

17 November 2017

## **PLANNING COMMITTEE - 29 NOVEMBER 2017**

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 29 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 8 November 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. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
6. Delegated Decisions – 12 October 2017 – 1 November 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 – 10) 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](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

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

**Planning Committee – 29 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

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
1	R17/1676	15 Lawrence Road, Rugby, CV21 3SA Erection of two storey side extension	3
2	R14/0011	Land at Warren Field, Warren Close, Ryton on Dunsmore Erection of 29 affordable dwellings with access, landscaping and associated works.	8

**Reference number:**

R17/1676

**Site address:**

15 Lawrence Road, Rugby, CV21 3SA

**Description:**

Erection of two storey side extension

**Case Officer Name & Number:**

Paul Varnish, 01788 533771

**Background**

This application is being reported to Committee because the applicant is a member of staff.

**The Site**

The application site is a two storey semi-detached property that lies within the Rugby Urban Area Boundary and the Eastlands Area.

The property is located where there is a slight bend in the road. The property is parallel to the highway; with the corner of the front elevation being 2.4 metres from the boundary and the corner of the rear elevation being 3.7 metres. Therefore, the boundary fence runs at an approximate 10 degree angle to the existing side elevation.

Towards the front of the adjoining neighbouring property, 13 Lawrence Road, there is a circa 1 metre high close boarded fence. To the rear garden, on the side boundary, there is a part of the neighbour's brick single storey side extension and a circa 1.8 metre close boarded fence.

On the east side boundary, towards 17 Lawrence Road, is a circa 1 metre high fence, which increases in height towards the rear garden. Further towards the rear, there is the applicant's and neighbour's garage, on either side of the boundary. The rear boundary has a circa 1.6 metre high close boarded fence.

Towards the front of the property and to the side is an area of hardstanding and on the boundary is a circa 1.8 metre high hedge. In front of the hedge is a 1 metre high close boarded fence.

The rear garden is circa 35 metres in length; on the rear boundary are mature hedges and bushes.

The dwelling has been previously extended by way of a single storey rear extension; however planning permission was not required.

**Relevant decisions**

R86/1517/14490/B – Single storey rear extension – Building Control – Refused – 04/02/87

R86/1517/14490/B – Resubmission – Building Control – Approved – 19/02/87

**Summary of the proposal**

The proposal consists of a planning application for the erection of two storey side extension.

The proposed extension has been designed to utilise the plot with the ground floor leaving a separation gap to the boundary, and the first floor being in line with the boundary. There will be brick pillars at ground floor level to support the first floor. The gap at ground floor level will allow for access to the rear of the property.

At ground floor level, the front elevation will be only 1.8 metres in width and the rear elevation being 2.9 metres in width. The depth of the extension will be 8.3 metres. At first floor the width of the front elevation will be 2.6 metres, with the rear elevation being 4 metres. The height to the eaves will be 5.2 metres, with the overall height being 7.1 metres in height.

The extension will provide a snug and larger kitchen at ground level and an additional bathroom and bedroom at first floor level.

## **Technical Consultations**

WCC Ecology – No Objection

WCC Highways – Objection, Revised response - no objection.

## **Third Party Consultations**

Neighbours (1) – Concerns regarding parking, the extension will be located on the existing driveway and the parking spaces will be lost. As there is a lamppost and tree outside their house, the applicant would be required to park outside other people's properties. Could the applicant consider an extension to the rear.

## **Planning Policy Guidance**

### **Core Strategy**

CS16 Sustainable Design

### **Saved Local Plan Policies**

E6 Biodiversity

T5 Parking Standards

### **Guidance**

National Planning Policy Framework

SPD Sustainable Design and Construction, including Residential Design Guide

SPD Planning Obligations

## **Determining Considerations**

The main issues concerning this application are the design and appearance of the proposal; the impact of the proposal upon the amenities of the neighbouring properties; and the impact on the visual and residential amenities of the area.

## **Protecting Amenity and Design and Appearance**

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

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

### ***Protecting amenity***

The neighbouring property 13 Lawrence Road is the handed property, located to the west side. The proposed extension will be mainly positioned behind the existing main dwelling to the east side. Although part of the extension will project out to the rear by 2.46 metres. The nearest side elevation will be located circa 5.5 metres from the boundary. The plans indicate that the side elevation will be blank.

Due to the positioning of the extension, the minimal projection, to the rear of the proposed extension and the separation gap to the boundary it is considered there will be a negligible impact in terms of loss of sunlight and daylight.

In terms of overlooking, there are no side facing windows, with the view from the windows to the rear not being significantly beyond that normally associated with those in an urban area.

It is therefore considered that the proposal will have a limited impact in terms of overlooking and loss of privacy.

The neighbouring property, 17 Lawrence Road has, at ground floor level, a secondary kitchen window a glazed door and a smaller fixed obscure glazed window. At first floor level there is a window which serves a landing/hall.

The side elevation of the proposed extension will have a high level window at ground floor level and a small window at first floor level. The ground floor window will be high level (above 1.7 metres in height), and the smaller window will serve a landing area (a non-habitable space) and will have views towards the landing window to the neighbours (also a non-habitable space).

The proposed extension will also include windows at ground floor and first floor level to the rear. The views from these windows will be towards rear of the neighbour's garden, and would be considered indirect. They would also be screened by the boundary treatment and existing outbuildings.

Taking into account the neighbouring properties windows being secondary, obscure glazed or serving non-habitable rooms and any views from the rear being indirect and screened by the boundary treatment, it is considered that there will be a negligible impact in terms of overlooking and loss of privacy.

### ***Design and Appearance***

The proposed extension is of an appropriate size and scale and will be constructed of similar materials to the main dwelling. Due to the set-back and reduced roof height the extension will appear subservient to the main dwelling.

The proposed extension will abut the boundary; however, the neighbouring properties side elevation is located circa 3 to 4 metres off the boundary. It is therefore considered that the proposed extension will not create a terracing effect.

Although the side elevation will follow the angle of the boundary and will include brick pillars, it is considered that it will be of an acceptable appearance. It is therefore considered that it will not be an overly prominent or obtrusive feature within the street scene.

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

### **Ecological Considerations**

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

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

### **Highway safety and car parking**

Saved Local Plan Policy T5: Parking Facilities: seeks to ensure that sufficient parking is provided within the curtilage of new development sites to avoid parking on the highway and the potential traffic hazards and congestion that may result.

Warwickshire County Council Highways have been consulted regarding the proposal and a parking plan has been provided by the applicant showing the provision of 2 parking spaces.

As the property has four bedrooms, the T5 policy advises that 3 parking spaces should be provided, however, it is advised within the regulations, that each application should be considered on its own merits and according to the suitability of the location and use.

Lawrence Road would potentially be considered a secondary road to serve the residents of Lawrence Road, Sheriff Road and Portland Road. With the primary routes between Clifton Road and Lower Hillmorton Road being Eastlands Road or St Peters Road. There is provision for on-street parking and it is also in walking distance to the town centre, being approximately 1 mile in distance. Additionally, there are good public transport links, to include the buses. Therefore, taking the above into account the provision for parking would be considered acceptable.

Highways had raised an objection to the initial submission, due to the parking spaces not been of sufficient size. However, a revised parking scheme was submitted and highways were re-consulted. The Highway Authority's response is now one of No Objection as both proposed parking spaces would be 4.8 metres long by 2.4 metres wide which meet Rugby Borough Council's parking standards. Highways also note that the existing leylandi trees would be cut back to accommodate the proposed parking bay to the front of the dwelling and the existing wooden gate and fence would be removed completely.

It is therefore considered that the proposal would be in compliance with the Saved Local Plan Policy T5 and would not create any issues in terms of highway safety.

**Recommendation:**

Approval – Subject to conditions

**APPLICATION NUMBER**

R17/1676

**DATE VALID**

02/10/2017

**ADDRESS OF DEVELOPMENT**

15 LAWRENCE ROAD  
RUGBY  
CV21 3SA

**APPLICANT/AGENT**

Joe Oliverio  
15 Lawrence Road  
Rugby  
Warwickshire  
CV21 3SA

**APPLICATION DESCRIPTION**

Erection of two storey side extension

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

**CONDITION 1:**

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

**REASON:**

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

**CONDITION 2:**

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:

Existing and Proposed Plans (Ground Floor Plan)

Existing and Proposed Plans - (First Floor)

Existing and Proposed Elevations

Site Location Plan - Scale 1:1250

All received by the Local Planning Authority on the 2nd October 2017

Existing and Proposed Elevations

Received on the 31st October 2017

Proposed Parking Spaces Plan

Received on the 13th November 2017

**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 facing materials to be used on the external walls and roof of the extension shall be of the same type, colour and texture as those used on the existing dwelling.

**REASON:**

In the interest of visual amenity.

**CONDITION 4:**

Other than those shown on the approved plans no new windows shall be formed in any side elevation of the proposed extension, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

In the interest of residential amenity.

**CONDITION 5:**

The accommodation for car parking shown upon the approved plans - Proposed Parking Spaces Plan - Received on the 13th November 2017 - shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of occupiers of the dwellings and shall not be used for any other purpose

**REASON:**

In order to ensure that satisfactory parking and access arrangements are maintained within the site.

**CONDITION 6:**

The window to be formed in the side elevation at first floor level of the proposed extension/development shall not be glazed or reglazed other than with obscure glass and shall be top hung opening only. The window shall remain in this condition whilst the development remains in existence

**REASON:**

To protect the residential amenity of neighbouring properties.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010 making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0300 060 3900. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 02080 261 089 for advice on the best way to proceed.

**INFORMATIVE 2:**

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

**Reference number:**

R14/0011

**Site address:**

Land at Warren Field, Warren Close, Ryton on Dunsmore

**Description :**

Erection of 29 affordable dwellings with access, landscaping and associated works.

**Case Officer Name & Number:**

Richard Holt 01788 533687

**Description of Site:**

The application site is an existing grassland field largely rectangular in shape equating to approximately 0.72 hectares in size with a mix of timber and metal fences, hedging and trees around its edge. The field is relatively flat with the land dropping slightly to the north east by approximately 0.5 metres. Access to the site is from the north off Warren Close which is adjacent to existing residential properties. These existing dwellings comprise predominately of two storey and single storey semi-detached units. To the south is the Former Peugeot Works Site C which has planning permission for up to 48,750 square metres (sqm) of employment buildings. To the west is an existing landscaped area which also forms part of the grounds of the Former Peugeot Works Site C. To the east is Warren Farm which comprises of a collection of buildings along with their residential garden.

**Description of Proposals:**

The application is for the construction of 29 affordable residential properties which will comprise of 15 2-bed, 10 3-bed and 4 1-bed flats equating to approximately 40 dwellings per hectare. All the buildings will be 2-storey in height rising to approximately 5 metres to eaves and 8.5 metres to ridge above ground level. It is understood the applicant's intentions are that the tenure will be mixed between 12 rental and 17 shared ownership to be retained by Orbit, a registered social landlord.

The vehicular access and pavements will continue from the end of Warren Close by Nos. 24 & 29 into the site. The road will form an 'L-shaped' arrangement with a turning head in the south-eastern part of the site with Plots 23-29 accessed off a private drive. A total of 52 off street car parking spaces will be provided across the development with a mix of tandem and parallel spaces.

Notwithstanding the potential provision of acoustic fencing to be provided as part of any redevelopment of the Former Peugeot Works Site C to the south of the site, enhanced acoustic glazing will be provided to plots 7-12, 19-22 & 28-29 to increase sound attenuation measures. The dwellings will have a traditional appearance with a mix of red brick and white render plus grey roof tiles and architectural features such as bay windows, curved headers and chimneys to key plots.

In the north eastern part of the site an area of just under 300 sqm will be set aside as native scrub for biodiversity habitat whilst in the south eastern corner an area of just over 300 sqm will be provided as a wildflower meadow. Much of the existing soft landscaping around the periphery of the site will be replaced with new structural soft landscaping, including native hedges whilst throughout the site numerous trees, shrubs and short sections of hedging will be planted.

The applicant's agent has also submitted a Design & Access Statement, Planning Statement, Ecological Appraisal, Biodiversity Impact Assessment, Local Wildlife Assessment, Arboricultural Report, Noise Report & Addendum, Archaeological Written Scheme of Investigation, Archaeological Trial Trenching Report, Flood Risk & Drainage Assessment, Ground Investigation Report, Transport Statement, Stage 1 Road Safety Audit and Landscape Plans.

**Relevant Planning History:**

None

**Adjacent Relevant Planning History:**

**Former Peugeot Works - Site C:**

Use of land for the parking and storage of heavy goods vehicles and trailers with alterations to access and formation of access ramp into the site, plus ancillary development.

Approved 16/11/2012

Retention of re-surfaced existing maintenance and emergency access route.

Approved 07/03/2013

Outline planning application for redevelopment of 16.69ha of the southern part of the former Peugeot Works site for up to 40,000 square metres for Class B8 (storage & distribution) and B1c/B2 (light & general industry) with up to 20% B1c/B2, including vehicle parking and landscaping; vehicle access from the A423 Oxford Road; importation of c50,000 cubic metres of material to raise ground levels; retention of areas of nature conservation, biodiversity enhancements and improvements to public footpaths. Approved 18/12/2013

Outline planning application for redevelopment of 13.65ha 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 (including access onto the A423 Oxford Road) and landscaping, including importation of material to raise ground levels. Approved 18/05/2016

Outline planning application for redevelopment 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) Approved 05/10/2017

**Technical Consultations – Original Plans:**

WCC Infrastructure	No objection subject to financial contributions towards libraries and Sustainable Welcome Packs. No Education contribution sought.
WCC Ecology	Object, insufficient information in relation to impact on potential Local Wildlife Site and significant impact on biodiversity.
Warwickshire Wildlife Trust	Object due to impact on potential Local Wildlife Site and loss of biodiversity.
WCC Highways	Object, insufficient car parking, substandard driveways & inadequate alignment to highway.
WCC Paths	No objection subject to financial contributions towards public rights of way improvements within 1.5 miles of site.
WCC Archaeology	Object, further archaeological evaluation needs to be undertaken.
WCC Flood Risk Management	Object, insufficient evidence submitted to make assessment about flooding risk from proposed development.
Natural England	No comments
Severn Trent Water	No objection, subject to an informative
Warwickshire Police	No objection, subject to informatives
NHS – UHCW	No objection subject to financial contributions towards additional health care services.
RBC – Environment & Public Realm	No objection, subject to conditions and informatives
RBC – Trees	No objection subject to a condition
RBC – Housing	No objection, welcome mix of houses, parking situation is positive & house sizes fine and adhere to technical standards.
RBC – Parks & Open Space	No objection, financial contributions for children & young people to be considered but addressed via Parish.
RBC – Work Services (Refuse)	No objection

**Technical Consultations – Revised Plans:**

WCC Ecology	Object, impact on Local Wildlife Site by direct destruction and connectivity, but if minded to approve recommend financial contribution towards biodiversity off-setting.
Warwickshire Wildlife Trust	Object, significant impact on biodiversity and Local Wildlife Sites should be protected. It is not sustainable development.
WCC Highways	No objection
WCC Archaeology	No objection following further archaeological evaluation by trial trenching.
WCC Flood Risk Management	No objection, subject to conditions and informatives.

**Third Party Consultations:**

Neighbours:

Object

13 Households

Original Plans

High traffic area already, will be extra traffic from residents, traders, deliveries etc;  
Constant stream of cars to Co-op, be exacerbated by contractors visiting shop;  
Corner of Warren Field & High Street already health & safety issue;  
Existing road geometry not suitable for large vehicles;  
Village cannot cope with site/construction traffic;  
Dangerous site access;  
Alternative access routes must be considered;  
Work with Prologis and access via industrial/logistics park;  
Construction traffic rarely clean up after themselves;  
Will be extremely dirty roads and will be much overspill of commercial/construction vehicles;  
Will become rat run of extra traffic;  
Adoption of roads takes too long so results in rubbish and road traffic laws not being enforced;  
Sensible low speed area with natural calming effect will be gone;  
Insufficient parking, inevitably lead to over flow parking problems;  
Houses on Warren Close have two parking spaces, new development has only 46 spaces for 29 homes – assumes 1 car families;  
Speed control on Warren Close leading to site needed eg speed cushions;  
At present quiet low traffic area where children play on bikes, extra traffic at only entrance/exit could be a safety hazard;  
Parking provision fails to take account of visitors, including health visitors etc;  
If that one road blocked emergency vehicles can't get into site;  
Bin collection point will lead to congestion and conflict with driveways;  
Noise and disruption, especially from heavy vehicles;  
Health & safety of children especially worrying, particularly with village school nearby;  
Affordable housing attracts unwanted visitors;  
Loss of quaint village and village feeling;  
Can't stop continued manufacturing/industrial development;  
Plenty of brownfield sites in towns;  
Overdevelopment, too dense, should be 22 dwellings based on site size;  
Plots 23-29 out of keeping with character of area;  
Dwellings would impair character of neighbouring properties, especially Warren Farm House, Barn & Lodge;  
No flats and no terraced properties exist in area;  
No 3-bed houses;  
Application incorrect – no butchers and post office only has part time presence;  
No bungalows, bungalows would be better especially on eastern edge;  
Nothing for older or younger people, no one considers their needs;  
Position of social housing needs reconsidering to reduce impact on existing housing;  
Open space with gated access wasted space – could be used for parking to reduce on-going maintenance costs or small children's park, otherwise could attract anti-social behaviour;  
Communal areas need looking after, designated person, to prevent vermin;  
Adequate boundary treatments with landscaping to existing properties need to be in place before construction;  
Potentially inadequate storm drains and sewage;  
Houses not needed owing to pending development of Coventry City Training Ground and Junction of A423/A445; &  
Hard to get on property ladder so support affordable housing, but concerned at access.

Revised Plans

8 Households

Main concern re access been overlooked;  
Existing road geometry not suitable for large vehicles (submission of photographs to illustrate);

Residential and school access issues;  
 Extreme difficulties with vehicles parked on highway and delivery vehicles at Co-op;  
 Village cannot cope with site/construction traffic;  
 Corner of Warren Field & High Street already health & safety issue;  
 Traffic survey doesn't account for Co-op and school nor the tailbacks to Oxford Road roundabout because of traffic calming;  
 Will be extremely dirty roads and will be much overspill of commercial/construction vehicles;  
 Will be awful congestion;  
 Work with Prologis and access via industrial/logistics park (Oxford Road/Leamington Road access);  
 Increase in noise and pollution to existing houses, especially due to speed bumps;  
 Noise report makes no mention of impact to current residents;  
 No understanding from applicant what village needs;  
 Why twice as many 3-bed houses compared to 1-bed houses – supposed to be affordable and be of greater value for younger people;  
 Crowded streetscene, insufficient variety, lack of imagination;  
 Too dense, no real justification for marked increase;  
 Lack of parking, undesirable tandem parking spaces;  
 May lead to inconsiderate parking, obstructing pavements as referred to in Parish Plan;  
 Parking doesn't accord with best practice promoted by Chartered Institution of Highways & Transportation and Institute of Highways Engineers;  
 Lack of natural landscaping;  
 Lack of outside secure storage provision for Plots 26-29;  
 Bin storage enclosures required in certain areas;  
 Amended proposal still contains errors, especially regarding village facilities;  
 Good rail links do not exist from Leamington Spa via bus as service only twice a week from village; &  
 Loss of wonderful plot with lots of wildlife.

No Objection  
 2 Households  
Original Plans

No objection to houses being built but access should be via Leamington Road; & Area in need of new homes, support development, but practical levels of car parking need to be provided.

Revised Plans  
 1 Household

Additional affordable housing welcomed.

Observations (1)  
Original Plans

Failure to mention industrial park adjoining site in submissions;  
 Very limited landscaping/mitigation available between site and Site C of Prologis Park;  
 Proposal far too dense and layout cramped;  
 Plots 11 & 12 too close to southern boundary and should be removed to protect amenity;  
 Landscaping proposals too limited, insufficient boundary treatment;  
 Over reliance on landscaping to be provided by Prologis;  
 Inadequate shared amenity space;  
 Noise report fails to assess latest application on Site C, Prologis Park;  
 Attenuation glazing and ventilation proposals to dwellings may not provide adequate mitigation; &  
 Potential impacts on residential development not adequately addressed, reports need updating and layout revising, along with landscaping.

Cllr H Roberts

Recognise affordable housing benefit;  
 Undesirable access off Warren Close;  
 Alternative access required, especially for construction, owing to high volumes of traffic including HGVs particularly evident due to existence of Co-op and school;  
 Need to negotiate with Prologis re alternative access route prior to any decision;  
 Inadequate car parking provision, will lead to inappropriate parking on Warren Close;  
 Bin collection point near Plot 22 will lead to congestion and jeopardise safety;

No provision for elderly or disabled residents; &  
40 dwellings per hectare too dense, 30 dwellings per hectare normal quantity for rural village – should be 22 plots.

Ryton on Dunsmore Parish Council:

Original Plans Wholly inappropriate access;  
Object Warren Field & Warren Close not suitable for further traffic;  
Narrow housing estate roads already prove challenging;  
Construction traffic will have difficulty accessing site and needs to be managed and avoid busy times, eg rush hour and school times;  
Increase in traffic and parked vehicles – roads cannot cope;  
Alternative access via Prologis Site C easily address problems, including benefit for school;  
Alternative access arrangements needed to be addressed prior to submission of application – scheme needs halting until better solutions explored;  
Additional on-site parking required;  
Construction hours should be normal working hours, Monday to Friday;  
Adequate infrastructure in terms of water, sewage, drainage and electricity required and ready stretched; &  
Benefits to village needed in terms of improved public transport and increased capacity at school.

Ryton on Dunsmore Parish Council:

Revised Plans Amended plans do not address previous issues raised;  
Object Road Safety Audit does not address problems of safety of site access and traffic issues once complete;  
No working time restrictions given;  
Inadequate levels of parking; &  
Ignored alternative access arrangements.

**Relevant Planning Policies & Guidance:**

Rugby Borough Council Local Plan, 2006 Saved Policies:

GP2	Complies	Landscaping
E6	Conflicts	Biodiversity
H12	Complies	Open Space – Rural Areas
LR1	Complies	Open Space Standards
T5	Complies	Parking Facilities
T13	Complies	Airport Flight Paths

Rugby Borough Core Strategy 2011:

CS1	Complies	Development Strategy
CS2	Complies	Parish Plans
CS10	Complies	Developer Contributions
CS11	Complies	Transport & New Development
CS14	Complies	Enhancing the Strategic Green Infrastructure Network
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

Rugby Borough Council Planning Obligations Supplementary Planning Document, 2012

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

Rugby Borough Council Housing Needs Supplementary Planning Document, 2012

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

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

Ryton on Dunsmore Parish Plan, 2012

## **Assessment of Proposals:**

### General Principles:

In the Rugby Borough Local Plan 1997 the site lay within the village boundary where the principle of residential development would normally have been permitted. The site was then specifically allocated as a safeguarded housing site in the Rugby Borough Council Local Plan 2006 to meet the possible longer term needs of the area beyond 2016. This specific definition was removed from the site in the Rugby Borough Council Core Strategy 2011 but remains within the village boundary.

Policy CS1 of the Core Strategy 2011 identifies Ryton on Dunsmore as a Main Rural Settlement which states development will be permitted within the existing village boundary, although local housing needs would be prioritised over market housing. However, whilst Ryton on Dunsmore has a Parish Plan dating from June 2012 it does not have a Housing Needs Survey and therefore there is currently no identified local housing need. The accompanying text to Policy CS1 explains how Main Rural Settlements play an important role locally and help support and maintain existing services and assist, albeit at a minimal level, in helping to deliver the strategic growth targets for the Borough. On this basis the principal of development is considered acceptable and would accord with Policy CS1.

### Affordable Housing:

For a scheme of 29 dwellings the Council's current policy CS19 would seek a provision of 33.3% affordable housing which would equate to 10 dwellings. Of those 10 dwellings, 7 would ideally be socially rented whilst 3 would be intermediate (shared ownership). The proposal is for 100% affordable with a tenure mix of 12 rental and 17 shared ownership to be retained by Orbit, a registered social landlord.

There is an insufficient supply of affordable housing available in Rugby Borough and the latest Authority Monitoring Report, identifies that between the period of 2013-2031 it has been calculated that there is a need to provide affordable housing at a rate of 171 dwellings per annum. During the four year period 2013/2014, 2014/2015, 2015/2016 and 2016/2017 only 275 affordable dwellings have been completed which equates to only 69 per annum.

The Ryton on Dunsmore Parish Plan, 2012 identified the biggest need was for 1 or 2 bedroomed starter homes (50%), followed by homes for the elderly (37%) and small family homes with 2 to 3 bedrooms (25%). As the proposed development would seek to address 75% of this identified need then it is considered that the proposal would not be in conflict with the aims of the Parish Plan.

Therefore, the provision of 100% affordable housing on the site to contribute to the existing lack of provision carries significant weight in favour of the proposal and would accord with the NPPF, policies CS2 & CS19, the Housing Needs Supplementary Planning Document, March 2012 and the Parish Plan.

### Highways:

Policy CS11 states that development will be permitted where sustainable modes of transport are prioritised and measures mitigating against the transport impacts which may arise from that development or cumulatively with other proposals are provided. This approach is reiterated in the NPPF although Para 32 states development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

A Transport Statement and a Stage 1 Road Safety Audit accompanied the application. This concludes that the site is in a sustainable location and that there is currently no accident problems within the village nor would the development be detrimental to highway safety. The Statement considers the development would have a negligible impact on the local highway network. The Road Safety Audit identified two potential issues. Firstly, the conflict between parking vehicles and construction traffic and secondly, construction traffic blocking driveways. In both cases it recommended that all construction site traffic should park on site and that residents were warned of any deliveries that may affect their parking arrangements.

Concerns have been raised by numerous third parties regarding the inadequacies of the existing highway infrastructure and how the proposed development and construction traffic would impact upon it as well as a lack of car parking. These concerns have also been supported by a series of photographs, particularly showing parked vehicles on the highway near the Co-operative shop and reduced highway widths. Based on the original plans the Highway Authority raised concerns at insufficient levels of parking; substandard layout issues; and inadequate alignments for service vehicles. Revised plans were subsequently submitted

and the Highway Authority then confirmed that they were satisfied that the issues previously raised had been resolved and removed their objection.

There have been numerous requests for the main site access to go via Site C of the Former Peugeot Works rather than directly on to Warren Close. However, the sites are in different ownership and accessing a new residential site of just 29 dwellings through a new industrial estate would not be ideal and would potentially isolate the residents of the housing estate and would fail to create a strong link between the existing community and the occupants of the new properties. It is understood discussions have taken place between the relevant parties but owing to completely different types of uses this does not seem to be a viable solution. In addition, WCC Highways raises no concerns with the access arrangements now proposed.

A total of 29 dwellings are proposed for the site with a mix of 1-bed, 2-bed and 3-bed units. A total of 52 car parking spaces are being provided across the entire site, however, the Council's Parking Standards contained within the Planning Obligations Supplementary Planning Document (SPD) 2012 would require a total of 49. Whilst this would result in an overprovision of car parking facilities and not fully accord with the SPD these parking standards are purely guidance. Furthermore, Plots 1-8 are 4 lots of 2-bed semi-detached houses with 3 spaces per each block of two dwellings. This in effect means one semi will have one space whilst another would have 2 spaces. The SPD requires 1.5 spaces for a 2-bed unit. Therefore, the additional provision will ease potential parking constraints in this part of the site and as all the properties will be owned or partially owned by Orbit a registered social landlord a degree of control and management in relation to indiscriminate parking would assist in reducing any future neighbour disputes with both the occupants of existing and new dwellings, particularly as this has been a concern raised by several third parties.

The presence of the public footpath R147 is located close to the north western corner of the application site at the southern end of Warren Close. It is not considered that the development would affect this public right of way and WCC Rights of Way Team has not objected to the proposals on this basis but would require an informative ensuring it remains open and unobstructed at all times.

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

#### Design & Appearance:

The application is for the construction of 29 affordable residential properties which will comprise of 15 2-bed, 10 3-bed and 4 1-bed flats equating to approximately 40 dwellings per hectare. Several third parties have raised concerns at the density of the scheme and that the number of units should be reduced so the proposal does not result in an overdevelopment of the site.

The NPPF states that the density of a development should be determined locally. The Council has no specific density standards for new residential development but accepts that bringing forward new development at the right density is important and that it will consider appropriate housing density on a site by site basis with decisions informed by local context of the area in terms of design considerations, historic or environmental integration, local character and identified local need.

Warren Close is characterised by two storey and single storey semi-detached dwellings. St Leonard's Walk, Soden's Avenue and Handley's Close which all lie close to Warren Close are also characterised by a mix of two storey and single storey semi-detached dwellings as well as two storey and single storey terraced properties with parking to the front. The proposed mix of two storey semi-detached, terraced and flat units with parking predominately to the front is not considered to be out of keeping with the character and appearance of the locality. Whilst some of those existing properties may have larger gardens than those currently proposed the size and depth of the intended gardens, including the shared amenity space for the flats, is considered reasonable. Therefore, whilst the density of the development is greater than the neighbouring residential area, the design, layout and mix of the proposed properties which equates to a density of c40 dwellings per hectare is judged to be sympathetic to the existing settlement and would not warrant a reason for refusal.

The dwellings will have a traditional appearance with a mix of red brick and white render plus grey roof tiles and architectural features such as bay windows, curved headers and chimneys to key plots. It is noted that within the immediate area render is not a common feature on the elevations of the properties but this treatment can be found elsewhere on properties along High Street within the village. Render is being used

on 8 of the external elevations of the dwellings at key focal points. This level of render in the intended locations will not over dominate the development and will also assist in providing a degree of distinctiveness to the group of properties whilst respecting the main presence of red facing brick in the local area.

Overall it is considered that the proposal would accord with policy CS16 and the NPPF.

#### Amenity, Noise & Contamination:

It is accepted that presence of the rear elevations of Plots 23-29 will impact upon the amenity currently experienced by the occupants of Warren House Farm, especially in relation to their existing garden. Plots 23-25 will have a rear garden depth of approximately 10 metres, however, the rear facing windows of Plots 23-25 will be approximately 12 metres from the boundary of the garden of Warren Farm House which results in a habitable room window to window distance of approximately 22 metres from the first floor bedroom window of Plot 23 to the glazed side of the conservatory of Warren Farm House. The rear facing windows of Plots 26-29 will be set slightly further off the boundary of the garden of Warren Farm House at approximately 13 metres, whilst the rear facing windows of Plots 13 & 14 will be approximately 19 metres from the boundary with Warren Farm. These distances are not considered to be unreasonable and represent an adequate degree of separation that would not have an adverse impact on the residential amenity currently experienced by the occupants of Warren Farm to such an extent to warrant a reason for refusal. In addition, the new dwellings will lie to the north west of Warren Farm House and thus would not overshadow or have an overbearing impact upon on this property. Owing to the juxtaposition of the new dwellings and the separation distances it is not considered that there would be an unacceptable relationship between the remaining buildings at Warren Farm in terms of amenity.

Access to the site will continue from the southern end of Warren Close and Plots 1 & 2 and 13 & 14 will continue the line of existing built form into the site with properties facing the highway, albeit at a slight angle for those dwellings along the north western edge of the access road. Plots 1 & 2 will be set further forward than 22 & 24 Warren Close. Owing to the change in angle that occurs with Nos. 22 & 24 and the curvature of the new road and the distance between the side elevation of Plot 1 and the front facing windows of 24 Warren Close at an oblique angle, together with the turning head, footpath R147 and the external parking area which serves 24 Warren Close, no adverse impact on the residential amenity currently experienced by the occupants of both 24 & 29 Warren Close would occur or of the other properties adjacent to the site.

The layout between all the new build residential units is judged to be acceptable and will help create a well-designed development with distinctive character that is not considered to be at odds with the surrounding residential area, particularly Warren Close.

The relationship between the site for residential purposes and the potential erection of new industrial buildings on Site C was given some consideration when the previous outline applications to redevelop Site C were considered. Concerns were previously raised at the potential impact of a solid wall of an industrial building at over 12 metres high running parallel to the boundary of the north-eastern edge of Site C on the amenity of the Warren Field site. The closest point the Core Development Zone to the side elevation of Plot 12 would be is approximately 32 metres, however, the property does run in parallel to the application site boundary with Site C so does not directly face it. Therefore, it is considered that the position of Plot 12 in particular in relation to any future industrial buildings on Site C would not be overshadowed or experience an overbearing impact from such buildings.

It is acknowledged that surrounding residents could be subject to noise disturbance during construction works, including associated deliveries. However, the Environment & Public Realm Section are content for such a matter to be addressed by planning condition via a Construction Method/Management Statement, including hours of work, dust and mud/debris on the road.

A noise assessment was submitted with the application which was subsequently updated via an addendum to incorporate a further analysis of the latest plans that had been approved for the industrial development on Site C of the Former Peugeot Works, including a new access road linking Site B to Site C to the north west of the application site beyond the primary school.

The initial noise assessment noted that the final layout of the industrial units, including service yard locations, as well as the external/internal noise levels were unknown on Site C. Reference was drawn from the noise reports prepared by the applicant's consultations for the redevelopment of Site C for employment

purposes. These are based on a worst case scenario which accepted that the provision of an acoustic fence could not necessarily adequately mitigate for this increase in noise level so they concluded that the final form of development at the reserved matters stage should ensure that service yards are not located to the north-east of the proposed buildings. One of the earlier reports in connection with the redevelopment of Site C for industrial purposes indicated the provision of a 3-4 metre high acoustic fence, however, this was partly amended by the changes to the access link road between Sites B & C which recommended a section of the acoustic fencing being 4 metres high installed to screen any service yard from off-site receptors [dwellings] that are less than 115 metres away or to screen car parks which are less than 40 metres away.

It was previously accepted when assessing the proposals for the redevelopment of Site C that the location and height of acoustic treatments, including bunding will be dependent on the final layout considered at the reserved matters stage, but these final details could be addressed by condition on the outline application which the Council's Environment & Public Realm Section accepted and was subsequently imposed.

The noise addendum submitted with the housing scheme makes reference to the above but also recommends enhanced acoustic glazing to be provided to plots 7-12, 19-22 & 28-29 to increase sound attenuation measures as well as mechanical ventilation to the whole dwellings.

Subject to the provision of standard 1.8 metre high close-boarded fencing to the rear gardens the external amenity areas of the proposed dwellings are considered to be given sufficient protection from the industrial access road linking Sites B & C as well as adequate privacy and security.

A site investigation/contaminated report has been prepared and submitted with the proposal. This generally encountered topsoil overlying subsoil with localised made ground with sand and gravel below. Made ground deposits can be removed from site to reduce the risk to water receptors and that gas protective measures are not required. The Council's Environment & Public Realm Team are content with the report's findings and subject to validation reporting of the removal of made ground soils raise no objection subject to conditions.

Therefore the proposal would accord with policy CS16 and the NPPF.

#### Sustainable Design & Construction (inc Flood Risk & Drainage):

Core Strategy policies CS16 and CS17 refer to sustainable design and reducing carbon emissions. The Sustainable Design & Construction Supplementary Planning Document, 2012 states that the Council believes major development proposals provide a valuable opportunity to maximise the potential for reducing carbon emissions through improved energy efficiency in both construction and design.

Policy CS16 states that sustainable drainage systems (SUDS) should be used and development should meet specified water conservation levels. Opportunities for utilising SUDS are also referred to in saved Policy GP2. Concerns were originally raised by the Lead Local Flood Authority at Warwickshire County Council regarding drainage and flooding details, particularly in connection with discharge rates, SUDS measures and storm attenuation allowances. The Flood Risk Assessment and Drainage Strategy Addendum sought to address these matters particularly with regards to SUDS techniques and water attenuation measures to achieve a required storage level appropriate for a 1 in 100 year storm event plus 40% allowance for climate change.

Based on the submission of the additional technical information the Lead Local Flood Authority confirmed that they raised no objection subject to conditions securing the mitigation measures detailed in the submitted addendum. Regards to foul drainage Severn Trent Water has raised no objection to the proposed scheme, subject to conditions and informatives. The proposal is therefore considered to accord with the NPPF.

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that as a minimum all new development of 10 dwellings or more shall include equipment to reduce carbon dioxide emissions by at least 10%. Whilst the Deregulation Act 2015 removes the requirement for the Code of Sustainable Homes in planning consents, the requirement for development to comply with Building Regulations relevant at the time of construction and for decentralised and renewable or low carbon energy equipment to be incorporated to reduce predicted carbon dioxide emissions remains in place by virtue of policy CS17. This policy assists the Local Planning Authority in promoting sustainable

design and construction of such buildings. The applicant's agent has confirmed that they are willing for such a requirement to be addressed by condition.

#### Ecology:

The site or land adjacent to it does not form part of any statutory nature conservation designations, however it does form part of The Dell Ecosite and is identified as a potential wildlife site. The submitted Ecological Appraisal supported by a Phase 1 habitat survey considered the site was only dominated by habitats of low to negligible ecological value and that new habitat creation could provide a net biodiversity gain with new linear hedgerows, trees, wildflower grassland, hedgehog nest dome, bat and bird boxes. These habitats do support several protected species and it is acknowledged that the translocation of great crested newts may be required and then released to the south east of the site, which would also require a licence from Natural England. This would then minimise the risk of harm to protected species and maintain the conservation status of local populations. Overall this document concludes that the development is unlikely to significantly harm biodiversity.

Following the submission of the Ecological Appraisal a Local Wildlife Site (LWS) Assessment and Updated Site Walkover Survey was undertaken. This accepts the development would result in the loss of a small portion of The Dell Ecosite (<8%) and considers that the Dell Ecosite when taken as a whole is likely to qualify as Local Wildlife Site but acknowledges that there are bigger and better examples of habitats nearby, eg Brandon Marsh. This subsequent assessment considers the Dell Ecosite not to be of potentially high value locally and is not necessarily a particular priority for selection as a LWS. It also concludes that the small loss of The Dell Ecosite is of negligible ecological significance and can be mitigated for whilst retaining the overall integrity and function of it.

A Biodiversity Impact Assessment has also been prepared to enable a more detailed evaluation of the estimated net loss in biodiversity and provide a financial cost of biodiversity off-setting if the site was developed. This assessment advises that the intended landscape proposals would ensure that the overall connectivity of the site and The Dell Ecosite would be maintained. However, it does accept that the removal of predominately grassland, scattered trees, and dense and scattered scrub and the associated habitats cannot be fully compensated for on-site so this would result in a loss of biodiversity and a financial contribution would be required if the development was permitted.

Warwickshire County Council (WCC) Ecology Unit has confirmed that the site is not a Local Wildlife Site but based on the recent survey work is highly likely to qualify as one. They have advised that Local Wildlife Sites are of county importance to biodiversity and that the proposals will have a direct impact through the destruction of this potential Local Wildlife Site and separate the connectivity between the rest of the site and the proposed landscaping does very little in terms of connectivity. WCC Ecology Unit has advised that the scheme is revised to incorporate a 15 metre wide buffer along the southern edge of the site to be a dedicated wildlife corridor to mitigate for the severance of the potential Local Wildlife Site.

Warwickshire Wildlife Trust (WWT) supports the views of WCC Ecology and considers the development would destroy part of a Local Wildlife Site and sever the remaining parts so that the impacts are wider than the site alone which will have a significant impact on biodiversity. They consider there has been no attempt to avoid the impact, the limited proposed mitigation does not mitigate against the adverse impact and no compensation for the loss of biodiversity is proposed. WWT also specifically mention that the type of grassland on site is now uncommon in Warwickshire. Overall WWT considers the despite the need for affordable housing the proposal does not meet the definition of sustainable development in terms of biodiversity and should be refused.

Saved Policy E6 does not prevent the development of sites which are of ecological importance. This policy states that where the loss of habitat is unavoidable, adequate mitigation measures should be undertaken and only where this is not possible, adequate compensation measures should be implemented. The site forms part of the Strategic Green Infrastructure Network as it lies within the Princethorpe Biodiversity Opportunity Area and Policy CS14 seeks to protect, restore and enhance existing green infrastructure assets and acknowledges that Local Sites are vital to retaining the green infrastructure network.

Para 118 of the NPPF states local planning authorities when determining applications should aim to conserve and enhance biodiversity and if significant harm results from a development which cannot be avoided compensation can be used as a last resort.

On the basis of the ecological planning policies governing this aspect of the proposal and the planning policy history of the site, together with a scheme for 100% affordable housing, it is considered that on balance an exceptional case can be made for bio-diversity offsetting. The most appropriate way to secure this off-site provision is via a financial contribution which would be negotiated through a Section 106 legal agreement.

Some weight against the proposals is apportioned because of the loss of biodiversity that would ultimately occur and that adequate measures cannot be compensated for on site. However, The Dell Ecosite is only a potential Local Wildlife Site and if protected species can be safeguarded through translocation and a financial contribution secured as part of a bio-diversity offsetting scheme the weight attached against the proposal on ecological grounds would be reduced.

Nevertheless, the advice from WCC Ecology Unit and Warwickshire Wildlife Trust is that the scheme should be refused because of the impact on the potential Local Wildlife Site / The Dell Ecosite and that it would not accord with saved policy E6 and the NPPF.

#### Trees & Landscaping:

An arboricultural report identifies the removal of low quality boundary tree cover, which is predominately self-set scrub of an early to semi mature nature and considered to be Category C (trees of low quality with less than 10 years life expectancy or young trees) with poor or indifferent structural conditions and only an average physiological condition. The report states that the proposed development will not require the loss of any trees that are considered to make an important contribution, in terms of amenity, to the site and the surrounding area. New landscaping is proposed across the site with a new nature hedge around the periphery interspersed with trees with the access road into the site being flanked by trees. 58 trees will be planted including a mix of birch, beech, maple, lime, alder, cherry, hornbeam and rowan trees.

The Council's Arboricultural Officer accepts that the existing tree/landscaping features on site are insignificant in the wider context of the local area in terms of public amenity value but that they do provide a degree of biodiversity and screening value. They have confirmed that the mitigation tree and hedge planting which has been provided on the site contained within the submitted plans is acceptable.

#### Archaeology:

The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, should be submitted. Historic England guidance notes that some sites may only hold a heritage asset with an archaeological interest but in such cases nothing substantial may be known about the site although there may be a credible expectation that investigation may yield something of strong enough interest to justify some level of protection.

Warwickshire County Council (WCC) Archaeology initially identified that the site is within an area of significant archaeological potential. They advised that prehistoric activity has been recorded in the surrounding area including that from Bronze Age & Iron Age settlements and on this basis there is the potential for archaeological deposits from prehistoric periods and later surviving across the site.

A written scheme of investigation for a programme of archaeological trial trenching was prepared and subsequently undertaken. Apart from possible remnants of ridge and furrow cultivation no archaeological features or deposits were identified and therefore based on these results WCC Archaeology do not consider any further archaeological work on site is required.

Heritage assets that comprise only buried remains may not be readily appreciated by a casual observer, they nonetheless retain a presence in the landscape and like other heritage assets have a setting. However, in the light of the above findings it is considered there is no harm to any heritage assets resulting from the development of the site.

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

#### Open Space:

Saved policy H12 refers to the provision of open space in residential developments in rural areas and how the Local Planning Authority would expect that new housing development would provide sufficient

recreational space and facilities to meet the needs of prospective residents. Based on the limited size of the overall development it is anticipated that this would be provided by way of an off-site contribution if it could be demonstrated that it was directly related to the development, necessary, and fair and reasonable in scale and kind to the development.

Saved policy LR1 refers to the Council's Open Space Standards which together with the Planning Obligations SPD assists in identifying potential deficits in the provision of open space for the area. Following discussions with the Council's Parks & Open Space Section, it was judged that was an identifiable and justifiable need for improvements and additions to the provision for children and young people open space within Ryton on Dunsmore village at Ryton Recreational Ground off Fetherston Crescent. However, based on the site lying within a rural village this was a matter for the Parish.

Without prejudice to the concerns raised by the Parish Council regarding the development, they identified current and future projects the money could go towards which included upgrading the existing children's play area and the provision of new multi play and outdoor fitness equipment. This is considered reasonable and would accord with the principles of saved policies LR1 & H12 and the NPPF.

#### Other Planning Obligations:

Policy CS10 explains that where it is necessary to mitigate against the impact of a development proposal planning permission will only be granted when a legal agreement or planning obligation is entered into with the Council. It states that in the first instance infrastructure contributions will be sought 'on-site;' however, where this is not possible an 'off-site' contribution will be negotiated. In all cases any contribution sought must be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonable in scale and kind to the development.

In addition to off-site financial contributions sought by WCC Ecology and the Parish Council in terms of open space equipment detailed above, the University Hospitals Coventry & Warwickshire National Health Service Trust has requested a financial contribution to enable services to be provided to meet the needs of the potential occupants of the new development. A formulaic approach is used based on accident & emergency attendances, admissions, outpatient appointments and diagnostic imaging and the average emergency admission activity. Robust evidence has been provided to demonstrate the need for this additional level of health care services and this approach has been agreed by the Local Planning Authority to be necessary to make the development acceptable, directly related to it, and fair and reasonable in scale and kind to the development.

However, the request for this contribution to be paid in full prior to the implementation of the development is considered unreasonable as those in need of the health care provision brought about by the development would not have moved into their homes and this would place an unnecessary burden on the developer at a critical financial stage of development.

Warwickshire County Council Infrastructure Team has advised that they would not be seeking a contribution towards education and learning; however, they have requested a contribution towards libraries. Nevertheless, the details provided to support the library contribution request were very generic and failed to specify what improvements, enhancements or additions were required and what stock, additional seating and improved facilities the monies related to. In addition, the figures provided assumed all properties were 3-bed when the plans clearly show they are not. Additional information and clarification has been sought but these details have not been forthcoming and therefore the Local Planning Authority cannot support this request at this stage.

Warwickshire County Council Rights of Way Team has also requested a financial contribution towards improvements to the local rights of way network within 1.5 miles of the application site. This request is also very generic and fails to identify which stiles, gates and paths need improving/installing and what works would actually be required as everything is solely based on estimates and averages. This information is particularly crucial as monies were previously secured for specific footpath improvements in the locality as part of the redevelopment of the Former Peugeot Works site. Additional information and clarification has been sought but these details have not been forthcoming and therefore the Local Planning Authority cannot support this request at this stage.

Both Warwickshire County Council Infrastructure Team and Warwickshire County Council as Highway Authority have requested Sustainable Welcome Packs. The justification for such packs has been considered by the Local Planning Authority to be acceptable.

Viability:

Para 173 of the NPPF states that pursuing sustainable development requires careful attention to viability and costs in decision taking. It considers that sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. NPPF expects that when taking account of the normal cost of development and mitigation the willing landowner and developer should receive a competitive return to enable the development to be deliverable.

The contributions detailed above are sought in order to make the development acceptable in planning terms, however Policy CS10 of the Rugby Borough Council Core Strategy 2011 focuses on the provision of developer contributions that will be related to the form and scale of the development but that the financial viability of the development will also be a consideration. This is supported by Section 3 of the Rugby Borough Council Planning Obligations Supplementary Planning Document (SPD), March 2012 in terms of financial viability and that it is not solely related to affordable housing provision.

Therefore, whilst the financial contributions are judged to be justified if it can then be proven to overburden and threaten the deliverability of the scheme via a robust viability assessment then the Local Planning Authority considers that its existing policies, in conjunction with the NPPF, enable it to review those contributions sought and if verified a scheme could go ahead without making those payments.

The applicant's agent does not dispute the principle of the financial contributions being sought but has advised that due to the 100% affordable nature of the scheme it cannot make a competitive return and thus the financial contributions required cannot be made. It was raised with the applicant's agent that if a mix of market and affordable housing was provided on site then that may make the scheme more viable. However, it is understood that as the development is being partly funded by the Homes & Communities Agency to provide more affordable housing in the Borough the funds are only available if the scheme delivers 100% affordable housing. A viability assessment has been prepared on behalf of the applicant which the author considers that after robust viability testing using assumptions appropriate to each component for the scheme and that are in line with current market norms, the proposed development cannot afford to make any financial contributions the Council may seek.

The findings and conclusions of this viability assessment have been independently assessed on behalf of the Council. The Council's independent assessor has confirmed that the values used within the submitted viability appraisal are in the form of a formal valuation and that in conjunction with additional information in relation to shared ownership sale assumptions and other assumptions and inputs made they are on the whole acceptable. They have then stated that in their view the assessment and associated assumptions and evidence supporting the submitted request to waive the planning obligations requirements is a reasonable representation of the financial health of the scheme in this case. Thus to provide the financial contributions sought would unduly threaten the viability of the scheme.

Planning Balance & Weight & Sustainable Development:

The NPPF outlines three dimensions to sustainable development, economic, social and environmental and that the purpose of the planning system is to contribute to the achievement of sustainable development.

In undertaking the planning balance significant weight is given to the planning policy history of the site which has established various principles particularly in relation to developing the site for residential purposes. The development will increase the supply of affordable housing which has failed to be delivered at the anticipated rates over the last four years in the Borough and this carries substantial weight in favour of the proposal. Notwithstanding the findings of the viability assessment, the 100% supply of affordable housing alone is of considerable importance in supporting the local community in terms of a social role, particularly in the light of the above and the identified housing need contained within the Ryton on Dunsmore Village Plan.

The development would contribute towards economic growth during the construction phase, in terms of employment and potentially an increase in local spending. It would also deliver new homes bonus and an increase in Council Tax revenue. In the longer term the additional population would be likely to increase

local spending power in the village and local area. Therefore, the proposal would contribute to the economic role of sustainable development.

The site lies within a Main Rural Settlement which in policy terms is considered to play a role, albeit minimal, in helping to deliver strategic growth targets for the Borough. Ryton on Dunsmore village does have a range of services including a primary school, public houses, village hall, church, Chinese takeaway, Co-operative food store and Connexion sports centre, so is judged to have sufficient services or access to services to support further development within the village boundaries. Therefore, the site is considered to be in a sustainable location and access to these services would not have to be solely by the private car and weighs in favour of the scheme in environmental terms. The partial loss of The Dell Ecosite and the impact on biodiversity does weigh against the proposal in environmental terms but as detailed above this loss has to be considered against other benefits the scheme would bring.

The inability to provide any of the financial contributions sought in connection with ecology, health, play & open space and transport potentially weighs against the proposal but it has been robustly demonstrated and subsequently independently analysed that such contributions would threaten the viability of the scheme and place an unnecessary burden on the applicant/developer.

The collective weight that the identified benefits would bring means on balance the proposal would represent sustainable development in terms of the NPPF and in the light of this, the principle of the additional affordable residential development proposed is considered to be acceptable in this particular instance and would accord with the Development Plan and the NPPF.

### **Recommendation**

As there would be no financial contributions requiring a Section 106 legal agreement, the recommendation is for approval, subject to conditions and informatives.

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R14/0011

#### **DATE VALID**

06/04/2017

#### **ADDRESS OF DEVELOPMENT**

WARREN FIELD  
WARREN CLOSE  
RYTON-ON-DUNSMORE  
COVENTRY  
CV8 3JZ

#### **APPLICANT/AGENT**

Simon Atha  
Cerdea Planning  
Vesey House  
5-7 High Street  
Sutton Coldfield  
Birmingham  
B72 1XH  
On behalf of Orbit Homes (2020) Limited

#### **APPLICATION DESCRIPTION**

Erection of 29 affordable dwellings with access, landscaping and associated works.

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

#### **CONDITION 1:**

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

#### **REASON:**

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

**CONDITION 2:**

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

Biodiversity Impact Assessment & Response to Ecology Comments dated 21st September 2017 by Aspect Ecology received by the Local Planning Authority on 21st September 2017;

Black & White - Proposed Site Plan ref A(0)102 Rev 7 (excluding southern boundary treatment to Plot 12) received by the Local Planning Authority on 19th September 2017;

Addendum to Environmental Sound Report ref 1011320-RPT-AS-002 Rev A dated 12th July 2017 by Cundall received by the Local Planning Authority on 10th August 2017;

Plots 1 & 2 - Proposed Plans & Elevations ref B140040 104 Rev 2 & Plots 11 & 12 - Proposed Plans & Elevations ref B140040 109 Rev 3 both received by the Local Planning Authority on 10th August 2017 (excluding reference of the external materials legend for bricks & tiles);

Proposed Street Scenes Sheet 1 of 2 plan ref B140040 A(0)117 rev 3 & Proposed Street Scenes Sheet 2 of 2 plan ref B140040 A(0)118 rev 3 received by the Local Planning Authority on 10th August 2017;

The Dell Eco Site - Local Wildlife Site Assessment & Update Site Walkover (4790) dated 13th July 2017 by Aspect Ecology received by the Local Planning Authority on 18th July 2017;

Report on Archaeological Trial Trenching ref 081/2017 dated 22nd May 2017 by Trent & Peak Archaeology received by the Local Planning Authority on 19th June 2017;

Indicative Drainage Strategy plan ref 100 Rev A03 & the Micro Drainage Cascade Results dated 8th February 2017 & 12th July 2016 all received by the Local Planning Authority on 23rd May 2017;

Written Scheme of Investigation for Archaeological Trial Trench Evaluation ref CER001/0787H/01 dated May 2017 by Lanpro Services Limited received by the Local Planning Authority on 15th May 2017;

Flood Risk Assessment & Drainage Strategy Addendum Technical Note ref CIV11597 dated 4th May 2017 by Waterman received by the Local Planning Authority on 10th May 2017;

Stage 1 Road Safety Audit rev 2 dated March 2017 by Waterman Aspen received by the Local Planning Authority on 10th April 2017;

Transport Statement Issue 2 ref 11597-100-R-1-2-3-Transport Statement dated February 2017 by Waterman;

Ground Investigation Report ref STN3621D-G01 dated March 2017 by Soiltechnics;

Location Plan ref B140040 - A100 Rev 1;

Existing Site Plan ref B140040 A101 Rev 1;

Plots 3-4 - Proposed Plans & Elevations ref B140040 105 Rev 1;

Plots 5 & 6 - Proposed Plans & Elevations ref B140040 106 Rev 1;

Plots 7 & 8 - Proposed Plans & Elevations ref B140040 107 Rev 1;

Plots 9 & 10 - Proposed Plans & Elevations ref B140040 108 Rev 1;

Plots 13 & 14 - Proposed Plans & Elevations ref B140040 110 Rev 2;

Plots 15 & 16 - Proposed Plans & Elevations ref B140040 111 Rev 1;

Plots 17 & 18 - Proposed Plans & Elevations ref B140040 112 Rev 1;

Plots 19 & 20 - Proposed Plans & Elevations ref B140040 113 Rev 1;

Plots 21-22 - Proposed Plans & Elevations ref B140040 114 Rev 1;

Plots 23-25 - Proposed Plans & Elevations ref B140040 115 Rev 1;

Plots 26-29 Floor Plans & Elevations ref B140040 116 Rev 1;

Environmental Sound Report ref 1011320-RPT-AS-001 Rev D dated 3rd March 2017 by Cundall;

Landscape Masterplan ref 6165/LM/ASP01 & Hard Surface Plan ref 6165/ASP3.0 (excluding the southern boundary of Plot 12);

Planting Plan 1 of 4 ref 6165/ASP2.1;

Planting Plan 2 of 4 ref 6165/ASP2.2;

Planting Plan 3 of 4 ref 6165/ASP2.3 (excluding the southern boundary of Plot 12);

Planting Plan 4 of 4 ref 6165/ASP2.4;  
Flood Risk and Drainage Assessment Issue 2 dated 8th February 2017 ref WIE11597-WIE-100-R-1-2-1  
FRA Ryton by Waterman;  
Ecological Appraisal ECO-4790 dated 23rd February 2017 by Aspect Ecology;  
Design & Access Statement ref B140040 Issue 01 dated 6th February 2017; &  
Arboricultural Impact Assessment ref 9291\_AIA.001 dated February 2017 by Aspect Arboriculture;  
all of the above received by the Local Planning Authority on 6th April 2017;

**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 of 29 affordable dwellings shall be provided in accordance with the approved scheme as detailed in Condition 2 above and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework 2012. Unless otherwise agreed in writing with the Local Planning Authority the scheme shall provide for 29 units of affordable housing, including 12 for rent and 17 for intermediate housing (including shared ownership). Prior to the occupation of the first dwelling details of the affordable housing scheme shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (i) which plots will be for rent and which plots will be for intermediate housing;
- (ii) proportion of shared ownership (intermediate housing) initially available for purchase by the occupant/s;
- (iii) the arrangements to ensure affordability for the initial and subsequent occupiers in perpetuity;
- (iv) the occupancy criteria, including persons with local housing connection & local need, and the means by which such criteria are to be enforced; &
- (v) if applicable, the proposed arrangements for the transfer of any element of the affordable housing to a separate affordable housing provider.

**REASON:**

The acceptability of the scheme is based on the provision of 100% affordable housing and to ensure this level of provision is retained in the future.

**CONDITION 4:**

No above ground level development shall commence unless and until full details of the colour, finish and texture of all new external facing bricks and roof tiles, together with samples of those facing bricks and roof tiles, as well as window and door reveal depths, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

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

**CONDITION 5:**

Unless otherwise agreed in writing with the Local Planning Authority, the landscaping scheme, as detailed on the approved plans in Condition 2 above, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

**REASON:**

To ensure the proper development of the site and in the interest of visual amenity to maintain and enhance continuity of tree/hedge/shrub cover within the site.

**CONDITION 6:**

Prior to the first occupation of Plot 12 details of the southern boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and retained in perpetuity.

**REASON:**

In the interests of visual and residential amenity.

**CONDITION 7:**

Unless otherwise agreed in writing with the Local Planning Authority, in addition to Condition 6 above, and notwithstanding the submitted plans, no development above ground level shall commence unless and until details of all proposed walls, fences, railings and gates, including those to individual plots as well as to the overall site, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the boundary treatments associated with that dwelling have been installed, The overall site boundary treatments to the southern boundary shall be installed prior to the occupation of Plots 11, 12, 19-22 whilst the overall western boundary treatments shall be installed prior to the occupation of Plots 23-29. All other overall site boundary treatments shall be installed prior to the occupation of 75% of the dwellings on site and all boundary treatments shall remain in perpetuity.

**REASON:**

In the interest of visual and residential amenities.

**CONDITION 8:**

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

**REASON:**

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

**CONDITION 9:**

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

**REASON:**

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

**CONDITION 10:**

In addition to the glazing and ventilation details as stipulated in the Environmental Sound Report/Noise Assessment and Addendum as approved by Condition 2 above, full technical details of both the glazing and ventilation measures, including any appropriate attenuation measures for any closed sealed units, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the approved details prior to the first occupation of that dwelling and shall be retained in perpetuity.

**REASON:**

To safeguard the residential amenity of the occupants.

**CONDITION 11:**

Prior to the occupation of Plots 26-29 full details of the siting, design and materials of cycle storage facilities to serve those plots shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall then be implemented in accordance with those approved details before the first occupation of the building which serves Plots 26-29.

**REASON:**

In order to promote the provision of sustainable modes of transport.

**CONDITION 12:**

Before development commences, details of a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be subsequently be implemented in accordance with the approved details before the development is completed.

**REASON:**

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

**CONDITION 13:**

No development shall commence unless and until a Construction Method Statement / Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details relating to:

- (i) The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- (ii) The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;
- (iii) Measures to prevent deleterious material being carried onto the highway network;
- (iv) Heavy Goods Vehicle construction routing plan;
- (v) Hours of construction and deliveries; and
- (vi) Environment & Species Protection Plan;

Development shall not be carried out other than in accordance with the approved method statement/environmental management plan.

**REASON**

In the interests of the amenities of the area.

**CONDITION 14:**

In addition to the approved landscape plans detailed above and before development commences, including any site clearance, a combined landscape and ecological management plan to secure the long-term management of the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (excluding private domestic gardens associated with the dwelling) and the approved plan shall be subsequently be implemented in accordance with the approved details.

**REASON:**

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

**CONDITION 15:**

No development shall commence, including site clearance works, until a reptile and great crested newt mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. This shall include a schedule of works and timings, details of protected species licences if needed and specific mitigation methods as well as details of who is responsible for the long term management of the ecological enhancements on site. Such mitigation measures shall thereafter be implemented in full.

**REASON:**

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

**CONDITION 16:**

Prior to any above ground works/development a validation report for the localised ground deposits encountered at TP05 & TP06 in the north east corner of the site as identified in the Ground Investigation Report referred to in Condition 2 above shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures identified within that report shall be implemented in accordance with the approved details prior to the first occupation of any dwelling on site.

**REASON:**

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### CONDITION 17:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is submitted to and approved in writing by the Local Planning Authority.

#### REASON:

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### CONDITION 18:

No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to any soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

#### REASON:

To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

#### 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:

In accordance with Condition 12 above, the surface water drainage scheme should include:

- 1) 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.
- 2) 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 the Qbar Greenfield runoff rate of 5 l/s for the site.
- 3) Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 and provide a minimum of two trains of treatment for surface water. Evidence should be provided to demonstrate why SuDs cannot be used on the proposed development.
- 4) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- 5) 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.
- 6) Provide an overland/exceedance flow routing plan to demonstrate any overland/exceedance flows are directed away from buildings. Details of the depths and locations of flooding outside of manholes should also be provided to the Lead Local Flood Authority where the depths may be unsafe Hazard mapping may be required to ensure the development remains safe to users of the site.
- 7) Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network.
- 8) Provide a maintenance plan to the Local Planning Authority 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 Local Planning Authority.

#### INFORMATIVE 2:

The applicant/developer is advised that Warwickshire County Council as the Lead Local Flood Authority does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

#### INFORMATIVE 3:

The applicant/developer's attention is drawn to the comments of Severn Trent Water below:

(1) Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to Severn Trent Water under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our New Connections Team (Tel: 0800 707 6600); &

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

#### INFORMATIVE 4:

The applicant/developer's attention is drawn to the comments of Warwickshire Police below:

1) Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self closing spring, and a snap shut lock, that needs a key to release;

2) All perimeter fencing should be 1.8 metre high close boarded fencing however where it backs onto open space it should be topped with 0.2 trellis, so the overall height is 2 metres in height;

3) Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-1:2013;

4) Fencing or similar be considered along the open space areas, this will refrain vehicles driving onto the open space causing anti social behaviour or injuring someone who is using the space for play; &

5) Building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for use in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

#### INFORMATIVE 5:

With regard to the details to be submitted in accordance with Condition 6 for Plot 12 above, the technical specification of the boundary treatments shall comply with the acoustic mitigation measures outlined in the Addendum to Environmental Sound Report (Noise Assessment) detailed in Condition 2 above.

**INFORMATIVE 6:**

The applicant/developer's attention is drawn to the Site Waste Management Plans Regulations 2008 which may be applicable. Further information can be obtained from the Council's Environment & Public Realm Team on 01788 533857.

**INFORMATIVE 7:**

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

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

**INFORMATIVE 8:**

In view of the nearby hedgehog records and suitable habitat, care should be taken to protect and enhance the habitat for this species. Caution is needed when clearing the ground prior to development, particularly piles of deadwood or leaves and areas of long grass or dense vegetation. If a hedgehog is found, work should stop until a suitably qualified ecologist is contacted. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters and by ensuring small (CD sized) holes are put into fence panels to allow movement through gardens.

**INFORMATIVE 9:**

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be found on-line at [rugby.gov.uk](http://rugby.gov.uk)

Alternatively, you can contact the Street Naming and Numbering Team for an application form at: [servicedesk@rugby.gov.uk](mailto:servicedesk@rugby.gov.uk) or by ringing 01788 533456.

**INFORMATIVE 10:**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**INFORMATIVE 11:**

The applicant/developer is advised that public right of way R147 to the north west of the site adjacent to the southern end of Warren Close shall remain open and unobstructed at all times. Should the applicant/developer need to discuss this matter further then they are advised to contact the Warwickshire County Council Rights of Way Team on 01926 412004 / [paths@warwickshire.gov.uk](mailto:paths@warwickshire.gov.uk)

***AGENDA MANAGEMENT SHEET***

<b>Report Title:</b>	Delegated Decisions – 12 <sup>th</sup> October 2017 to 1 <sup>st</sup> November 2017
<b>Name of Committee:</b>	Planning Committee
<b>Date:</b>	29th November 2017
<b>Report Director:</b>	Head of Growth and Investment
<b>Portfolio:</b>	
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	None
<b>Contact Officer:</b>	Dan McGahey 3774
<b>Public or Private:</b>	Public
<b>Report subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	No
<b>Corporate Priorities:</b>	
<b>Statutory / Policy Background:</b>	Planning and Local Government Legislation
<b>Summary:</b>	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
<b>Financial Implications:</b>	There are no financial implications for this report
<b>Risk Management Implications:</b>	There are no risk management implications for this report
<b>Environmental Implications:</b>	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 - 29th November 2017**

**Delegated Decisions – 12<sup>th</sup> October 2017 to 1<sup>st</sup> November 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 Appendix attached.

Name of Meeting:  
Planning Committee

Date of Meeting:  
29th November 2017

Subject Matter:  
Delegated Decisions – 12<sup>th</sup> October 2017 to 1<sup>st</sup> November 2017

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.

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 12.10.2017 TO 01.11.2017

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R17/1565 Advertisement Refusal 12.10.2017</i>	Continental Tyres Unit 5 Castle Mound Way Rugby CV23 0WB	Advertisement consent for 2 internally illuminated signs
<b>Applications Approved</b>		
<i>R17/1585 Approved 12.10.2017</i>	40 Naseby Road Rugby CV22 5NH	Erection of first floor rear extension
<i>R17/1661 Approved 12.10.2017</i>	14 School Street Church Lawford Rugby CV23 9EE	Erection of a rear dormer window
<i>R17/1228 Approved 12.10.2017</i>	46 Broad Street Brinklow Rugby CV23 0LN	Conversion of existing outbuilding and extension to form a single dwelling and the addition of a gazebo structure within the curtilage of the existing dwelling.
<i>R17/1442 Approved 12.10.2017</i>	135 Main Street Thurlaston Rugby CV23 9JS	Replacement of the metal clad roof with a slate roof
<i>R17/1616 Approved 12.10.2017</i>	Timberlea Cord Lane Easenhall CV23 0HZ	Proposed refurbishment and external alterations of existing dwelling including rendering existing brickwork to front and side and replacing existing windows
<i>R17/1627 Approved 13.10.2017</i>	Temple Reading Rooms Barby Road Rugby CV22 5DW	The proposed demolition of: a later addition three storey side extension; to include minor alterations to block any external openings; and the change of use of a C3 residential dwelling to an administrative office.

<i>R17/1315 Approved 16.10.2017</i>	Stonemarket Oxford Road Ryton on Dunsmore CV8 3EJ	S73 Application to Amend Approved Plans under R15/1156 to allow the erection of a third storage silo and minor changes to the layout and configuration of ancillary structures (recycled water pits and waste bays)
<i>R17/1669 Approved 16.10.2017</i>	51 Sidney Road Rugby CV22 5LB	Erection of a single storey rear extension, raising of the ridge and installation of a rear dormer.
<i>R17/1684 Approved 17.10.2017</i>	10 Chapel Lane Barnacle Shilton CV7 9LF	Erection of a single storey side and rear extension.
<i>R17/1690 Approved 17.10.2017</i>	21 Ravenglass Brownsover Rugby CV21 1PT	Erection of a single storey side and rear extension.
<i>R17/0701 Approved 17.10.2017</i>	19 Hillary Road Rugby CV22 6EU	Erection of proposed two storey side and single storey rear extension
<i>R16/0163 Approved 17.10.2017</i>	Top House Farm Broadwell Road Grandborough Rugby CV23 8BA	Repair and alteration of an existing Listed Building to include demolition of an existing conservatory and outbuilding and the erection of a two storey rear extension and a single storey side extension.
<i>R17/1527 Approved 17.10.2017</i>	15 Colledge Close Brinklow Rugby CV23 0NT	Erection of a single storey rear extension.
<i>R16/1910 Approved 18.10.2017</i>	Land adj Cawston House Lime Tree Village Polo Field Off Thurlaston Drive Cawston Lane Cawston Dunchurch CV22 7SE	Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)
<i>R17/1693 Approved 19.10.2017</i>	Oakside Station Road Brandon Rugby CV8 3HR	Erection of a single storey rear extension (amendments to planning permission reference R16/2376, dated 14 December 2016).

<i>R17/1644 Approved 19.10.2017</i>	28 Sywell Leys Rugby CV22 5SD	Erection of proposed wooden fence
<i>R17/1671 Approved 20.10.2017</i>	17 Dreyer Close New Bilton Rugby CV22 7SX	Erection of a two storey side and single storey rear extension.
<i>R17/0568 Approved 20.10.2017</i>	Unit 36 Northway Clock Towers Shopping Centre Rugby CV21 2JS	Change of use from Class A1 (retail) of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a Sui Generis use (beauty and aesthetics).
<i>R17/1688 Approved 20.10.2017</i>	5 Churchill Road Rugby CV22 6BT	Erection of a single storey rear extension, a first floor side extension, an extension to existing dormer and a new slate roof.
<i>R17/1678 Approved 23.10.2017</i>	36 Hillary Road Rugby CV22 6ET	Erection of single storey rear and side extension
<i>R17/1329 Approved 23.10.2017</i>	1 Edgecote Close Rugby CV21 4JU	Erection of first floor side extension and extension to existing garage incorporating pitched roof
<i>R17/1072 Approved 23.10.2017</i>	8 Lawford Lane Bilton Rugby CV22 7JP	Erection of three detached dwellings (Amendment to previously approved application R17/0114, change of house type to Plot 1)
<i>R17/0728 Approved 23.10.2017</i>	Flecknoe House Farm Sawbridge Road Wolfhampcote CV23 8AZ	Erection of new garage
<i>R17/1653 Approved 24.10.2017</i>	9 Main Street Clifton Upon Dunsmore Rugby CV23 0BH	Erection of a detached dwelling and associated works - (resubmission of an extant permission approved 14th November 2014 under ref no. R12/0108 for the erection of a detached dwelling and associated works to now include a third bedroom.)
<i>R17/1705 Approved 24.10.2017</i>	DFS Furniture Company LTD Elliot's Field Shopping	Erection of a new palisade plant enclosure and associated plant.

	Park Leicester Road Rugby CV21 1SR	
<i>R17/1594 Approved 24.10.2017</i>	The Axe and Compass Lutterworth Road Wolvey Hinckley LE10 3HG	Erection of a single storey side extension.
<i>R17/1537 Approved 24.10.2017</i>	47 Parkfield Road Rugby CV21 1EW	Proposed dropped kerb
<i>R17/1623 Approved 24.10.2017</i>	Land rear of 42 Hillmorton Road Rugby CV22 5AD	Amendment of house type for the erection of three new dwellings (previously approved under R16/0779)
<i>R17/1553 Approved 24.10.2017</i>	13 Dunsmore Avenue Rugby CV22 5HD	Erection of a two storey side and rear extension, a single storey rear extension, and a front porch.
<i>R17/0936 Approved 24.10.2017</i>	8 Southam Road Rugby CV22 6NW	Erection of proposed single storey front and side extension and external alterations
<i>R17/1304 Approved 26.10.2017</i>	104 Rugby Road Binley Woods CV3 2AX	Erection of single storey rear extension and first floor front extension [amended plans]
<i>R17/1519 Approved 26.10.2017</i>	3 High Street Ryton on Dunsmore CV8 3EY	Erection of a porch
<i>R17/1675 Approved 26.10.2017</i>	6 Dunsmore Avenue Rugby CV22 5HD	Erection of a first floor side extension and a single storey rear extension.
<i>R17/1642 Approved 26.10.2017</i>	Pailton Pastures Montilo Lane Pailton Rugby CV23 0QN	Erection of a steel portal frame extension to existing grain store
<i>R17/1680 Approved</i>	12 Montague Road Bilton	Erection of a detached single storey annex ancillary to 12 Montague Road, CV22 6NA

27.10.2017	Rugby CV22 6NA	
R17/1025 Approved 27.10.2017	39 Bilton Road Rugby CV22 7AN	Formation of a new access including provision of a dropped kerb.
R17/1515 Approved 28.10.2017	Popehill House Draycote Road Draycote Rugby CV23 9RB	Erection of a detached double garage with garden store to rear (resubmission of planning application reference R16/2533).
R17/1249 Approved 30.10.2017	39-41 Bilton Road Rugby CV22 7AN	Erection of 2no. Dwellings together with associated works
R17/0868 Approved 30.10.2017	Alcester 1 Bawnmore Park Rugby CV22 6JW	Relocation of existing access drive and rearrangement of parking provision.
R17/1152 Approved 31.10.2017	6 Langton Road Rugby CV21 3UA	Erection of proposed single storey rear extension and external alterations
R17/0834 Approved 01.11.2017	16 Warwick Street Rugby CV21 3DH	Change of use of existing building from Class C1 (hotel) to Class C4 (house in multiple occupation) of the Town and Country Planning (Use Classes Order) 1987 (as amended) (retrospective).
R17/1113 Approved 01.11.2017	143 Townsend Lane Long Lawford Rugby CV23 9DF	Demolition of existing conservatory and erection of part two storey and part single storey rear extension
<b>Advertisement Consent</b>		
R17/1532 Advertisement Consent 13.10.2017	26 Unit Elliotts Field Shopping Park Leicester Road Rugby CV21 1SR	Advertisement Consent for the installation of 3no. Fascia Signs
<b>Listed Building Consent</b>		

<i>R17/1635 Listed Building Consent 13.10.2017</i>	Temple Reading Rooms Barby Road Rugby CV22 5DW	Listed Building Consent for the proposed demolition of: a later addition three storey side extension; to include minor alterations to block any external openings; and the change of use of a C3 residential dwelling to an administrative office.
<i>R17/0220 Listed Building Consent 17.10.2017</i>	Top House Farm Broadwell Road Grandborough Rugby CV23 8BA	Listed Building Consent for the repair and alteration of an existing dwelling to include; the demolition of an existing conservatory and outbuilding and the erection of a two storey rear extension and a single storey side extension.
<i>R17/1516 Listed Building Consent 27.10.2017</i>	Leven Lodge 30 Bilton Road Rugby CV22 7AL	Listed Building Consent to replace 2no. wooden garage doors with powder coated aluminium garage doors.
<i>R17/1711 Listed Building Consent 30.10.2017</i>	Cawston Farmhouse Coventry Road Cawston Rugby CV22 7RY	Listed Building Consent for internal and external alterations to existing dwelling. (Retrospective).
<i>R17/0835 Listed Building Consent 01.11.2017</i>	16 Warwick Street Rugby CV21 3DH	Listed Building Consent for alterations to convert the existing hotel to a house of multiple occupation.
<b>Approval of Details/ Materials</b>		
<i>R14/2206 Approval of Details 12.10.2017</i>	Abbey Farm Hinckley Road Wolvey Hinckley LE10 3HQ	Conversion and extension of existing brick built agricultural building to a holiday let in connection with the existing bed and breakfast business
<i>R14/0407&amp;R15/2239 Approval of Details 13.10.2017</i>	Land adj Ridgeway Farm Ashlawn Road Hillmorton Rugby CV22 5QH	Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access.
<i>R10/1286 Approval of Details 13.10.2017</i>	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.)
<i>R08/0626/DET Approval of Details 16.10.2017</i>	Former Bernhards Nursery Bilton Road Rugby CV22 7DT	Approval of Details - Discharge of conditions 3 (in part), 4, 8, 12, 14, 15, 16, 17 & 18 of outline planning permission R04/0156/OP for residential development and condition 25 of reserved matters R07/1138/MAJP for residential development.
<i>R10/1286 Approval of Details 17.10.2017</i>	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.)
<i>R10/1286 Approval of Details 18.10.2017</i>	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.)
<i>R16/1234 Approval of Details 24.10.2017</i>	Fields Farm Lower Green Woolscott Rugby CV23 8DD	Proposed extension to existing agricultural building.
<i>R16/1638 Approval of Details 24.10.2017</i>	Rugby Radio Station A5 Watling Street Clifton upon Dunsmore Rugby CV23 0AS	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - submission of reserved matters comprising appearance, landscaping, layout and scale for the construction of a link road (Link Road North) and associated works including footways/cycleway, carriageway, bus lane, lighting, noise barriers, bunding, maintenance strip, junctions with Hillmorton Lane and Butlers Leap, foul and surface water drainage infrastructure, vehicle restraint barrier, pumping station, agricultural access spurs, allotments access spur, Clifton Brook realignment, culverts, retaining walls, landscaping, Great Crested Newt habitat mitigation area, associated utilities, land reprofiling including flood storage area, temporary stockpiling of construction materials, construction compounds, areas for construction use and infrastructure works.
<i>R16/2504 Approval of Details 27.10.2017</i>	272 Dunchurch Road Rugby CV22 6HX	Erection of a two storey side extension and a single storey rear extension.

R13/1731 Approval of Details 30.10.2017	Rear of 3 The Crescent Brinklow Rugby CV23 0LG	Erection of a detached dwelling and associated parking in the rear paddock area
R17/1367 Approval of Reserved Matters 01.11.2017	Stepnell Ltd Lawford Road New Bilton Rugby CV21 2UU	Erection of 10 industrial units within a mixed use of Classes B2 and B8 together with associated works. (Approval of Reserved Matters pursuant of Phase 1 of outline planning permission ref: R16/2307 dated 25/01/2017)
<b>Approval of Non Material Changes</b>		
R15/1119 Approval of Non Material Changes 12.10.2017	6 Benn Street Rugby CV22 5LT	Erection of a single storey rear extension
R16/1312 Approval of Non Material Changes 12.10.2017	10 Yates Avenue Newbold Rugby CV21 1DG	Demolition of existing side lean-to, and erection of a one and a half storey side extension.
R12/1884 Approval of Non Material Changes 16.10.2017	Land at Leicester Road Leicester Road Rugby	Erection of 101 dwellings (Class C3), garages and associated works including internal access roads, emergency access, car parking, earthworks, landscaping and drainage - submission of reserved matters comprising appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP dated 17.09.2007
R16/2504 Approval of Non Material Changes 18.10.2017	272 Dunchurch Road Rugby CV22 6HX	Erection of a two storey side extension and a single storey rear extension.
R14/1495 Approval of Non Material Changes 18.10.2017	Land to rear of 263-273 Hillmorton Road Rugby	Erection of 3 detached dwellings. (Substitution of house type on plots 4, 5 & 6 of R10/2153, replacing plots 5, 6, 7, 8 & 9 of R12/0044).
<b>Withdrawn</b>		
R17/1511 Withdrawn 16.10.2017	3 Fern Cottages Rugby Road Brinklow Rugby CV23 0LZ	Erection of a single storey side extension and porch

<i>R17/1681 Withdrawn 23.10.2017</i>	Smeaton House Smeaton Lane Stretton under Fosse Rugby CV23 0PS	Certificate of Lawfulness for a proposed use or development for the erection of a single storey side and rear extension.
<i>R17/1505 Withdrawn 23.10.2017</i>	School Field House 2 Barby Road Rugby CV22 5DR	Replacement of existing gates with commemorative gates