptable in this Green Belt location.

Policy CS1 sets out the development hierarchy for the borough and states that in Green Belt locations, such as this, development will only be permitted if allowed by national policy.

The NPPF states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

This goes on to state situations where new buildings do not constitute inappropriate development and this includes the limited infilling of previously developed sites, which would not have a greater impact on the openness of the Green Belt or purposes of including land within it than the existing development. Although the application proposes the retention of buildings on an existing site due to the size of the buildings it is not considered that these constitute “limited infill”, they would also have an impact on the openness of the Green Belt. Therefore it is considered that the proposals comprise inappropriate development.

Very special circumstances must therefore be demonstrated to outweigh the harm to the Green Belt.

The College of Policing was formed in 2012 to safeguard the public interest and to provide specialised education for police forces throughout the country. When the site was occupied by the NPIA specialised training for the police was carried out on site and it is anticipated that some of this will remain at the site.

At present the long term proposals for the site are not yet know. However, until the intentions for the site are known, and if necessary development is carried out, it remains necessary for the work of the College of Policing to continue. The existing temporary buildings are currently in use and are required for operational purposes. The site provides secure training and conference facilities for the policing community, along with a base for a number of critical national programmes of work and operational support. It is considered that the activities at the site constitute very special circumstances to overcome the presumption against inappropriate development. The principle of the development is therefore acceptable in accordance with policy CS1 and the NPPF.

The visual impact of the proposal must also be assessed. The proposed buildings are located within the college site that consists of buildings of a wide variety of ages, styles, sizes and materials. The site generally includes older single and two storey buildings closer to Leamington Road with three storey buildings at the rear of the site. The buildings are approximately 80 metres from the site boundary with the A445. The building therefore will not be overly visible from outside of the site, even given the height of the building. While the design of the buildings is uninspired, permission is sought only for a temporary period. On this basis it is considered that the proposals are acceptable in relation to the visual amenity of the area and the openness of the Green Belt in accordance with policies CS1 and CS16.

The impact of the proposals on the amenity of adjacent properties must also be assessed. The proposed buildings are in the centre of the site and the nearest properties would not be affected as they are some distance away. It is therefore considered that the proposals would not adversely impact on the amenity of neighbouring properties. The proposals therefore comply with policy CS16.

Due to their design it is not considered that the buildings are suitable for permanent retention. Also as the long term intentions for the College of Policing site are not known it is considered reasonable to grant a temporary permission. This will allow the impact on the Green Belt to be fully assessed when the plans for the site are finalised.

As the structures are currently on site it is not considered there will be any adverse impact on protected species. The County Ecologist has requested an informative advising a bat survey or mitigation may be required when the buildings are removed. Subject to this informative the impact on protected species is considered acceptable in accordance with saved policy E6.

Recommendation

Subject to the referral of the application to the National Planning Casework Unit, as the development comprises inappropriate development in the Green Belt that will have a floorspace greater than 1,000 square metres, the Head of Growth and Investment be given delegated powers to grant planning permission subject to conditions.

Report prepared by: Karen McCulloch

DRAFT DECISION

APPLICATION NUMBER

R17/1781

DATE VALID

06/10/2017

ADDRESS OF DEVELOPMENT

Police Training Centre
Leamington Road
RYTON-ON-DUNSMORE
CV8 3EN

APPLICANT/AGENT

Mr Ed Hatfield
Gleeds Building Surveying Ltd
Wilford House
1 Clifton Lane
Nottingham
NG11 7AT

On behalf of Mr Peter Toes, College of Policing
Ltd

APPLICATION DESCRIPTION

Variation of condition 4 of R13/0695 (Retention of one and two storey office, conference, dining and ancillary accommodation, car parking and internal site access road) to allow retention for up to 5 years.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

This permission shall be deemed to have taken effect on [date of issue].

REASON:

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

CONDITION: 2

The development shall not be carried out other than in accordance with the Site Location Plan - NTBS 2719/09, Site Plan 4 - NTBS 2719/10, Fairfield Building Plan - P(00)223, Fairfield Building Elevations - P(00)221, Rural Surveillance Plan - P(00)210/04 and Rural Surveillance Elevations - P(00)211/01 received by the Local Planning Authority on 28 September 2017.

REASON:

For the avoidance of doubt.

CONDITION: 3

The buildings hereby permitted shall only be used for purposes ancillary to the use of the premises by the College of Policing and for no other purpose without the prior permission of the Local Planning Authority.

REASON:

In the interests of the amenities of the locality.

CONDITION: 4

This permission shall be for a period expiring on [5 years from issue] on or before which date the building and works hereby permitted shall be removed and the land reinstated to enable its former use to be resumed.

REASON:

To ensure the development does not have an adverse impact on the Green Belt.

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

When the buildings are removed a bat survey or bat mitigation may be required.

AGENDA MANAGEMENT SHEET

Report Title:	Planning Appeals Update
Name of Committee:	Planning Committee
Date:	8 th November 2017
Report Director:	Head of Growth and Investment
Portfolio:	
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Greg Vigars Tel: Ext.3621
Public or Private:	Public
Report subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	
Statutory / Policy Background:	The Planning Appeals procedure which came into effect on 6th April 2009.
Summary:	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/07/2017 to 30/09/2017.
Financial Implications:	Increases the scope for related costs claims within the Planning Appeals process.
Risk Management Implications:	There are no risk management implications arising from this report.

Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to Cost Claims and any subsequent Costs awards.
Equality and Diversity:	No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	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 – 8th November 2017

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 1st of July to 30th of September a total of 7 planning appeals were determined, of which 3 were allowed, 4 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 30th September 2017 there were 5 planning appeals and 1 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:
8th November 2017

Subject Matter:
Planning Appeals Update

Originating Department:

List of Background Papers

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

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

* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
--------------	------------------------------------

* There are no background papers relating to this item.

(*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st July 2017 – 30th September 2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Land at Waldings Farm Barby Lane Hillmorton Rugby	Residential development of up to 107 dwellings including vehicular access from Barby Lane, open space, landscaping, surface water attenuation pond, footpaths, cycleways and associated infrastructure (all existing buildings to be demolished) (outline planning application to include access with appearance, landscaping, layout and scale reserved)	Chris Kingham R15/2039 APP/E3715/W/16/3158785	Refusal 28/07/2016 Written Reps	Dismissed 05/07/2017
Land at Smeaton Lane Coombe Fields Rugby CV23 0PS	Outline planning application for the erection of a detached dwelling (all matters reserved).	Jo Orton R16/2074 APP/E3715/W/17/3170907	Refusal 02/12/2016 Written Reps	Dismissed 10/07/2017
Land at former allotment Plott Lane Stretton on Dunsmore CV23 9HR	Erection of one new dwelling.	Jo Orton R15/2298 APP/E3715/W/17/3173316	Refusal 16/09/2016 Written Reps	Dismissed 10/07/2017
Land off Rugby Road (known as Spike Lane) Rugby Road Harborough Magna Rugby	Outline Planning Permission for the erection of 2 semi-detached houses and one bungalow, all matters reserved	Owain Williams R16/2555 APP/E3715/W/17/3171216	Refusal 20/01/2017 Written Reps	Dismissed 10/07/2017
Land North of Ashlawn Road Ashlawn Road Rugby	Outline application for the demolition of existing buildings, erection of up to 860 dwellings, land for a potential primary school, two vehicular	Richard Holt and Karen McCulloch R13/2102 APP/E3715/W/16/3147448	Refusal 27/01/2016 Inquiry	Allowed 10/07/2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
CV22 5SL	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 the site.			
Highview Withybrook Lane Shilton CV7 9HY	Enforcement Notice Appeal	Karen McCulloch MEA-3-6-132 APP/E3715/C/17/3167963 APP/E3715/C/17/3167964	Written Reps	Appeals allowed and enforcement notice quashed 11/07/2017
50 Southfield Road Rugby CV22 5NJ	Erection of a two storey rear extension and a detached garage to rear of the garden.	Chris Davies R16/2584 APP/E3715/D/17/3176510	Refusal 05/04/2017 Householder Appeals Service (HAS)	Allowed 05/09/2017

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.09.2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Land at Clifton Lakes Farm Clifton Lakes Watling Street Clifton Upon Dunsmore CV23 0AQ	Enforcement Notice Appeal	Jo Orton MEA-3-6-109 APP/E3715/C/16/3165945		Written Reps
Land to the West of A5 Watling Street LE17 6AR	Provision of a ground mounted solar PV park of up to 12MWp comprising 2 substations, electrical cabins, storage cabin, solar arrays, perimeter fencing and gates, CCTC poles and cameras, access tracks and a new highway junction.	Chris Kingham R13/1401 APP/E3715/W/17/3171976	Committee Refusal 28/09/2016	Written Reps
101 Lentons Lane Aldermans Green Coventry CV2 1NY	Demolition of an existing garage and erection of a dwelling with associated car parking and vehicular access [cross boundary application]	Brian Slater R16/1821 APP/E3715/W/17/3179331	Delegated Refusal 31/01/2017	Written Reps
The Royal Oak 233 Lawford Road New Bilton Rugby CV21 2JG	Erection of 10 fascia signs and 1 totem. Erection of a car repairs and servicing centre	Jo Orton R17/0297 / R17/0298 APP/E3715/H/17/3179538 (Linked appeal)	Delegated Refusal 19/06/2017	Written Reps
2 Ajax Close Rugby CV21 1XH	Erection of a single storey rear extension (Resubmission of previously approved application, R16/2118).	Paul Varnish R17/0593 APP/E3715/D/17/3178927	Delegated Refusal 26/05/2017	Householder Appeals Service (HAS)
Land at Manor Lane Clifton upon Dunsmore Rugby CV23 0BS	Erection of a new dwelling.	Nisar Mogul R17/0170 APP/E3715/W/17/3182873	Delegated Refusal 06/07/2017	Written Reps

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions – 31 st August 2017 to 11 th October 2017
Name of Committee:	Planning Committee
Date:	8th November 2017
Report Director:	Head of Growth and Investment
Portfolio:	
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey 3774
Public or Private:	Public
Report subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	
Statutory / Policy Background:	Planning and Local Government Legislation
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
Financial Implications:	There are no financial implications for this report
Risk Management Implications:	There are no risk management implications for this report
Environmental Implications:	There are no environmental implications for this report

Legal Implications:

There are no legal implications for this report

Equality and Diversity:

There are no equality and diversity implications for this report

Options:

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

Planning Committee - 8th November 2017

Delegated Decisions – 31st August 2017 to 11th October 2017

Report of the Head of Growth and Investment

Recommendation

The report be noted.

1.1 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:
8th November 2017

Subject Matter:
Delegated Decisions – 31st August 2017 to 11th October 2017

Originating Department:
Planning

List of Background Papers

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

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

* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
--------------	------------------------------------

* There are no background papers relating to this item.

(*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 31.08.2017 TO 20.09.2017

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R17/0892 Refused 01.09.2017</i>	Land to South of Top Road and West of Top Park Top Road Barnacle	Erection of one barn for the storage of hay and straw in connection with the grazing of horses and creation of new hardstanding access track
<i>R17/1080 Refused 01.09.2017</i>	29 Gibson Drive Hillmorton Rugby CV21 4LJ	Erection of a boundary fence and decking area (part retrospective).
<i>R17/1163 Refused 08.09.2017</i>	Fairview Smeaton Lane Brinklow Rugby CV23 0PS	Retention of a timber clad shipping container.
Applications Approved		
<i>R17/1173 Approved 31.08.2017</i>	20 Hillary Road Overslade Rugby CV22 6EU	Erection of a two storey side extension and single storey rear extension, and provision of a hipped roof over the existing porch.
<i>R17/0858 Approved 31.08.2017</i>	44 North Road Clifton Upon Dunsmore Rugby CV23 0BN	Extensions and alterations to dwelling to form granny annexe
<i>R17/1068 Approved 31.08.2017</i>	54 Shakespeare Gardens Rugby CV22 6HG	Erection of proposed single storey side and rear extension including demolition of existing coal house
<i>R17/1335 Approval of reserved matters 31.08.2017</i>	Larkfield Ashlawn Road Rugby CV22 5QE	Erection of a dwelling - Approval of Reserved Matters against Outline Approval ref no. R16/1823 dated 20th January 2017

<i>R17/1406 Approved 01.09.2017</i>	29 Millfields Avenue Rugby CV21 4HJ	Retiling of existing and extension roof (extensions previously approved under R16/2410).
<i>R17/1012 Approved 04.09.2017</i>	34 Westfield Road Rugby CV22 6AS	Erection of single storey rear extension and internal alterations
<i>R17/1351 Approved 04.09.2017</i>	25 Main Street Clifton Upon Dunsmore Rugby CV23 0BH	Erection of extension to existing garage
<i>R17/1331 Approved 04.09.2017</i>	11 Elder Close Bilton Rugby CV22 7TJ	Erection of single storey side and rear extension
<i>R16/1161 Approved 04.09.2017</i>	Caldecott Nursery Caldecott Day Nursery 2A Lancaster Road Rugby CV21 2QN	Change of use of building from assembly hall (sui generis) to children's nursery (D1) to include minor external alterations
<i>R17/0115 Approved 04.09.2017</i>	Land adjacent to 57 New Street New Bilton Rugby CV22 7BD	Erection of a new dwelling adjoining the existing end of terrace house.
<i>R17/1409 Approved 04.09.2017</i>	Grange Farm Coventry Road Church Lawford CV23 9HB	Addition of an open fronted canopy to the front of new grain store to prevent weather ingress and improve aesthetic impact
<i>R17/1403 Approved 04.09.2017</i>	Brandon Hall Hotel Main Street Brandon CV8 3FW	Side & rear extension & change of use :- Existing caretakers bungalow to hotel apartment
<i>R17/1408 Approved 05.09.2017</i>	4 Rugby Lane Stretton on Dunsmore Rugby CV23 9JH	Erection of a two storey rear extension.
<i>R17/1428 Approved 05.09.2017</i>	60 and 62 Benn Street Rugby CV22 5LR	Erection of an adjoining single storey rear extension to 60 and 62 Benn Street.

<i>R17/0920 Approved 05.09.2017</i>	Garden Cottage Leicester Road Wolvey Heath Wolvey LE10 3HJ	Demolition of existing garage and erection of a first floor side extension to the existing dwelling house.
<i>R17/0758 Approved 05.09.2017</i>	Little Lawford Mill Little Lawford Lane Little Lawford CV23 0JJ	Proposed conversion of existing detached garage. workshop and former stables to provide ancillary accommodation for existing dwelling
<i>R17/1218 Approved 07.09.2017</i>	5 York Street Rugby CV21 2BL	Erection of a single storey rear extension
<i>R17/0193 Approved 07.09.2017</i>	Land at Gipsy Lane East of The Chalet on Hinckley Road Wolvey Hinckley LE10 3HQ	Change of use of land for the siting of two residential gypsy pitches including the erection of a day room.
<i>R17/1349 Approved 07.09.2017</i>	The Stables Wood Lane Shilton CV7 9LA	Erection of amenity block associated with the existing use as a gypsy site and replacement stables and store in association with the keeping of horses.
<i>R17/1054 Approved 07.09.2017</i>	29 Birchwood Road]Binley Woods CV3 2JH	Erection of a single storey rear extension
<i>R17/1045 Approved 08.09.2017</i>	4 Beswick Gardens Rugby CV22 7PP	Erection of a side extension to the dormer bungalow
<i>R17/1120 Approved 08.09.2017</i>	73 Fosterd Road Rugby CV21 1DE	Loft conversion to form two bedrooms, with rooflight inserted within the front and rear roof slope.
<i>R17/1456 Approved 08.09.2017</i>	12 Rothley Drive Rugby CV21 1TS	Conversion of the existing garage to habitable room and erection of a single storey rear extension.
<i>R17/1261 Approved 11.09.2017</i>	143 Lawford Road Rugby CV22 7QS	Erection of a single-storey rear extension (Minor amendment)

<i>R17/1378 Approved 11.09.2017</i>	3 Regent Street Rugby CV21 2PE	Change of use from bakery (sui generis) to mortgage shop and building society (A2) (Retrospective)
<i>R17/1260 Approved 12.09.2017</i>	5 Vicarage Road Rugby CV22 7AJ	Amalgamation of existing garage and workshop along with the erection of boundary trellis (retrospective).
<i>R17/1465 Approved 12.09.2017</i>	1 Burnside Rugby CV22 6AX	Erection of a conservatory (retrospective)
<i>R17/1448 Approved 12.09.2017</i>	Police Training Centre Leamington Road Ryton on Dunsmore CV8 3EN	Refurbishment and renovation of existing reception and meeting rooms area. External alterations include roof replacement, installation of new canopy, provision of new entrance area, alterations to windows, doors and external materials.
<i>R17/1005 Approved 13.09.2017</i>	21 Lytham Road Rugby CV22 7PA	Erection of single storey rear conservatory
<i>R17/1450 Approved 14.09.2017</i>	43 Vernon Avenue Rugby CV22 5HP	Demolition of existing single garage & erection of double garage
<i>R17/1451 Approved 14.09.2017</i>	274 Dunchurch Road Rugby CV22 6HX	Erection of two storey front, rear and side extension with single storey side and rear extensions
<i>R17/1372 Approved 14.09.2017</i>	28 Lawford Lane Rugby CV22 7JP	Erection of a part single storey, part two storey rear extension.
<i>R17/1169 Approved 14.09.2017</i>	24 Church Road Shilton CV7 9HW	Demolition of existing bungalow and attached double garage, replacement with a part two storey and part single storey dwelling and attached garage, and associated works.
<i>R17/1461 Approved 15.09.2017</i>	24 Crick Road Hillmorton Rugby CV21 4DX	Variation of Condition 2 of approval R16/1332 (erection of 4 dwellings with garages) dated 15th July 2016 to allow an alteration to the parking and access to Plot 1.
<i>R17/1481 Approved</i>	Crosscrown Limited Clifton Court Nursing	Erection of a single storey rear extension (resubmission of approval R11/2293 dated

15.09.2017	Home Lilbourne Road Clifton Upon Dunsmore Rugby CV23 0BB	10th January 2012)
R17/1453 Approved 18.09.2017	The Barbellows London Road Ryton on Dunsmore CV8 3DX	Conversion of barns to a dwelling house including demolition of attached modern agricultural buildings - Resubmission of Approval R11/1396 dated 6th November 2013
R17/1216 Approved 19.09.2017	12 Watts Lane Hillmorton Rugby CV21 4PE	Remodelling of existing house and two-storey rear extensions
R17/1463 Approved 19.09.2017	Denchwood Farm 332 London Road Stretton on Dunsmore Rugby CV23 9HX	Erection of a single storey rear extension
R17/0443 Approved 20.09.2017	Land East of Toft Leas Toft Lane Dunchurch	Full planning permission for the development of two dwellings with associated access.
R17/1197 Approved 20.09.2017	262 Rugby Road Binley Woods CV3 2BD	Retention of garden room.
R17/1371 Approved 20.09.2017	262 Rugby Road Binley Woods CV3 2BD	Erection of two storey side extension and a part two storey part single storey rear extension (resubmission of planning permission reference R17/0463, dated 05 May 2017).
Prior Approval Applications		
R17/1298 Prior approval not required 15.08.2017	59 Fareham Avenue Hillmorton Rugby CV22 5HT	Prior Approval Application for the erection of a single storey rear extension projecting 3.48 metres from the original rear elevation of the dwelling, 2.5 metres to the eaves height, with a maximum height of 3.5 metres.
R17/1364 Prior approval required and granted 05.09.2017	Hill Farm Draycote Road Bourton on Dunsmore CV23 9RD	Prior approval for the change of use of an agricultural building to residential dwelling house (Part Class Qa only)

Listed Building Consent		
<i>R17/1405 Listed Building Consent 11.09.2017</i>	23-24 Market Place Rugby CV21 3DU	Listed Building Consent; for the installation of 2 (no) internal televisions, two aluminium non-illuminated logo panels, for the purposes of advertising, and the installation of a television and a tablet stand.
Certificate of Lawful Use or Development		
<i>R17/1414 Certificate of Lawful Use or Development 14.09.2017</i>	Manor Farm Cottage Cord Lane Easenhall CV23 0HZ	Certificate of Lawful Use - Garden Land Incidental to the Enjoyment of Manor Farm Cottage (Land to North).
Approval of Details/ Materials		
<i>R14/2302 Approval of Details 01.09.2017</i>	Home Farm Main Street Broadwell CV23 8HB	Conversion of existing barn together with alterations to form a single dwelling house including the demolition of existing agricultural farm buildings (Identical to scheme previously approved under R12/1524 dated 26th October 2012)
<i>R17/0036 Approval of Details 01.09.2017</i>	Land South of Technology Drive Technology Drive Rugby	Erection of 231 dwellings together with open space, earthworks, balancing pond, site remediation, landscaping, car parking and other ancillary and enabling works. Re-plan of housing layout following planning approval reference R15/2074.
<i>R16/0683 Approval of Details 05.09.2017</i>	Shilton House Farm 15 Church Road Shilton CV7 9HX	Notification for a proposed change of use of an agricultural building to a dwelling house (Class C3) and for associated operational development.
<i>R13/0783 Approval of Details 05.09.2017</i>	The Old Dairy Coton House Lutterworth Road Churchover Rugby CV23 0AA	Listed Building Application for the alteration and extension of the Old Dairy to form a single dwelling house
<i>R14/2183 Approval of Details 07.09.2017</i>	Coton House Lutterworth Road Churchover Rugby CV23 0AA	Listed Building Application for various internal and external alterations to form one dwelling.

<i>R16/0337 Approval of Details 12.09.2017</i>	Rugby Radio Station Watling Street Clifton Upon Dunsmore Rugby CV23 0AS	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>R16/1676 Approval of Details 12.09.2017</i>	The Bell Inn Bell Lane Monks Kirby Rugby CV23 0QY	Change of use of Public House to become part of existing dwelling together with associated works (retrospective).
<i>R10/1272&R15/2329 Approval of Details 13.09.2017</i>	Rugby Gateway Phase R4 Leicester Road Rugby	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.
<i>R16/1933 Approval of Details 14.09.2017</i>	Land South of Back Lane Back Lane Long Lawford	Variation of condition 2 of R12/1188 (Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.) to make amendments to approved housetypes and garages and repositioning of plots 16-24.
<i>R17/0022 Approval of reserved matters 15.09.2017</i>	Rugby Radio Station Watling Street Rugby CV23 0AS	Urban extension to Rugby under ref.no R17/0022 approved on 28th June 2017 - Application for reserved matters approval (outside of a key phase) of appearance, landscape, layout and scale in respect of strategic green infrastructure and associated works including wildlife corridors, any necessary Great Crested Newt holding areas including fencing, Great Crested Newt ponds, hibernacula, crossings, footways within green infrastructure, lighting, sustainable drainage features, surface water drainage including temporary connections to existing ditches, construction of engineered drainage works, planting, any necessary demolition, archaeological investigations, ground remodelling, temporary stockpiling of materials,

		construction compounds, areas for construction use, temporary haul routes and construction access from the A5.
<i>R17/0390 Approval of reserved matters 18.09.2017</i>	Rugby Radio Station A5 Watling Street Clifton Upon Dunsmore Rugby CV23 0AQ	Application for reserved matters approval outside of a key phase of appearance, landscape, layout and scale and discharge of outline condition 60, in respect of the strategic sewer and enhancements to the Clifton Brook of the Radio Station Rugby development (ref: R11/0699): comprising strategic foul sewer infrastructure and pumping station, works to the Clifton Brook and its tributary (including realignment, bank re-profiling, riffle sections, backwaters, scrapes, habitat areas and planting) landscaping, footpaths, fencing, Brook crossings, Great Crested Newt habitat (including ponds, planting and hibernacula), archaeological investigations, temporary stockpiling of construction materials, areas for construction use, construction compounds, any necessary demolition and temporary haul routes.
<i>R17/0841 Approval of reserved matters 20.09.2017</i>	Land East of Newton Lane Newton CV23 OEA	Erection of 40 dwelling houses, together with the creation of a new vehicular access, and provision of play area and amenity space together with associated works (Approval of Reserved Matters pursuant of outline planning permission ref: R14/1658 dated 02/02/2017) together with the submission to discharge conditions 4 (programme of archaeological works), 7 (proposed materials), 25 (Bat Survey) and 26 (Great Crested Newt Survey).
Withdrawn		
<i>R17/1384 Withdrawn 01.09.2017</i>	Land to rear of 56 Leamington Road Ryton on Dunsmore CV8 3FN	Prior approval for the change of use of an agricultural building to a residential dwelling house (Part 3, Class Qa and Qb)
<i>R17/1395 Withdrawn 05.09.2017</i>	31 Wheatfield Road Rugby CV22 7LN	Erection of two storey rear extension
<i>R17/0209 Withdrawn 08.09.2017</i>	Rugby Town Junior Football Club Kilsby Lane Hillmorton Rugby CV21 4PN	Outline planning permission for the demolish of the existing 2 small Astro Turf pitches and floodlights and replace with a 60m by 40m indoor sports hall with associated works (access not reserved).

<i>R17/1597</i> <i>Withdrawn</i> <i>19.09.2017</i>	The Lodge Hopsford House Farm Withybrook Lane Shilton Rugby CV7 9HY	Erection of a detached three bay timber car port with a room above.
--	--	---

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 21.09.2017 TO 11.10.2017

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R17/1153 Refused 25.09.2017</i>	2 Orson Leys Rugby CV22 5RQ	Erection of new dwelling
<i>R17/1079 Refused 28.09.2017</i>	Land East of Church Road and North of Sawbridge Road Grandborough CV23 8DH	Erection of four detached two storey dwellings with associated works including access, parking and landscaping.
<i>R17/0866 Refused 29.09.2017</i>	165 Rugby Road Binley Woods CV3 2AY	Outline planning application for the demolition of existing bungalow to front of site ,and erection of 4 No dwellings [matters to be reserved -appearance]
<i>R17/1336 Refused 10.10.2017</i>	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	Retention of electricity substation.
Applications Approved		
<i>R13/2180 Approved 08.09.2017</i>	46 Sidney Road Rugby CV22 5LD	Erection of a part two storey, part first floor side extension
<i>R17/1391 Approved 21.09.2017</i>	1 The Elms Paddock Clifton Upon Dunsmore CV23 0TD	Erection of single storey side extension
<i>R16/2099 Approved 21.09.2017</i>	Castle Lea Castle Lane Woolscott Grandborough CV23 8DE	Provision of metal gates.

<i>R17/1447 Approved 21.09.2017</i>	4 Oatland Drive Cawston Rugby CV22 7UN	Rebuild of a fire damaged property with the conservatory being replaced with an extension
<i>R17/1499 Approved 22.09.2017</i>	The Old Granary Burnthurst Lane Princethorpe Rugby CV23 9QA	Extension and replacement of dwelling (resubmission of approval ref R16/2347)
<i>R17/1368 Approved 22.09.2017</i>	5 Acorn Drive Bilton Rugby CV22 7UG	Erection of a single storey rear extension to replace existing conservatory.
<i>R17/1512 Approved 22.09.2017</i>	31 Oberon Close Rugby CV22 6LZ	Erection of a front porch
<i>R17/1238 Approved 22.09.2017</i>	16 Fawsley Leys Rugby CV22 5QY	Erection of proposed single storey rear extension and replacement pitched roof to existing garage and other external alterations.
<i>R17/0804 Approved 22.09.2017</i>	Orchard Barn 2A Orchard Close Wolvey Hinckley LE10 3LR	Erection of a single storey rear extension including part conversion of the attached garage to ancillary living area.(Resubmission of R17/0292 withdrawn 15th March 2017)
<i>R17/1425 Approved 25.09.2017</i>	3 Chapel Lane Ryton on Dunsmore CV8 3EU	Erection of single storey front/ side extension and two storey front extension
<i>R16/1996 Approved 25.09.2017</i>	Land adjacent 37a Woodlands Road Binley Woods CV3 2JL	Erection of two flats.
<i>R17/1523 Approved 25.09.2017</i>	49 Charlesfield Road Rugby CV22 5PG	Removal of condition 3 of planning permission R16/1811 to allow the extension to retain its brick finish.
<i>R17/1514 Approved 25.09.2017</i>	26 Lawford Lane Rugby CV22 7JP	Variation of condition 2 of planning permission R15/1448 to amend the roof to a gable end.

<i>R17/0928 Approved 25.09.2017</i>	Land off Brownsover Lane Old Brownsover Rugby	Erection of a two storey dwelling with associated parking and access.
<i>R17/1458 Approved 25.09.2017</i>	Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby CV21 1HA	Proposed Combined Heat and Power Facility and associated services, erection of a 40m high chimney (3 Flue with Mast) and 30m high chimney (2 Flues), and provision of a temporary trailer boiler with 23m high chimney.
<i>R16/1902 Approved 25.09.2017</i>	26 Lawford Road Rugby CV21 2DY	Proposed change of use of part of the building to a 19 bedroom house of multiple occupancy and associated works to include new window openings
<i>R17/1438 Approved 26.09.2017</i>	Wyevale Garden Centres Limited Blooms Garden Centre Straight Mile Bourton on Dunsmore CV23 9QQ	Construction of a hardstanding area and timber frame for the purposes of storing compost.
<i>R17/1498 Approved 26.09.2017</i>	20 Barley Close Hillmorton Rugby CV21 4HA	Erection of a single storey side and rear extension (Part retrospective)
<i>R17/1536 Approved 26.09.2017</i>	Brookside The Green Broadwell Rugby CV23 8HB	Erection of a first floor front extension.
<i>R17/1468 Approved 26.09.2017</i>	Hopsford Hall Farm Withybrook Lane Shilton CV7 9HY	Change of use from an agricultural unit to 3 (no) B1-B2 Commercial units - resubmission of previously approved Planning Application under reference R17/0272.
<i>R17/1529 Approved 26.09.2017</i>	49 Sodens Avenue Ryton on Dunsmore Rugby CV8 3FF	Erection of proposed two storey side and rear extension (amendments to previously approved planning permission reference R16/1941 dated 18th November 2016)
<i>R17/1015 Approved 26.09.2017</i>	Chestnut House Kings Newnham View Church Lawford CV23 9FA	Erection of Single Storey Side Extension to East Elevation.

<i>R17/0586 Approved 27.09.2017</i>	88 Monks Road Binley Woods CV3 2BY	Outline application for erection of replacement dwelling
<i>R17/1043 Approved 27.09.2017</i>	Cottage Farm Heath Lane Rugby CV23 0NX	Relocation of an outdoor horse menage
<i>R17/1118 Approved 27.09.2017</i>	233 Hillmorton Road Rugby CV22 5BD	Erection of Two Storey Side Extension, and Part Two Storey, Part Single Storey Rear Extension, Internal Alterations Including Changes To Internal Floor Levels Following Demolition of Single Storey Rear Extensions and Garage.
<i>R17/0962 Approved 27.09.2017</i>	50 Broad Street Brinklow Rugby CV23 0LN	Proposed demolition and replacement of rear conservatory, replacement windows, extension & internal alterations.
<i>R17/1477 Approved 27.09.2017</i>	45 Round Avenue Long Lawford Rugby CV23 9AA	The erection of a single storey rear extension (retrospective)
<i>R17/1412 Approved 27.09.2017</i>	Calcutt Elms Farm Calcutt Lane Stockton CV23 8HY	Erection of Livestock Building.
<i>R17/1535 Approved 28.09.2017</i>	68 Leamington Road Ryton on Dunsmore CV8 3FN	Erection of a single storey rear extension
<i>R17/1056 Approved 28.09.2017</i>	Extra Fish Bar 64-66 Craven Road Rugby CV21 3HZ	Erection of Two Awning Canopies to shop front and outdoor seating area for customers.
<i>R17/1475 Approved 28.09.2017</i>	10 Fieldfare Close Rugby CV23 0WS	Erection of two storey rear extension and garage conversion to habitable accommodation.
<i>R17/1526 Approved 29.09.2017</i>	239 Rugby Road Binley Woods CV3 2BB	Erection of single storey rear extension and first floor side extension

<i>R17/1199 Approved 29.09.2017</i>	50 Brockhurst Lane Monks Kirby Rugby CV23 0RA	Erection of a new garage
<i>R17/1460 Approved 29.09.2017</i>	2 Oatland Drive Cawston Rugby CV22 7UN	Rebuild of an existing property that has been fire damaged.
<i>R17/0401 Approved 29.09.2017</i>	Wolf Systems Limited Unit A-B Shilton Industrial Estate Kiln Way Shilton Industrial Estate Shilton CV7 9QL	Erection of a two storey side extension to Unit B to provide meeting rooms and associated welfare facilities in association with the industrial unit - (amendment to previously approved planning applications R14/1697 and R15/0696).
<i>R17/1303 Approved 29.09.2017</i>	40 Main Street Clifton Upon Dunsmore Rugby CV23 0BH	Conversion of storage area above shop to 1 flat, proposed dormer, new windows in existing front and rear gable elevations and new side door to access flat
<i>R17/1552 Approved 02.10.2017</i>	Chalon House London Road Dunchurch Rugby CV23 9LP	Regularisation of use of land for van sales with associated workshop and ancillary office, valet/storage unit and open storage.
<i>R17/1595 Approved 02.10.2017</i>	54 Heather Road Binley Woods CV3 2DD	Erection of a two storey side extension: to include a car port at ground floor level. (Part Retrospective) - Resubmission of previously approved Planning Application, R15/1551.
<i>R17/1560 Approved 02.10.2017</i>	R17/1560 Binley Woods CV3 2JJ	Erection of a single storey side and rear extension.
<i>R17/1587 Approved 03.10.2017</i>	Bushfield House Coventry Road Cawston Rugby CV22 7RY	Erection of single storey side extension to replace existing car port
<i>R17/1558 Approved 03.10.2017</i>	Land Off Green Lane Green Lane Brinklow Rugby CV23 0NU	Demolition of existing stable building and erection of an agricultural workers dwelling in association with Highwood Farm

<i>R17/1570 Approved 04.10.2017</i>	32 Myers Road Hillmorton Rugby CV21 4BY	Erection of outbuilding for use as guest suite to the rear ancillary to 32 Myers Road, CV21 4BY
<i>R15/1890 Approved 04.10.2017</i>	Land adjacent to and including Moat House Coton House Lutterworth Road Churchover Rugby CV23 0AA	Demolition of existing dwelling and erection of 6 dwellings (including substitution of 4 dwellings) with garaging and associated works.
<i>R16/0693 Approved 04.10.2017</i>	Tithe Farm Cottage Fields Farm Lane Marton Rugby CV23 9RS	Demolition and erection of a new dwelling and new vehicular access
<i>R17/1557 Approved 04.10.2017</i>	60 Ashlawn Road Rugby CV22 5ES	Replacement of existing pebbledash at first floor level on the front elevation with external insulation behind fibre cement siding (retrospective).
<i>R15/1892 Approved 04.10.2017</i>	Land at Coton House Lutterworth Road Churchover Rugby CV23 0AA	Substitution of two houses and erection of further 6 dwellings with associated garaging, works and formation of an acoustic bund.
<i>R17/1600 Approved 04.10.2017</i>	14 Malvern Avenue Hillmorton Rugby CV22 5JW	Demolition of existing conservatory and rear extension and erection of a single storey rear extension
<i>R17/1607 Approved 04.10.2017</i>	25 Othello Close Rugby CV22 6LX	Erection of two storey side extension
<i>R17/1619 Approved 04.10.2017</i>	6 Fair Close Frankton CV23 9PL	Erection of a part two storey and part single storey rear extension
<i>R17/1625 Approved 05.10.2017</i>	22 Loverock Crescent Rugby CV21 4AJ	Erection of a single storey extension.
<i>R16/2561</i>	Former Peugeot Factory	Outline planning application for redevelopment

<i>Approved 05.10.2017</i>	Site C Oxford Road Ryton on Dunsmore CV8 3EA	of the southern part of the former Peugeot Works site for Class B2 (general industry) & Class B8 (warehouse, storage & distribution) uses, together with ancillary offices, gatehouses, car parking, associated road infrastructure and landscaping, including importation of material to raise ground levels (REVISED SCHEME TO R14/2236 WITH NEW ACCESS)
<i>R17/1621 Approved 05.10.2017</i>	Bayton Lodge Withybrook Road Wolvey Bedworth CV12 9JW	Conversion and extension of existing quarantine kennels to form a separate dwelling house, including the demolition of some existing buildings.
<i>R17/1531 Approved 05.10.2017</i>	25 Fisher Avenue Hillmorton Rugby CV22 5HN	Erection of a single storey front, side and rear extension
<i>R17/1196 Approved 06.10.2017</i>	1 Viaduct Close Rugby CV21 3FD	Erection of proposed rear conservatory, car port forward of existing garage and single storey side extension.
<i>R17/1210 Approved 06.10.2017</i>	2 Grange Farm Brandon Lane Brandon CV3 3GU	Erection of a detached garage
<i>R17/1647 Approved 06.10.2017</i>	3 Spinney Close Binley Woods CV3 2SE	Erection of a rear conservatory
<i>R17/1601 Approved 06.10.2017</i>	Caldecott Dental Practice 44 Regent Place Rugby CV21 2PN	Proposed change of use to mixed D1 and A2 (beauty salon).
<i>R17/1643 Approved 06.10.2017</i>	G G Batchelor and Sons 61 Lower Hillmorton Road Rugby CV21 3TD	Erection of six flats (previously approved under R15/1412).
<i>R17/1524 Approved 09.10.2017</i>	Acorns Croft Burnthurst Lane Princethorpe Rugby CV23 9QA	Erection of a single storey extension.

<i>R17/1333 Approved 09.10.2017</i>	The Stables Green Lane Rugby CV23 0NU	Erection of a stable block
<i>R17/1300 Approved 09.10.2017</i>	Blossom Cottage Gorbit Fields Birdingbury Road Leamington Hastings Rugby CV23 8DY	Change of use of part of an equestrian building to dog boarding kennels.
<i>R17/1652 Approved 10.10.2017</i>	The Lodge Biggin Hall Lane Thurlaston CV23 9LD	Alterations to convert garage store to living accommodation to existing ancillary building
<i>R17/1376 Approved 10.10.2017</i>	Brookside Surgery Surgery Brookside Stretton on Dunsmore Rugby CV23 9LY	Extensions and alterations to existing surgery.
<i>R17/1059 Approved 10.10.2017</i>	Military Fitness Circuits Unit 1-2 The Locks Hillmorton Rugby CV21 4PP	Use of premises to D2 Fitness Training Sessions
<i>R17/1293 Approved 10.10.2017</i>	5a Market Place Rugby CV21 3DY	Installation of a new shop front.
<i>R17/1626 Approved 10.10.2017</i>	229 Bilton Road Bilton Rugby CV22 7DY	Erection of a part two storey, part single storey side extension.
<i>R17/1556 Approved 10.10.2017</i>	28 Rugby Road Dunchurch Rugby CV22 6PN	Erection of a first floor side extension and a single storey rear extension, and conversion of the loft to incidental living accommodation.
<i>R17/1500 Approved 11.10.2017</i>	Dunsmore Home Farm Watling Street Clifton Upon Dunsmore Rugby	Erection of an agricultural building for storage of incidental agricultural machinery and equipment associated with the farm business.

	CV23 0AQ	
<i>R17/1651 Approved 11.10.2017</i>	6 Spellow Close Rugby CV23 0GT	Erection of single storey rear extension (Re-submission of previously approved R17/0441)
<i>R17/1637 Approved 11.10.2017</i>	57 Shenstone Avenue Rugby CV22 5BL	Amendments to planning permission reference R12/0059 (Proposed single storey and two storey extensions to rear, dated 11 April 2012).
<i>R17/0103 Approved 11.10.2017</i>	Almshouses 52-62 Stephen Street Rugby CV21 2ES	Erection of a single storey rear extension along the rear elevations of all 6no.dwelling. Provision of 8no.parking spaces within the existing site frontage.
<i>R17/1564 Approved 11.10.2017</i>	The Old Rectory Main Street Harborough Magna Rugby CV23 0HS	Replacement of a flat roof with a partial pitched roof.
Prior Approval Applications		
<i>R17/1422 Prior Approval not required 13.09.2017</i>	The London Taxi Company Pilot Way Ansty Park Ansty CV7 9RF	Application for prior determination under Part 16 of Schedule 2 of The Town and Country Planning [General Permitted Development][England][Amendment]No 2 Order 2016 and in accordance with Electronic Communications Code Under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the Installation of 1 No 25 metre in height phosco 4.5 metre monopole with 6 No antenna and 2 No 0.3 metre dishes equipment cabinets and ancillary developments on a concrete plinth
<i>R17/1589 Prior Approval not required 29.09.2017</i>	19 Adkinson Avenue Rugby CV22 6RG	Prior approval for a rear extension measuring 6 metres in depth; 3.4 metres in height to the ridge; and 3 metres in height to the eaves.
<i>R17/1484 Prior Approval required and granted 29.09.2017</i>	Barn at Gate Farm Main Street Bourton on Dunsmore Rugby CV23 9QX	Prior approval for the change of use of an agricultural building to 2 (no) residential dwelling houses (Part 3, Class Qa and Qb)
<i>R17/1622 Prior Approval not</i>	31 Wheatfield Road Rugby	Prior Approval Application for the erection of a rear extension measuring 5.0 metres in depth;

<i>required</i> 05.10.2017	CV22 7LN	2.75 metres in height to the ridge; and 2.75 metres in height to the eaves
<i>R17/1649</i> <i>Prior Approval not required</i> 11.10.2017	16 Bulkington Road Shilton CV7 9JT	Prior approval application for single storey rear extension. Measurements: 4m projection from original dwelling with an eaves height of 2.7m and overall height of 3.8m
Advertisement Consent		
<i>R17/1630</i> <i>Advertisement Consent</i> 06.10.2017	25 Unit Elliotts Field Shopping Park Leicester Road Rugby CV21 1SR	Advertisement Consent for the installation of 3no. fascia signs and 2no. Other signs
<i>R17/1628</i> <i>Advertisement Consent</i> 06.10.2017	The Clock Towers Shopping Centre Corporation Street Rugby CV21 2JS	Advertisement Consent for the Installation of 2 Fascia Signs
<i>R17/1629</i> <i>Advertisement Consent</i> 06.10.2017	The Clock Towers Shopping Centre North Street / Corporation Street Rugby CV21 2JS	Advertisement Consent for the installation of signs to the service yards and car park areas.
<i>R17/1646</i> <i>Advertisement Consent</i> 09.10.2017	17 Unit Elliotts Field Shopping Park Leicester Road Rugby CV21 1SR	Advertisement Consent for the Installation of 3no. Fascia Signs
<i>R17/1639</i> <i>Advertisement Consent</i> 09.10.2017	Former Tribune Trading Estate Leicester Road Rugby CV21 1NY	Advertisement Consent for the installation of a gantry sign
<i>R17/1292</i> <i>Advertisement Consent</i> 10.10.2017	5a Market Place Rugby CV21 3DY	Display of 1no.internally illuminated fascia sign and 1no.internally illuminated projecting sign.
<i>R17/1638</i> <i>Advertisement Consent</i>	Former Tribune Trading Estate Leicester Road	Advertisement Consent for 2no. Totem Signs and Banner Signs to the Canopy.

10.10.2017	Rugby CV21 1NY	
R17/1540 Advertisement Consent 11.10.2017	13 Market Place Rugby CV21 3DU	Display of 1no.non-illuminated fascia sign and 1no.non-illuminated projecting hanging sign.
Listed Building Consent		
R17/1480 Listed Building Consent 25.09.2017	Previously Marks&Spencer PLC 4 High Street Rugby CV21 3BG	Listed Building Consent for the alterations to the front elevation of the building including decals to the windows; decoration of the metal pillars and fascia advertisement.
R17/0754 Listed Building Consent 27.09.2017	50 Broad Street Brinklow Rugby CV23 0LN	Listed Building Consent: Proposed demolition and replacement of rear conservatory, replacement windows, extension & internal alterations.
R16/2258 Listed Building Consent 06.10.2017	Building H Land at Coton House Lutterworth Road Churchover Rugby CV23 0AA	Listed building application for the conversion and extension of curtilage listed building to form one residential dwelling, including demolition and reconstruction of both gable walls.
Certificate of Lawful Use or Development		
R17/0261 Certificate of Lawful Use or Development 11.10.2017	New Barn Farm Coventry Road Cawston Rugby CV23 9JP	Certificate of lawfulness for Temporary (Flexible) Change of Use to use class A1 - shop, from use class B1, under Class D of the GPDO 2015, Schedule 2, Part 4.
Approval of Details/ Materials		
R11/1521& R16/0984 Approval of details 21.09.2017	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	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.
R17/0366	Rugby Radio Station	Key Phase 1 Parcels G (part), H and L (part) -

<i>Approval of reserved matters</i> 22.09.2017	Watling Street Clifton Upon Dunsmore Rugby CV23 0AS	Submission of reserved matters comprising access, appearance, landscape, layout and scale for the erection of 142 dwellings together with garages, access roads, parking and associated works pursuant to outline planning permission ref.no R11/0699, dated 21st May 2014
R16/0038 <i>Approval of details</i> 25.09.2017	Land rear of The Marisburn House Parrotts Grove Shilton	Change of use of land to the stationing of caravans for 3 gypsy pitches with associated hardstanding and utility/dayrooms
R15/1621 <i>Approval of details</i> 25.09.2017	63 Lime Tree Avenue Rugby CV22 7QT	Erection of four new dwellings including the demolition of an existing integral garage and erection of a new double garage with associated access.
R17/0288 <i>Approval of details</i> 27.09.2017	1-3 Abbey Street Rugby CV21 3LH	Proposed conversion of an existing ground floor shop (Use Class A1) and connecting single dwelling (Use Class C3) to 3 no. 1 bedroom flats and 1no. 2 bedroom flat (Use Class C3) together with external alterations
R10/1286 <i>Approval of details</i> 27.09.2017	Rugby Gateway Phase R2 Leicester Road Rugby	Erection of 230 dwellings with associated open space, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
R17/1130 <i>Approval of details</i> 27.09.2017	Admirals Court 37 Nelson Way Bilton Rugby CV22 7LW	Proposed C2 Use development to include: the demolition of an existing building and erection of a therapeutic, education and care facility to include 2 (no) children's homes, external play areas and related facilities - (resubmission of previously approved application R16/0112 decided on the 14/12/2016)
R15/0984 <i>Approval of details</i> 29.09.2017	Britvic Soft Drinks Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby CV21 1HA	Erection of an industrial/distribution facility (Use Class B8) with underground tunnel link to existing building, to include first floor accommodation, gatehouse and associated access, car parking and landscaping.
R16/1387 <i>Approval of details</i> 05.10.2017	Former Tribune Trading Estate Leicester Road Rugby CV21 1NY	Demolition and comprehensive redevelopment comprising 9 new (Class A1) retail units and a restaurant/café (Class A3), vehicular access and servicing facilities, junction improvements, car parking and cycle parking, hard and soft landscaping and associated works

<i>R17/0461 Approval of details 09.10.2017</i>	1 Stacey Court Arden Close Bilton Rugby CV22 6LF	Erection of a two storey side extension and the erection of a porch and car port
<i>R14/1985 Approval of details 09.10.2017</i>	Hill Farm Draycote Road Bourton on Dunsmore Rugby CV23 9RD	Conversion of barn to 1no. dwelling house, demolition of existing farmhouse and erection of a replacement dwelling (renewal of previous permission R10/1130).
Approval of Non Material Changes		
<i>R17/1255 Approval of non-material changes 21.08.2017</i>	19A Barby Lane Hillmorton Rugby CV22 5QJ	Erection of a single storey rear extension including alterations to the roof of an existing rear extension
<i>R16/2546 Approval of non-material changes 11.10.2017</i>	Yew Tree Hall Brookside Stretton on Dunsmore CV23 9LY	Conversion and external alterations of existing outbuildings to form 2no. Dwellings, together with the construction of an additional dwelling house, erection of 3no. double garages and provision of new access. (Variation of condition 2 of approved planning permission R15/2068 dated 28/09/2016 to amend approved drawings to include a substitution of house type from a proposed two storey dwelling house to a single storey dwelling).
Withdrawn		
<i>R17/1617 Withdrawn 02.10.2017</i>	46-48 High Street Marton Rugby CV23 9RR	Demolition of part of existing two storey rear extension to enable erection of a larger two storey rear extension.