

30<sup>th</sup> August 2011

## **PLANNING COMMITTEE - 7<sup>TH</sup> SEPTEMBER 2011**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 7<sup>th</sup> September 2011 in the Council Chamber, Town Hall, Rugby.

### **Site Visit**

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

2.30pm      Land at Bransford Bridge, Churchover (meet end of Church Street, Churchover)

Andrew Gabbitas  
Executive Director

***Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their personal interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial 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 personal 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 17<sup>th</sup> August 2011.
2. Apologies.  
To receive apologies for absence from the meeting.

3. Declarations of Interest.  
To receive declarations of –
  - (a) personal interests as defined by the Council's Code of Conduct for Councillors;
  - (b) prejudicial 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. Statistics of Planning Applications – August 2010 – July 2011.
7. Delegated Decisions – 29<sup>th</sup> July to 18<sup>th</sup> August 2011.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2011/12 – 7) are attached.

### **Membership of the Committee:-**

Councillors Gillias (Chairman), Allen, Cranham, Day, Kirby, Lewis, Roberts, Ms Robbins, Sandison, Spiers, Whistance and D Williams.

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic and Scrutiny Services Officer (Team Leader) (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 and Scrutiny Services Officer named above.*

**AGENDA ITEM 4**

**RUGBY BOROUGH COUNCIL  
PLANNING COMMITTEE – 7<sup>TH</sup> SEPTEMBER 2011  
REPORT OF THE HEAD OF PLANNING AND CULTURE  
APPLICATIONS FOR CONSIDERATION**

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Planning applications for consideration by Committee are set out as follows:

- (i) applications recommended for refusal with the reason(s) for refusal (pink pages)
- (ii) applications recommended for approval with suggested conditions (gold pages).

**RECOMMENDATION**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for Refusal

Item	Application Ref Number	Location Site and Description	Page number
1	R11/0141	Land South of the Telephone Exchange, Coventry Road, Wolvey  Outline planning permission for erection of a dwelling.	3
2	R10/2303	Land at Cestersover Farm, Lutterworth Road, Churchover CV23 0QP (Bransford Bridge Wind Farm)  A wind farm comprising 9 wind turbines of up to 126.5m tip height, a single, permanent meteorological mast with a maximum height of 80m, a sub-station compound containing a control building, underground cabling, a new on-site track including a river crossing and drainage, a site entrance, and a temporary construction compound; and at each turbine location a permanent crane hard-standing area for the erection of each turbine, with each wind turbine having a micro-siting tolerance of up to 50m.	7

### Recommendations for Approval

No applications recommended for approval to be considered.

**Reference number:** R11/0141

**Case Officer:** Chris Davies 01788 533627

**Site address:** Land South of the Telephone Exchange, Coventry Road, Wolvey

**Description:** Outline planning permission for erection of a dwelling.

**History:**

The site was formerly BT land and formed part of the adjacent Telephone Exchange site. It was originally sold as part of a larger section of the BT site for use as garden extensions for properties on Meadow Close (to the rear). The residents of No.8 Meadow Close purchased the proposal site and used it as a garden extension (although there is no evidence that its use was formally changed to residential).

There have been previous applications to develop the site for residential purposes including the removal of trees. These have all been refused, and an appeal also dismissed.

**Proposal:**

The applicant seeks outline planning permission to erect a single dwelling. The application seeks only to establish site access and layout.

**Other Relevant Information:**

This application is brought before the Committee for consideration as both the applicant and the agent are related to a member of the Council.

The proposal site is a wedge-shaped piece of land close to a significant bend in the highway (Coventry Road). Access is off Coventry Road, and although there is a dropped kerb serving the adjacent site there is currently no dropped kerb specifically serving the proposal site.

Apart from a garden shed towards the rear of the site, there are no structures or evidence of established development.

The site encompasses several trees which are subject to a group Tree Protection Order, some of which would be removed as part of the proposals.

With the exception of a high leylandii hedge towards the rear of the site, the boundaries are unscreened, being marked to the sides by 1m high chicken wire-style fencing and concrete posts, and post and rail fencing to the front.

**Technical Responses:**

WCC Highways - No objections but dispute ability to turn a vehicle within the site. Any approval should include conditions required regarding access, verge crossing and construction traffic. Standard highways informatives would also be required.

- WCC Ecology - No objection but informative notes should be added to any approval regarding breeding birds and planting of native species.  
NB – these would be more relevant to a reserved matters application.
- Environmental Health - No objection subject to a condition restricting hours of construction.  
NB – this would be more relevant to a reserved matters application.
- Tree Officer - Objection (loss of protected trees and impact on those retained).

### **Parish/Ward Responses**

- Parish Council - Objection (loss of protected trees and impact on visual amenity provided by those retained)
- Ward - Ward Councillor declared a personal interest as he is related to the applicant and agent.

### **Neighbour Responses**

- Original proposal Objections (4) Loss of light, loss of privacy, noise issues, access arrangements, loss of trees, visual impact.
- Amended proposal Objection (1) Loss of trees, over-development.

### **Planning Policy:**

Rugby Borough Local Plan 2006 Saved Policies  
GP2 Landscaping Conflicts

Rugby Borough Core Strategy 2011  
CS1: Development Strategy Complies  
CS2: Parish Plans Complies  
CS16: Sustainable Design Conflicts

PPS3: Housing

### **Considerations:**

#### **Principle of Development**

As the application is for outline planning consent only, details of the ultimate size of the proposed property are not yet confirmed. However, the applicant indicates in their Design and Access Statement that a modest two bedroom dwelling is the most likely option. This would support indications in the Wolvey Parish Plan 2008 that small family homes are required to enable local people to find affordable accommodation within the village, in compliance with Policy CS2: Parish Plans of the Rugby Borough Core Strategy 2011.

The agent (in an email dated 25 February 2011) also confirms that the applicant would be willing to make the property available to rent. This arrangement would meet an identified housing need highlighted in the Wolvey Housing Needs Survey 2008. The proposal in principle therefore complies with Policy CS1: Development Strategy of the Rugby Borough Core Strategy

2011, which priorities local needs housing over market housing in Main Rural Settlements, and the elements of PPS3: Housing that relate to housing need provision.

In addition to determining whether the principle of residential development on the site is appropriate, consideration must also be given to the proposed site location, layout and access.

### **Location**

The proposal site itself sits independently within the streetscene. The protected trees and open nature of the site provide visual amenity within the locality.

Were a dwelling to be sited in the location indicated on the plans accompanying the application, it would relate to the pattern of development in the locality. This would therefore comply with the elements of PPS3: Housing that relate to setting.

### **Layout**

The shape of the site is such that there are very few potential places in which a dwelling could be located, and the presence of trees within the site further reduces potential locations.

The loss of trees in order to facilitate development in this location would detract from the visual character of the site and its contribution to the visual amenity of the locality. Replanting (as proposed by the applicant) may solve the loss of trees in the long term, but such planting would take time to become established and would not immediately compensate for the loss of more established and protected examples.

The proposed layout therefore conflicts with Policy GP2 of the Rugby Borough Local Plan 2006 Saved Policies, and the elements of Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 and PPS3: Housing that relate to appearance and setting.

### **Access**

Whilst the Highway Authority do not object to the proposed means of site access, they do raise concerns given the proximity to the highway bend, and observe that it is unlikely that vehicles could enter and leave the site in a forward gear as there is insufficient space to turn within the site.

However, the Highway Authority also note that the combined width of the highway verge and the generous pavement mean that users of the access would have sufficient time and visibility to determine whether or not it was safe to adjoin the road itself before encroaching onto it.

### **Recommendation:**

Refusal due to conflict with Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 and Policy GP2 of the Rugby Borough Local Plan 2006 Saved Policies.

**DRAFT DECISION**

**APPLICATION NUMBER**

R11/0141

**DATE VALID**

16/02/2011

**ADDRESS OF DEVELOPMENT**

Land South of the Telephone Exchange  
Coventry Road  
Wolvey  
Hinckley  
LE10 3LD

**APPLICANT/AGENT**

Julie Warwick  
JMW Planning Solutions  
11 Bracken Drive  
Wolvey  
Hinckley  
Leicestershire  
LE10 3LS  
On behalf of Mr Russell Warwick

**APPLICATION DESCRIPTION**

Outline planning permission for erection of a dwelling.

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

**REASON FOR REFUSAL:**

The proposed use of the site for the erection of a dwelling would involve the loss of trees which form part of a group protected by a Tree Preservation Order, and as such are recognised as having significant value in terms of amenity. The loss of trees would have a detrimental affect on the character and appearance and would degrade the visual amenity of both the site and the streetscene of Coventry Road, which is a key route into the village. Therefore the proposed residential development of the site is contrary to Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 and Policy GP2 of the Rugby Borough Local Plan 2006 Saved Policies.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011  
Policy GP2 of the Rugby Borough Local Plan 2006 Saved Policies

The development plan policies referred to above are available for inspection on the Rugby Borough Council's web-site [www.rugby.gov.uk](http://www.rugby.gov.uk) or at the Council Offices.

**Reference number: R10/2303**

**Site address: Land at Cestersover Farm, Lutterworth Road, Churchover CV23 0QP (Bransford Bridge Wind Farm)**

**Description : A wind farm comprising 9 wind turbines of up to 126.5m tip height, a single, permanent meteorological mast with a maximum height of 80m, a sub-station compound containing a control building, underground cabling, a new on-site track including a river crossing and drainage, a site entrance, and a temporary construction compound; and at each turbine location a permanent crane hard-standing area for the erection of each turbine, with each wind turbine having a micro-siting tolerance of up to 50m.**

**Case Officer Name & Number: Nigel Reeves (x3685)**

**Applicant: SSE Renewables**

### **The Proposal.**

Planning permission is sought for the construction of a wind farm on land to the west and north of Churchover village and to the south of the A5. The scheme comprises the following:

- 9 wind turbines of up to a maximum of 126.5m to the tip height and 80m to the rotor,
- 1 permanent meteorological mast with a maximum height of 80m,
- a sub-station compound containing a control building,
- on-site access track including a river crossing and drainage, turning heads and underground cabling providing a connection to the grid at Pailton Sub-Station,
- a site entrance onto the A5, and a temporary construction compound; and
- at each turbine location a permanent crane hard-standing area for the erection of each turbine,

Permission is also sought for each wind turbine to have a micro-siting tolerance of up to 50m around the position shown on the ground on the submitted site layout plan. This is claimed by the applicants to be required to allow the possibility of re-positioning the turbines as detailed ground condition and geotechnical surveys have yet to be carried out, which may lead to a necessity to marginally change the location of wind farm infrastructure.

The site straddles the River Swift Valley, which runs in a south-westerly direction, close to the village of Churchover. The submitted site layout plan shows the site access located off the A5 (Watling Street), close to the Bransford Bridge Crossing of the River Swift. From this point an access track runs into the site, splitting into two separate routes, the first running up to Turbine 1 and the second running through the rest of the site serving the other turbines and the meteorological mast. The turbines have been positioned in an 'S' shape, running across the River Swift Valley (Turbines 1 to 4) and then following the general shape of the landform along the valley (Turbines 5 to 9).

The turbines themselves are constructed in grey powder coated steel and measure a maximum height of 126.5m to the blade tip and 80m to the rotor. Each turbine will have three blades, with a slightly curved profile. The turbine blades are also able to

turn to face the prevailing wind direction. In order to anchor the turbines, a concrete foundation having a depth of up to 3.7m metres and an area measuring 17.4m x 17.4m will need to be dug for each turbine. Crane hard-standing areas (measuring 40m x 25m) are proposed to be installed next to the site of each turbine. A 80m high meteorological mast is also proposed to be installed adjacent to Turbines 8 and 9 which comprises a metal lattice tower, with wind and meteorological measuring equipment attached. A small transformer housing (measuring 4m x 3m x 2m) is proposed to be located close to each of the turbines.

A temporary site compound is proposed to be located adjacent to the site entrance, which will be removed once the windfarm is operational. A control building measuring 30.5m x 7.0m and having a dual pitched roof with a maximum height of 6.1m is proposed to be located alongside the access road between Turbines 7 and 8/9, and constructed in either natural stone, or painted render with an artificial slate roof.

The access roadway itself will be stoned and has a width of 5.5m with shallow open drainage channels on either side. At junctions turning areas, 45m wide junction radii are proposed to allow enough space for long trailers carrying the turbines to manoeuvre and turn around. Some minor re-distribution of topsoil from the construction of the roadway will be required, which will be graded alongside the line of the road. Depending on the landform, some parts of the road way will be slightly in a shallow cutting and in other parts on a raised embankment. A new bridge, constructed using concrete abutments and a concrete slab with metal railings, will be required where the access roadway crosses the River Swift.

Two areas of landscape planting are proposed to be provided to mitigate views of the proposed turbines – alongside the A5 at the Bransford Bridge crossing of the River Swift and to the east of the line of the former Leicester to Rugby railway line, which now forms an extensively planted embankment.

The planning application has been accompanied by the following supporting documents:

- An Environmental Statement (addressing issues including; planning policy, landscape and visual assessment, noise assessment, ornithology, hydrology and geology, archaeology and cultural heritage, telecommunications, transport and access and environmental).
- Figures (Vol 3) including a full set of plans of the proposal, maps showing the Zones of Visual Influence, Photomontages from a variety of viewpoints and ecological/archaeology/cultural heritage survey information
- A Planning Statement
- Flood Risk Assessment
- Noise Assessment
- Ecological Assessment
- Ornithology Survey
- Archaeological and Cultural Heritage Assessment
- Electro Magnetic Interference and Air Safeguarding
- Transport and Access Assessment
- Shadow Flicker Assessment

**Authorised Use:**

Countryside/Agriculture.

Part of the site also lies within the Green Belt

**Site History:**

Erection of a temporary 80m high meteorological mast – approved 2010 (now constructed).

**Technical Consultations:**

RBC Environmental Services	Comment.	Do not wish to object but wish to provide guidance on suitable conditions, which are currently being discussed with the applicant's noise consultant.
RBC Landscape Architect	Object	If the site is to accommodate any wind turbines, it should be a maximum of 4 located in the very east of the site, although there are more appropriate sites in the Borough. More detailed landscape concerns provided.
RBC Forward Planning	Comment	Principle of wind energy development in this location is acceptable in planning policy terms but from evidence contained in the Borough wide Landscape Capacity Study for wind energy developments, a large proposal of 9 turbines will potentially impact on the landscape and settlement character of Churchover. In this instance the benefits of wind energy development does not outweigh the harm identified.
Environment Agency	No objection	Apart from the river crossing, there will be no other development in Flood Zone 3. Formal consent will be required from the EA for this crossing will be necessary under various acts. Detailed requirements to prevent surface water run-off and interruptions to existing

		drainage systems and any pollution during construction to any water courses.
English Heritage	Object	Village of Churchover is a conservation area and contains a number of listed buildings including the Grade 2* listed church. The photomontages/text in the ES argue that the impact is acceptable. However the turbines will have a serious impact not only on views out of the village, but also views into it. The views from the south will see the turbines immediately behind the village, which will have a major impact on the setting of the village in a wide and open landscape.
WCC Archaeology	Awaited.	
Natural England	No objection	
WCC (Ecology)	No objection	Recommend conditions
WCC (Highways)	No objection	
Highway Agency	No objection	Recommend conditions.
Coventry Airport	Holding Objection	
NATS (National Air Traffic Control)	Holding Objection	
Western Power	Holding Objection	Relation to gas supply lines from Churchover Compressor Station being affected by the proposed development.

**Third Party Consultations:**

**Parish Councils.**

Churchover Object on the following grounds, which are set out in a detailed letter of objection:

### *Visual Impact*

The proposed development would have an unacceptable visual impact upon residents, walkers and other users of the village and rural environment. The turbines would be as little as 430m from individual dwellings, and 850-1200m from the majority of the 'old' village. They would be as little as 730m from many gardens.

The visual effects of the turbines would be unavoidable and unpleasantly overwhelming, aggravated by their eye-catching rotation. They would occupy a substantial proportion of the main outward field of view of large numbers of properties. Essentially the whole of this small community would be dominated by their unavoidable presence, whether seen as a complete cluster, individually or just in glimpses of moving blades.

As such the development would fail to comply with PPS1 Delivering Sustainable Development 2005, paragraphs 1, 3, 4, 5, 17, 19 and 27(ix); RSS West Midlands 2008 Spatial Strategy Objective paragraph 3.14; Rugby Borough Local Plan 2006 The Vision, The Strategy, and policies GP1, GP5, E1, E2, E5 and E17; and Rugby Core Strategy 2011, Spatial Vision, Spatial Vision 11 and policy CS14.

### *Heritage Assets*

The proposed development would fail to protect and enhance the historic environment or the countryside, destroying the setting of listed buildings and in particular Holy Trinity, by dwarfing its 25m spire with 126.5m windfarms within 850m. A unique and particularly compelling importance attaches to maintaining the peace and tranquillity of the surroundings and the quality of views to, from and of churches that are religiously, socially, architecturally, historically or visually important to the community.

The vertical scale and blade sweep would have a harmful impact on, and fail to preserve the setting of the church, and the conservation area. It would also damage important archaeological features.

As such, it would fail to comply with the Planning (Listed Buildings & Conservation Areas) Act 1990 s.66 and ss.69-73; PPS1 Delivering Sustainable Development 2005 paragraphs 5 and 17; PPS5 Planning for the Historic Environment 2010 policies HE1.3, 1.3, 7.2, 7.4, 9.1, 9.2, 9.4, 9.6 and 10.1; RSS West Midlands 2008, policies QE5 and QE6; Rugby Borough Local Plan 2006 policy E17; and Rugby Core Strategy 2011 Spatial Vision, Chapter 6 and policy CS14.

### *Landscape*

The development would produce an unacceptable change in the landscape, and far exceed the landscape capacity of the area as assessed independently by the White report (adopted by the Borough Council as material to planning decisions). In cumulation with two other windfarm developments, totalling 15 turbines and all easily visible from Churchover, there would be a domination of 1800 of landscape around the village by turbines, destroying landscape character, quality and the amenity of daily life. It would also conflict with Green Belt policy and no very special circumstances have been shown.

As such, the development would be contrary to PPS1 Delivering Sustainable Development 2005 paragraphs 1, 4, 17, 19 and 27(ix); PPG2 Green Belts 1995 paragraphs 3.2 and 3.15; PPS7 Renewable Energy Key Principle 1, paragraphs 15 and 24 ;RSS West Midlands 2008 Spatial Strategy Objective paragraph 3.14; Rugby

Borough Local Plan 2006 The Vision, The Strategy and policies GP1, GP5 , E1, E2, E5 and E17; and Rugby Core Strategy 2011 Spatial Vision, Spatial Vision 11 and policy CS14.

*Other environmental impacts*

The development fails to ensure an acceptable noise climate both indoors and outdoor at dwellings as close as 430m (with micro-siting) and no planning condition to secure noise control can be effective. No analysis of low-frequency noise (for which Churchover is already at proven risk) has been presented, nor has any health impact analysis been undertaken. Noise (and certain other) planning conditions are likely to fail the tests of Circular 11/95 and yet, without them, no such development could be acceptable. They would therefore become unenforceable and provide no protection for residents. The impacts on public rights of way will be unacceptable, turbines being as close as 75m from PROWs. Other peaceful enjoyment of the countryside will be interfered with or prevented, including equestrianism and angling.

The “temporary” nature of the development, 25 years, is illusory, cannot be ensured and is therefore not a material planning consideration.

The development is not consistent with Government objectives to maintain reliable and competitive energy supplies, nor is it viable as it depends solely on subsidy. As such, it fails all the fundamental tests of PPS22. It will deliver no employment after construction, and virtually none during it.

Overall, Churchover Parish Council concludes that the need for the development is minimal and is clearly outweighed by its adverse environmental impacts. As such, planning permission should be refused.

This objections also contains a selection of quotes from recent Inspectors appeal decision letters relating to wind farm proposals.

Monks Kirby PC	Object	Visual impact and detrimental effect on the landscape. Disagree with Rugby BC's Landscape Capacity Study. Identification of site should be within High Cross village farmlands designation not on plateau
Pailton PC	Support	Parish Council voted 2 to 1 to support the proposal
Cotesbach PC	Object	Not opposed to windfarms in principle but are concerned about lack of liaison between local authorities and fact that the village could be surrounded by wind farms (5 including this one) along with associated traffic plus gravel extraction proposals at Shawall.

**Representations:**

127 individual letters/e-mails of objection have been received. The comments have been summarised and relate to the following issues:

- Will be an eyesore and blot on landscape

- Visual impact – overwhelming presence of rotating turbines will affect surrounding environment
- Impact on Churchover village, its status as a conservation area and associated ridge and furrow land
- Sheer scale of wind farm will overwhelm and over-dominate the village, setting of 1,000 year old Church and its churchyard
- Effect on far reaching views of the village
- SSE have ignored noise issues in the past in Scotland, where local planners caused it to be closed down
- Noise – I live within 1 km distance of turbines
- Noise is likely to be excessive within 1.5km of turbines and particularly at night when background noise is quiet and windows are open in the summer
- Claimed carbon emission savings and power generated is exaggerated – less damaging renewable energy projects should be considered – solar and tidal power
- Turbines are not efficient and do not produce wind on calm days – particularly in the winter when it is needed
- The proposal is nothing more than a subsidy-raking scam
- The subsidy, remoured to be £1.8 million pa, paid by the public hidden in their electricity bills for a wind power station in a low wind area is an efficient use of public money
- Will be thin edge of wedge allowing further 'brownfield' industrial sprawl
- Significant adverse effect on the landscape character and visual amenity – will be irrevocably spoilt by the construction of huge industrial structures
- Our home will be affected by shadow flicker
- As a horse owner local bridleways will become unusable
- People enjoy walking along the local footpaths and recreational amenity will be diminished
- Interference to TV signals
- The cumulative impact of this plus surrounding wind farm proposals will result in a wind farm dominated landscape
- Impact on health – I am recovering from serious illness and gain great solace in having the open fields to walk through – glinting from existing meteorological mast may cause migraine attacks that I have been treated for to return
- Planning policy should ensure that the quality and character of the wider countryside is protected – access roads cutting across landscape and large turbines will seriously detract from the undeveloped rural quality of the area
- Will impact on and detrimentally affect views towards and from important heritage assets in village - Holy Trinity Church and Churchover Conservation Area - proposal thus fails to preserve character or appearance of Churchover Conservation Area or setting of listed Holy Trinity Church
- Effect on Green Belt – no evidence has been produced by applicants to justify the special circumstances that would override the normal presumption against inappropriate development in the Green Belt
- Outlook from properties would be seriously compromised
- Noise assessments (ETSU-R-97) is not currently well enough understood to risk allowing turbines close to where people live
- Low frequency noise generated by turbines will have direct impact on quality of life of local residents

- Shadow flicker
- Our house will directly face the wind turbines across the valley, with nothing to block them
- Impact on archaeology and ridge and furrow landscape which is an important historical feature and should be protected
- The name Churchover reflects its position as the 'church over the fields' – reflects a thousand years of history across which the church has dominated the view from miles around. This is an important setting for the whole settlement. Accurate montage of church spire in relation to turbine is attached to demonstrate impact
- The character assessment use by the applicants is incorrect as the topography around Churchover is a river valley with a steep escarpment, with the settlement overlooking meandering river pastures – this creates the most beautiful iconic rural scene in North Warwickshire
- Vibration will affect wildlife and fish in River Swift valley
- Loss of important farmland

A detailed objection has also been received from a local action group ASWAR (Against Subsidised Wind Farms Around Rugby) which reproduces the objection letter submitted by Churchover Parish Council. This objection has also been copied directly to all members of the Planning Committee.

A letter of objection has been received from Mark Pawsey MP raising the following concerns:

- Wish to express my concerns and support concerns of my constituents about the development
- Whilst I recognise the Country's need to develop renewable resources, I believe that methods to achieve this must consider fully the effects they have on local residents
- I am concerned because of the proximity of turbines to individual residences. If the development is allowed to take place, there will be significant visual and noise impacts on the local area, which will significantly affect the quality of life for local residents.

A letter of objection has also been received from Roger Helmer MEP raising the following concerns:

- Potential health impacts that wind turbines have on the local population
- Increasing evidence which shows the adverse impacts up to 5km from wind farms – including headaches, migraines, insomnia, depression etc
- Wind farms impact badly on wildlife

A letter of objection has been received from the British Horse Society, raising the following concerns:

- Warwickshire in particular is not well served by routes suitable for horse riders
- The proposal places two turbines either side of a bridleway on a route that is currently free from the hazards of vehicular traffic
- Horses are wild animals and can be startled, by movement and noise, which could easily be stimulated by such effects. This can lead to wild flight and danger to horse and rider.
- Planning permission should be withheld until this issue is properly considered.

2 individual letters/emails of support have been received. The comments have been summarised and relate to the following issues:

- Climate change will devastate the country and we must act to reduce our emissions and this wind farm will help to do this
- We need to invest in renewable energy sources and in doing so cannot say 'not in my back yard'
- Should spend time and energy protesting about things that actually matter

A standard e-mail letter of support has been received from a wide number of individuals (111 in total) in different locations around the country making the following points:

- The UK faces devastating impacts as a result of future climate change. The floods around the country over the past few years are a reminder of the kinds of weather events that will become more frequent and more extreme. Scientists warn that we must stabilise greenhouse gas emissions in the next 10 years to limit global temperature rise to 2 degrees centigrade and prevent catastrophic impacts.

- As part of its strategy to cut emissions, the UK Government supports an EU target of 20% of all energy from renewable sources by 2020. This will require the participation of every community around the UK in adoption of low carbon energy technologies. Britain is Europe's windiest country. Wind power offers huge potential to reduce our emissions and offer energy security. Onshore windpower is the best developed and most economical renewable generation currently available, allowing us to make much needed reductions right now.

- I understand there may be concerns about the visual impact of this proposal. This is a subjective issue, and it must be borne in mind that modern wind turbines are planned for a period of 25 years, after which time they may be removed, or replaced. Visual impacts must also be weighed against the likely damage to our landscapes and environment caused by climate change.

- Finally, I would like to remind you that national planning policy now prioritises action on climate change in the new Planning Policy Statement: Planning and Climate Change. These guidelines must now be embraced at a local level and strongly emphasise the guidance contained in PPS 1 paragraphs 13 and 22, and PPS 22, to promote and encourage the development of renewable energy resources.

- The Local Government Association recently urged councils to demonstrate leadership in tackling climate. As a signatory to the Nottingham Declaration on Climate Change 2000, Rugby Borough Council is committed to deliver carbon dioxide reductions at a local level. I therefore urge you to approve the Bransford Bridge Wind Farm proposal which will make a significant contribution to cutting emissions from the area.

Rugby Friends of the Earth have written to support the proposal on the following grounds:

- Global Environmental Crisis – need to limit global temperature rises in future
- Climate-Change adaption and low carbon energy – UK Government supports the EU target of 20% of all energy sources from renewable sources by 2020

- Onshore windpower is the best developed and most economically renewable generation currently available
- Biodiversity – If properly sited windfarms do not pose significant hazards to wildlife
- Visual Impact – the nearest properties support the proposal and the site is already affected by Magna Park which contains a large number of warehouses which blights the area. Large wind turbines are visible but not intrusive
- The West Midlands Region produces very little of the energy that it uses
- Local Government should demonstrate leadership in tackling climate change

### **Relevant Policies:**

#### **National planning policies:**

PPS1 Delivering Sustainable Development  
 PPS1 supplement: Planning and Climate Change  
 PPG2 Green Belt  
 PPS5 Planning for the Historic Environment  
 PPS22 Renewable Energy  
 PPS23 Planning & Noise  
 PPG24 Flood Risk

National Planning Policy Framework (2011) draft  
 'Planning for Growth' Ministerial Statement (2011)

#### **Relevant local planning policy:**

Rugby Local Development Framework – Core Strategy (adopted June 2011)

CS1 Development Strategy

CS16 Sustainable Design

Rugby Borough Local Plan (Saved Policies – Post LDF Adoption 2011)

GP5 Renewable Energy

Supplementary Planning Guidance.

Churchover Conservation Area Appraisal

Rugby Borough Landscape Capacity Study for Wind Energy Developments (White Associates 2011)

Warwickshire Renewable and Low Carbon Energy Resource and Feasibility Assessment

*Warwickshire CC Landscape Assessment*

### **Consideration:**

This proposal presents a large number of issues that need to be addressed when considering its acceptability or otherwise. These include:

- the principle of the development of turbines in this location, including impact on the Green Belt
- the potential impact of this proposal on the landscape character of the area,
- the potential impact of this proposal on visual amenity

- the potential impact of this proposal on heritage assets (listed buildings, conservation areas, archaeology etc)
- the potential impact on of this proposal on the amenities of nearby residents
- ecology and wildlife
- highways
- flood risk
- health issues/shadow flicker
- any other issues

## **1. Principle of Development.**

### National Planning Policy

The Government has stated its intention to review planning policy and consolidate policy statements, circulars and guidance documents into a single consolidated National Planning Policy Framework (NPPF). The draft National Planning Policy Framework is currently the subject of public consultation and so is in the early stages of production. It is therefore considered that the existing national planning policy framework as set out below is relevant to the determination of this application. The content of the draft NPPF will be referred to where relevant. Notwithstanding this, only limited weight can be afforded to the document in making these policy observations.

Tackling climate change is a key government priority for the planning system. The Supplement to PPS1 "Planning and Climate Change" sets out how planning should contribute to reducing emissions and stabilizing climate change. Planning authorities are specifically advised against requiring applicants for energy development to demonstrate the overall need for renewable energy and its distribution, or to question the energy justification for why a proposal for such development must be sited in a particular location (Para 20). Furthermore, the local approach to protecting landscape and townscape should be consistent with the advice in PPS22 "and not preclude the supply of any type of renewable energy other than in the most exceptional of circumstances."

Amongst the key principles set out in PPS22 Renewable Energy is the idea that renewable energy developments should be capable of being accommodated throughout England where the technology is viable and environmental, economic and social impacts can be addressed satisfactorily. The wider environmental and economic benefits of such projects (whatever their scale) are material considerations which should be given significant weight in determining planning applications (Para 1(iv)) and development proposals should demonstrate any environmental and social impacts and how these have been minimised through careful consideration of location, design, scale and other measures (Para 1(viii)).

The principles of this policy approach are broadly replicated within the draft NPPF.

### Local Planning Policy

Local level planning policy is contained within the adopted Rugby Local Development Framework Core Strategy (2011) and saved Rugby Borough Local Plan (2006) policies.

The majority of the application site is located within the open countryside however two turbines to the west of the site would be located within the West Midlands Green Belt. Rugby Borough Core Strategy Policy CS1 Development Strategy contains the

settlement hierarchy; it must be demonstrated that the most sustainable development locations are considered ahead of those further down the hierarchy. The countryside and Green Belt, on which this development is proposed to be located, are at the bottom of the hierarchy. It is stated within Policy CS1 that “new development will be resisted; only where national policy on countryside/Green Belt locations allows will development be permitted”.

#### Warwickshire Renewable and Low Carbon Energy Resource and Feasibility Assessment

The “Renewable Energy Study” has been conducted on behalf of the local authorities of Warwickshire, Solihull Metropolitan Council and Warwickshire County Council. The study informed Partner Authorities about the potential viability and deliverability of various renewable and low carbon options and is an evidence base document for subsequent LDF documents, in accordance with PPS1 and PPS22.

The GIS analysis undertaken to investigate the wind energy resource in the Borough as part of this study identified a large number of sites (and total land area) as being suitable for wind development. It is stated within the report that Rugby Borough has potential for between 25 and 48 turbines, subject to landscape capacity work being undertaken. The study maps wind speeds across the Borough and demonstrates that the broad location at which this development is proposed has an approximate wind speed of between 6-7 metres per second. Further to this, the Renewable Energy Study maps zones of varying constraint to wind energy development; the broad location in which the proposed wind farm is situated is shown as a less constrained area (see figure 25, see table 9 for a list of considered constraints).

#### Conclusion - The principle of development

As stated above, the supplement to PPS1 advises that planning authorities cannot question the energy justification about why a proposal for renewable energy development must be sited in a particular location (Para 20). However, the Council’s own evidence base supports the principle of wind energy development at this broad location. The Renewable Energy Study confirms that wind energy development is technically feasible upon this site both because the wind speed is sufficient and also because other constraints to development do not affect this general location.

It is therefore considered that the principle of wind energy development at the location of the proposed wind farm is acceptable. Further to this, it is also considered that the principle of development at the location would continue to be acceptable when considered against the policies proposed within the draft NPPF and the earlier ministerial statement ‘Planning for Growth’.

Two of the turbines (8 and 9) plus the proposed meteorological mast are located in the Green Belt. Although not made particularly explicit in the applicants supporting documents, it would normally be expected that renewable energy projects (given the strong national planning policy support) comply with the ‘very special circumstances’ proviso that would override the usual presumption against development that would affect the openness of the Green Belt. Therefore in this instance, the current development proposal is considered to be acceptable in the Green Belt.

Although on solely policy grounds, the proposal can be judged to be acceptable, it also needs to be considered on its impact on the prevailing landscape character of the area, identified heritage assets of significance surrounding the site and on the amenities of adjoining residents as well as other matters such as access, flood risk and impact on wildlife.

## **2. Landscape Character and Visual Impact.**

Due to their relatively large size of the wind turbines that are proposed (126.5m maximum to the blade tip), and the fact that they are spaced across and along the River Swift Valley, the turbines are likely to have a significant visual impact on the existing landscape and settlements within it, for quite a wide area around the proposed wind farm.

The Environmental Statement (ES) submitted by the applicant assesses this impact in the form of a Landscape & Visual Assessment. This assessment contains the following:

- It identifies a study area of 35 miles around each turbine
- Representative viewpoints around the study area are then selected
- The Landscape & Visual Assessment then considers the effects of the proposed turbines on the existing landscape using four categories – physical effects, effects on landscape character, effects on views and cumulative effects
- A Zone of Theoretical Visibility diagram (ZTV) is also defined on a plan showing the number of blade tips that are visible around the study area

Originally 23 viewpoints were identified during consultations before preparation of the ES (and in conjunction with Leicestershire County Council), around the proposal, incorporating both medium to longer distance viewpoints and those closer to the proposal including 4 from within and around Churchover village.

Following a further assessment during pre-application discussions, and because of concerns raised by Churchover Parish Council (during their own consultations with the applicant), a further 4 viewpoints were selected for assessment around Churchover village. A number of selected viewpoints are in Leicestershire due to the location of the application site close to the administrative boundary and due to the fact that the prevailing landform will result in views from many locations to the north. These viewpoints are as follows:

1. Churchover Churchyard
2. Churchover – edge of village (opposite Ivy House) looking in NW direction
3. Churchover – public access route to north east of village
4. A 426 – looking towards Churchover village
5. A5 Lay by – looking in SW direction along River Swift Valley
6. Montillo Lane – looking in a NNE direction
7. M6/Public Bridleway looking to north
8. Cotesbach (Leics.) - Public Bridleway to west looking in a SW direction
9. Harborough Magna - Public footpath to north of village looking in a NE direction
10. Pailton – Public footpath to south-east of village looking in an easterly direction
11. A426 Lay by (Leics.) - looking in SW direction along River Swift Valley
12. A426 (Rugby – Central Park) – looking to North of town
13. Lutterworth Country Park (Leics.) – looking to south
14. Lutterworth Rugby Club (Leics.) – looking to south
15. Stanford Hall (Leics.) – looking to west
16. Draycote Water – looking to north
17. Napton on the Hill – looking to north
18. A5/Fosse Way/High Cross (Rugby/Leics border) – looking to south-east
19. Gilmorton (Leics.) – looking to south-west
20. Ansty Hall – looking to east
21. Croft Hill (Leics) – looking to south
22. Land between A5 and M1(north of DIRFT) – looking in NW direction
23. Markfield (Leics) – looking to south

- The following additional viewpoints were requested and photomontages provided:
- A. Churchover – highpoint on minor road to south – looking to north along River Swift Valley
  - B. Churchover – highpoint adjacent to compressor station – looking north-east along River Swift Valley
  - C. Montillo Lane to Churchover footpath – looking to north-east
  - D. Coton Lane, Churchover – looking to north-west towards Churchover village

During the formal assessment of this application, it is considered that the proposed windfarm will be particularly visible in the landscape when viewed from many public viewpoints around this proposal. In particular, they will be very prominent when viewed from the following locations:

1. from the south along the River Swift Valley (looking northwards – Additional Viewpoint A),
2. from the northern part of Churchover village looking towards the west and north-west from Church Street across open farmland (Viewpoint 2)
3. from Church Street looking through the gap between Holy Trinity Church and The Charity Houses across the churchyard
4. from the public footpath leading from Churchover village to Montillo Lane, across the River Swift Valley (partly shown on Viewpoint 6)
5. from the public footpaths leading north from Churchover village to the A5 Watling Street and to the north-east (Viewpoint 3)
6. from positions along School Street within Churchover village.
7. from Coton Road, Churchover, looking towards Churchover village in a NNW direction (Viewpoint D).
8. from the A426 between Gibbet Hill roundabout and the entrance to Coton Hall

The applicant's landscape consultant confirms in the conclusion to the ES that the development is likely to result in the following impacts:

(a) Landscape Character

The assessment in the ES was of the opinion that there will be significant changes to the landscape character of parts of the High Cross Plateau – Open Plateau landscape character type within which the development lies. It concludes that these significant effects to the landscape character will arise in the area immediately around the development, which is defined broadly as the area lying within 2-2.5km of the nearest turbine. Within this area the proposed windfarm development is considered to have a material effect on the existing landscape so that its landscape character is defined by the presence of the development.

The assessment also considered the impact on the wider area and concludes that whilst there is widespread visibility this is mitigated by factors such as the gently rolling, large scale, open nature of the receiving landscape, the wide panoramic views within which the development will be perceived and the degree of intermediate screening.

The effect of the development on the openness of the Green Belt was also assessed in the ES. This was concluded in the ES as being not significant.

(b) Views.

The second part of the visual assessment ES deals with the potential visibility of the development.

The most significant finding in the ES is that close to the site, where there is little or no screening of the turbines, they will be seen as large scale, moving elements to their full height and it may also be possible to see other components of the development where views are from close proximity or elevated positions.

The assessment of visual effects has found that there may be significant effects on views from settlements, routes and properties within the area that lies within approximately 3.7km of the nearest turbine – individual properties which benefit from open views in the directions of the development may be subject to significant effects due to the change in the views. It also states that it is considered that views from residential properties tend to be amongst the most sensitive to the development. – in Churchover village it was concluded in the analysis in the ES that there would be a significant effect on a relatively small number of residential properties when moving around the village.

Significant effects are also recorded for the footpaths and bridleway routes that pass through and near to the site as well as nearby road routes including parts of the A5, the A426, the A4303 and the B4112.

Finally significant effects may also arise as a result of the potential for partial views of the development from Newnham Paddox art park.

From wider afield, the Zone of Theoretical Visibility diagram (ZTV) indicates that there will be extensive visibility throughout the area of parts of up to 9 turbines, however the reality stated in the ES is that the areas where the turbines may be visible will be markedly reduced due to the incidence of vegetation and landform. However, there are some scale comparisons in the vicinity of the site such as Cestersover Farm and Holy Trinity Church, which will be seen within the same views, which would alert viewers to the large scale of the turbines when seen in the same view.

(c) Cumulative Impact.

It states in the ES that it is considered that the scale of the development and the general character of the landscape setting is similar to those of other cumulative wind farms. These form a loose line of wind farms to the east of the M1, whilst the application wind farm forms a loose grouping around those further to the east. This will result in generally extending the influence of wind farms within the views and landscape further to the west than in the case of the existing consented wind farms.

The ES also refers to distance of the development to Swinford which is about the same distance as that to Yelvertoft, which is claimed would together form a loose grouping, which would together form a loose grouping within similar parts of moderate and distant views. The area that lies within the triangle between these three locations is also subject to a number of man-made influences – M1/M6 junction aggregate and landfill site, quarries etc. It concludes that many of the significant cumulative effects on views and receptors have also been assessed as being significant when considered on their own. The extent of landscape character areas that are significantly cumulatively affected is within a maximum distance of around 4.5 to 5.0km, but is less extensive in places.

### Comment on Landscape Character Findings in ES.

The assessment contained in the ES relating to impact on the landscape is very extensive and detailed. The one area that I have significant reservations about this assessment on the effect on the landscape relates to its interpretation of the significance of the River Swift Valley. Both the ES assessment and the baseline study that has been used to inform this (the Landscape Assessment of the Borough of Rugby – LABR), identifies the site as lying within the High Cross Plateau, Open Plateau Landscape Character Type (LCT).

Within the wider LCT, which covers a significant area to the south of the A5, the LCT is sub-divided into Landscape Description Units. The LDU that covers the application site is 106. The main landscape feature identified in this LDU (and described in the Borough Council's Landscape Capacity Study worksheet assessment) is:

*'... one of a broad valley focussing on the course of the River Swift on the flat valley floor with gentle slopes to the west and steeper slopes to the east especially around the settlement of Churchover, which lies on the upper slopes. Other settlement is sparse with occasional rural farmsteads and dwellings although there are two small gas transmission complexes and a power line crosses the area to the west. The A5 lies to the north and the M6 to the south although access to the area is generally limited to a few minor roads and footpaths. The land use is predominantly arable farmland associated with large scale rectilinear and sub regular field pattern especially to the west and pastoral on the steeper slopes, valley floor and ridge and furrow to the east. The field pattern has been rationalised to the west and is rectilinear to the east with small fields in places associated with Churchover. Hedgerows are low cut and gappy in places. There is limited tree cover with a few copses of deciduous trees and occasional hedge trees. The small church spire at Churchover is the main landmark in the area. Overall the area is fairly open with views to the north towards Magna Park and Lutterworth and to the south there are views of Rugby...'*

Landscape assessment is of course subjective. Whilst the ES and the other studies have attempted to define a standardised landscape character to enable an assessment of the site to be carried out, this is not considered to fully address the subtleties of the landscape form found at the application site, which is considered to have some specific characteristics within this overall LDU.

When assessing the application site on the ground, this part of the River Swift is more significant in terms of its landscape character than has been identified in either the ES or the LABR. Looking over the valley in a north-westerly direction from Churchover village, the landscape in this area exhibits the following characteristics:

- the River Swift has a more meandering format in the section between the A5 and the M6, compared to other sections of the river
- this meandering format has created a flat plain along the bottom of the valley, which is at a significantly lower level (approximately 96.0m AOD on the valley floor) compared to around 130m/135m AOD along the top of the plateau. This change in level is considered to be a significant landscape feature in the context of its immediate surroundings
- the meandering river form has created a series of rounded spurs, with steepish slopes in places that project into the valley at certain points creating a more pronounced and subtle landform, compared to other parts of the High Cross Plateau

- The landscape does contain quite large open fields, with some limited definition resulting from hedgerows on field boundaries and areas of woodland
- The landscape form also has to be read in conjunction with the settlement of Churchover which sits on the crest of the eastern valley slope. From parts of the valley floor certain buildings are visible, including the spire and tower of Holy Trinity Church, Church Farm, Long Acre and Ivy House as well as ancillary stables/ farm buildings.
- The setting of the village of Churchover within the landscape is also an important feature in its own right, which resulted in the conservation area boundary around the village being defined to include some of the open land around the village. This demonstrates the importance of the relationship between the village and the wider landscape setting around the village.

It is considered therefore that the above features, particularly in the vicinity of Churchover, does result in a more subtle landscape character than identified in the ES submitted by the applicant in support of the current proposal. This has significant implications particularly when considering matters such as the potential visual impact of the current wind farm proposal on the landscape and settlement character.

#### Landscape Impact Study.

The authors of the Renewable Energy study (mentioned earlier in this report) recommended that Rugby Borough Council conduct a “Landscape Impact Study” to critically appraise landscape development constraints to wind energy development. As a result, the Landscape Capacity Study (LCS) for wind energy development was commissioned in October 2010. It provides useful evidence that can inform the consideration of this application and the possible impacts this development may have upon the surrounding settlements and landscape.

#### *Study findings:*

The Rugby Borough Landscape Character Assessment (LCA, 2006) divided the Borough into ten Landscape Character Types (LCTs) and these have been used as the basis for the sensitivity and capacity assessments in the Landscape Capacity Study (see LCS figure 5). The application site is located within the High Cross Open Plateau (HCOP). The LCA describes the High Cross Open Plateau as: “a remote, large-scale, open, rolling plateau dissected by broad valleys, characterised, by the most part, by wide views and a strong impression of emptiness and space.”

The sensitivity assessment, undertaken as part of the LCS, concludes that the HCOP has a medium sensitivity to wind energy development:

*“the area can potentially accommodate development in the category of 6-12 turbines but it would be highly desirable for clusters to be in the lower end of the range so as not to over dominate their environs (e.g. up to 7 turbines) dependent on local constraints and technically feasible areas. Larger developments would tend to dominate the landscape, exceed the grain of landscape pattern (e.g. maintaining an acceptable separation from settlements) and start to intrude towards the edges of the plateau which tend to be more sensitive.”* (HCOP sensitivity assessment sheet, Appendix A).

For each LCT that was found to have low or medium sensitivity to wind energy development, a number of scenarios were used to explore the maximum capacity. The scenario clusters used do not infer preferred locations but are used to explore overall area capacity. The study outlines that the preferable location for a cluster in

the HCOP is to the north of the area because this minimises potential cumulative effects with turbines already located at Swinford and Low Spinney (see figure 8).

The scenarios within the HCOP included a collection of turbines in a similar location to the application, this is often referred to in the study report as the 'eastern cluster' (see figure 8). It is explained that the approximate location of the application site has potential for development if appropriately sited:

*“One further small cluster (preferably 1-4 turbines) may be able to be accommodated further east [at approximate application site] but its siting and design needs to ensure that effects are minimised on Churchover and its spire and other settlements as well as on Newnham Paddock and the landscape character of the Swift Valley. (Para 7.3).*

The study contains the following detailed observations about the specific issues a cluster of wind turbines at the approximate location of this would encounter (see HCOP Capacity Summary, Appendix B):

- *Visual criteria: The eastern cluster [approximate location of the application site] is located within the 2km of Churchover and there is potential for a cluster of a typology of 7 turbines to dominate the settlement. In addition, the Swinford wind farm is approximately 5km to the east with possible cumulative effects;*
- *Landscape criteria [landscape]: The eastern cluster [approximate location of application site] is in the Swift Valley in large fields on more gradual slopes of the north western side of the valley avoiding the steeper slopes on the eastern side and valley floor. However, there is potential for a cluster of a typology of 7 turbines to dominate the valley and distort its scale;*
- *Landscape criteria [settlement]: Eastern cluster [approximate location of application site] close to Churchover would affect views to the listed church and spire diminishing its scale and affecting its context including the conservation area. It may also affect vistas from Newnham Paddock parkland.*

(HCOP capacity assessment sheet, Appendix B)

*Study conclusions:*

The detailed observations referred to above have led to the following conclusions about wind energy development at the approximate location of the application site:

*“This [cluster at application site] should not be 7 turbines in size because of potential effects on the landscape scale of the Swift Valley and potential effects on Churchover and its spire. Possibly between 1-4 turbines would be appropriate. There are also potential effects on Newnham Paddock as well as potential cumulative effects with Swinford which will limit acceptability, siting and design would require very careful consideration.” (HCOP Capacity Summary, Appendix B)*

The proposal is considered to result in significant visual intrusion into the landscape. The proposed turbines will be located in an 'S' shape across the River Swift Valley, from a position close to Bransford Spinney to a point to the west of the line of the disused Rugby to Leicester railway line. The distance between Turbine 1 and Turbine 9 will measure 2030 metres (2.03 km).

From the farm gate on Church Street in Churchover village (opposite Ivy House), there are extensive publically available views across the Swift Valley will encompass all 9 turbines (although the lower parts of Turbines 1 to 3 will be partially screened by the landform and vegetation to the north including a spinney and hedgerows). From this point the angle of view which includes all 9 turbines measures 112 degrees.

From the footpath leading from Churchover to Montillo Lane (at the footbridge across the River Swift), the views are even more open. From this location, the angle of view which includes all 9 turbines measures 133 degrees. Both views are considered to result in quite wide viewing panoramas, which in itself will be very dominant visually.

These positions are fairly close to the turbines (as close as 480m from the nearest turbine at the River Swift footbridge), and are from publically accessible viewpoints that are used by both local residents and residents of the wider area. This impact is considered to be very significant, given the combination of the wide viewing angles identified above and the visual dominance of the turbines, this is considered to result in serious visual harm to the landscape. In effect it would result in the landscape of the River Swift Valley, in the vicinity of Churchover, being dominated by very large turbines, resulting in the loss of its existing open landscape quality.

The Borough Councils Landscape Architect has commented on the submitted ES and the impact of this proposal as follows:

It is felt that on the whole the conclusions reached by White Consultants concur with our own (i.e. that if this site is to accommodate wind turbines the number should be limited to a maximum of four and these should be the four located to the east of the site). It should be noted, however that there are more appropriate sites within the Borough that could accommodate turbines which would have considerably less impact on the landscape and on nearby settlements.

The Written Statement produced by Dulas Ltd on behalf of SSE Renewables in respect of the Landscape Character of the site must be questioned in part:

- 1) whilst the statement acknowledges that the effects of the Development will be significant to parts of the High Cross Plateau, section 6.17.3.3 of the document can be disputed –
  - the gently rolling, large scale, open nature of the receiving landscape does not necessarily have the ability to accommodate the scale of the Development proposal –the development will dominate this currently open landscape;
  - the wide panoramic views within which the Development will be perceived in a considerably different way;
  - there is very little intermediate screening occurring across the site;
  - the site does have heightened value in terms of its setting for Churchover village, the landscape here is unique to this area of the borough with relatively uninterrupted views;
  - the existing developments surrounding the site are well-screened and will further improve as the landscaping matures;
  - it is not felt that the nature of the development is 'compact'
- 2) It is felt that the openness of the Green Belt would be significantly affected if the development were to be permitted (section 6.17.3.4)
- 3) Section 6.17.4.2 can be disputed as there are significant viewpoints, (i.e. surrounding roads, footpaths & high-ground viewpoints) which permit visibility across the site – the lack of hedgerow trees, and woodland does not provide intermediate screening;

- 4) Section 6.17.4.3. is not accurate since the incidence of trees and hedges is no longer significant due to recent farming practises.

In conclusion, there appears to be a difference of opinion between the applicants submitted ES and in particular the Borough Council officers own assessment plus the Landscape Capacity Study produced by White Associates, about the significance of the impact and thus the suitability of the site for wind turbine development in this location. The findings of the Landscape Capacity Study are supported by the site assessment carried out Council's Landscape Architect, which I also concur with.

It is therefore considered that there will be significant impacts which will cause demonstrable harm to the landscape character of the Swift Valley as a result of this proposal, particularly to the part surrounding Churchover village. These impacts are summarised as follows:

- The proposal will result in the introduction of 9 very large structures spread over a large area within the River Swift Valley. Due to the gently rolling, large scale, open nature of the receiving landscape, it does not necessarily have the ability to accommodate the amount or scale of the development proposal
- The subsequent resulting development will significantly change the landscape character from one of a gently rolling, large scale and open landscape, into one that will be dominated by a large scale wind farm. Existing fairly open views into and around the site from many locations including surrounding footpaths, lanes and from the village of Churchover, will be severely impacted upon, given the extent and resultant wide panorama of the wind farm that will result.
- Views across the River Swift towards the village of Churchover (which contains important heritage assets) and is located in a landscape setting of significance in its own right, and from other publically accessible locations will also be harmed.
- Significant parts of the proposed access tracks and junction/turning areas will also be particularly visible in many places given the existing sloping landform where raised embankments will be needed on the downward part of the slope.

Guidance in PPS1 and PPS22 requires local authorities to give significant weight to supporting new wind energy projects that emerge, when planning applications are being considered. Conversely, given the large size of the turbines and their siting, the presence of a wind farm can lead to significant harm to existing landscape character in the area. A balance therefore has to be struck between the above two conflicting scenarios, which is recognised in government guidance,

In this instance it is considered that the need for this renewable energy project does not outweigh the significant harm that has been identified in the above section. This includes the significant harm caused by the presence of such a large wind farm on the landscape character of the River Swift Valley in the immediate vicinity of Churchover village.

In terms of the cumulative impact of the proposal combined with nearby consented windfarms alongside the M1 – Low Spinney, Swinford and Yelvertoft – the Bransford Bridge proposal will introduce additional large scale wind farm development further eastwards. The distance from the nearest turbine (Turbine1) to the Swinford Turbine measures 5.0km. Whilst cumulative impact is mitigated somewhat by distance, some of the turbines will be viewed as far away as 25 km and within a large part of the areas 5.0km and 10kms from the site.

The Zone of Theoretical Visibility (ZTV) map for the Bransford Bridge site when combined with the three nearest wind farms – Swinford and Low Spinney – will result in much of the 25km study area around Bransford Bridge having views of at least 2 to 3 in many parts and sometimes 4 wind farms. It is considered though that on balance, the distance from and landform will mitigate this, although as stated in the Landscape Capacity Study for Wind Energy Development, it would be better if the scheme was reduced in size to contain it into one area of the site. This would thus have less potential cumulative impact and help to reduce the feeling of a windfarm dominated landscape, as suggested later on in the conclusion.

On the basis of the concerns set out above, the proposal is therefore considered to conflict with the requirements of Saved Local Plan Policy GP5, Rugby Core Strategy Policy CS16 as well as national planning guidance contained in PPS1, PPS7 and PPS22.

### **3. Impact on Heritage Assets**

There are a number of heritage assets in close proximity to the proposed wind farm that may be affected by this proposal. These are:

#### *Listed Buildings.*

- Holy Trinity Church, Churchover (Grade 2\*)
- Coton House, Churchover (Grade 2\*)
- Stable Block, Coton House, Churchover (Grade 2)
- The White House, Church Street, Churchover (Grade 2)
- Heath Farmhouse and Wall, School Street, Churchover
- Streetfield Farmhouse, A5 Watling Street (Grade 2)

#### *Conservation Areas.*

- Churchover Conservation Area

#### *Scheduled Ancient Monuments.*

- Cestersover Medieval Village (now de-scheduled)

Further afield, there are a large number of listed buildings, conservation areas and historic parks and gardens that as receptors may be affected by the proposed development. These include Brownsover Hall (Grade 2), Clifton upon Dunsmore Conservation Area, and Newnham Paddock . Outside of the Borough the nearest receptors are Cotesbach Manor and Church as well as Stanford Hall.

PPS5 'Planning for the Historic Environment' sets out policies that will enable the Governments vision for the historic environment to be implemented through the planning system.

Policy HE1: Heritage Assets and Climate Change. Paragraph HE1.3 of this policy states that:

*“...where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate should be weighed against any harm to the significance of heritage assets in accordance with development management principles in this PPS and national planning policy on climate change..”*

Policy HE10: Additional Policy Principles Guiding the Consideration of Applications for development affecting the setting of a designated heritage asset states that:

*“... when considering applications for development that affect the setting of a heritage asset, planning authorities should treat favourably applications that preserve elements of the setting that make a positive contribution to the asset. When considering applications that do not do this authorities should weigh any harm against the wider benefits of the application. The greater the negative impact the greater the benefits that will be needed to justify approval...”*

Core Strategy Policy CS16 states that development should seek to complement, enhance and utilise the historic environment and not have a significant impact on existing designated and non-designated heritage assets and their settings.

These are the key heritage policies to be used in the assessment of the current proposal for a wind farm development in this location, close to identified heritage assets.

The adopted Rugby Borough SPD ‘Churchover Conservation Area Appraisal’ (June 2010) recognises the following features that contribute to the character of the village and its conservation area designation:

- Location and Context – Churchover is a relatively small conservation area covering the majority of buildings within the village. The designation is surrounded by countryside.
- General Character and Form – buildings are sited close to the road providing a strong sense of enclosure, consequently only a few glimpses of the countryside are obtained from the street
- Landscape Setting – Landscaping and green open spaces are an important characteristic of the Conservation Area. The approach from the east is through countryside. The approach into the village from the south-west has a more countryside character with a gradual transition from a natural landscape to a more building-dominated one. The church is also set in extensive open grounds and views of the surrounding countryside open up the village to the west. The countryside provides a well landscaped termination at the end of Church Street.
- Detailed Architectural Assessment (Area 3: Church Street) – Holy Trinity Church dominates the streetscene. There is a mass of trees to the rear of the site directly behind the church preventing views of the countryside beyond. To the north of the building the boundary is not landscaped and clear views into the countryside are provided. Such views of the countryside from the highway are rare in Churchover (This view is identified in Map 5 Key Views and Vistas). The church is the most dominant building in the village, its spire visible from a number of locations. Ivy house on the eastern side of Church Street terminates the built development. A grass verge, hedge and trees complete the view and prevent clear views into the countryside on the northern end of Church Street; views are open to the west.

The Churchover Conservation Area Appraisal identifies the key components of the landscape and townscape which constitute the area's special historic/architectural interest and which justify the designation of the Churchover Conservation Area. It is intended to assist in informing the planning process in design considerations and in determining planning applications.

As stated earlier, it is considered that there is a strong relationship between the setting of the village of Churchover and the wider landscape setting. Churchover village sits close to the top of the eastern slope of the River Swift Valley. The village itself contains Holy Trinity Church (Grade 2\*), whose spire is visible from a number of viewpoints, as well as other listed buildings. Churchover village is also designated as a conservation area. The conservation area boundary is more extensive than the settlement boundary, and this also incorporates more open land on the slopes running down to the River Swift, recognising the importance that the landscaped setting around the village makes. The connection between the significance of the setting of the heritage assets around Churchover village and the surrounding landscape character of this part of the River Swift Valley are also considered to be strongly inter-connected, adding to the importance and need to preserve this asset.

It is considered that these features are heritage assets of significant importance, which need to be fully addressed and considered in the current proposal.

It is therefore considered that due to the size, scale and extent of the proposed wind farm, there will be significantly harmful impacts on views towards the proposed turbines from the village and towards the village from publically accessible viewpoints around the village. As described above, the setting of both the village and the listed church is recognised as being of importance, and thus the siting of the proposed wind farm will undoubtedly impact on these assets to a significant degree.

English Heritage has been consulted about this proposal and has commented as follows:

*The theoretical zone of visibility demonstrates that these large turbines will be visible from a very wide area, well beyond 25km.*

*The proposed location is partly around the site of the deserted medieval village of Cestersover which was de-scheduled as a result of the extensive ploughing of the site. I understand that subject to appropriate archaeological conditions the County's archaeological advice is that they are content for the scheme to proceed.*

*Whilst three wind farms have been permitted within 10km of the site (to the east of the M1) and there are other proposals in the system, in this instance the impact on the setting of the heritage assets is such that a smaller scale proposal would be preferable.*

*The village of Churchover is a Conservation Area and contains a number of listed buildings, including the grade II\* listed church. The photomontages in volume three of the Environmental Statement and the associated text argues that the impact is acceptable. However, the turbines will have a serious impact not only in views out of the village, but also in views into it. For example, the views from the south will see the turbines immediately behind the village which will have a major impact on the setting of the village in a wide and open landscape. This is shown in the Additional Viewpoints: assessment & photomontages volume dated June 2011.*

*The associated infrastructure works will have an impact on the landscape with substantial scale of the required roads and crane hard standings to accommodate the transport and erection of the large elements of the turbines.*

*The preferred approach would be to negotiate a smaller scheme of, say, four turbines, removing them from the immediate setting of the village. If that is not possible then the impact on the setting of the village is such that the scheme should be refused.*

As part of the decision making process it will be necessary to identify any impacts the proposed development will have on the Conservation Area and to weigh these against the environmental benefits of the renewable energy development.

The views of English Heritage generally concur with the assessment of the impact on heritage assets set out earlier in this section. In coming to a conclusion on the impact on established heritage assets affected by this development, in this instance, it is considered that the need for this renewable energy project does not outweigh the significant harm to the important heritage assets contained in around the village. This included the setting of the Grade 2\* Holy Trinity Church and the conservation area that surrounds the village (recognising its important setting in the landscape overlooking the valley) as well as other heritage assets at Streetfield Farm (Grade 2 listed), which was not highlighted in English Heritage's comments. This is a three-storey farmhouse building, whose main aspect directly faces towards Turbine 4 at a distance of only 480m. This relationship is considered to dominate the and thus harm setting of this listed building to a detrimental effect, further highlighting the difficulty in siting such a large wind farm, where there are significant heritage assets very close to it.

The proposal is therefore considered to conflict with the requirements of saved Policy GP5 and Core Strategy Policy CS16, as well as national planning guidance contained in PPS1, PPS5 and PPS22.

#### Archaeology.

The ES contains an assessment of the potential archaeology on the site, which was produced following a scoping opinion provided by Warwickshire CC Museums Field Services. It is expected that in advance of any construction, a written scheme of investigation be implemented – with any loss of heritage resource being off-set by the information gained by the results of the investigation.

The main archaeological assets that are known to exist on the site include:

- Possible Roman and Anglo-Saxon remains alongside Watling Street (Roman Road)
- The deserted medieval village of Cestersover (now delisted by English Heritage)
- The Manor House at Cestersover village
- Cesters over Mill lying to the east of the deserted village
- Ridge and Furrow – most of this has now been ploughed up due to modern deep ploughing techniques employed in the last 30-40 years, although some important fields exhibiting these features still remain adjacent to Bransford Bridge and west of Cestersover.

Objectors have raised concerns about the loss of more of the remaining ridge and furrow in the area, and their representations have been forwarded to of Warwickshire CC Museums Field Services for assessment and comment.

The comments of Warwickshire CC Museums Field Services are awaited and will be reported verbally at the meeting.

#### **4. Impact on Residential Amenities and Visual impact.**

In terms of the potential impact of the proposed turbines on nearby residential properties, there are two issues that need to be considered:

- (a) Visual Impact
- (b) Noise and Disturbance.

In terms of their relationship, an important factor to be included in the consideration is the applicants request for a micro-siting tolerance of up to 50m. This request is dealt with in more detail below, but has potential implications on the amenities of nearby residential properties as turbine locations could be up to 50m closer than shown on the submitted site layout plans.

In terms of the relationship between individual turbines and adjacent residential properties, the following critical distances will occur:

Turbine 1 to Ivy House (Churchover)	– 900 metres
Turbine 1 to Farndale (Gibbett Cross A426)	- 1200 metres
Turbine 2 to Ivy House (Churchover)	– 1080 metres
Turbine 2 to Streetfields Farm Cottage	– 800 metres
Turbine 3 to Streetfields Farm Cottage	– 500 metres
Turbine 3 to Streetfields Farm	– 630 metres
Turbine 3 to Moorbarns Farm (Leics.)	- 920 metres
Turbine 4 to Streetfields Farm	– 480 metres
Turbine 4 to Streetfields Farm Cottage	– 525 metres
Turbine 4 to Moorbarns Motel (Leics.)	– 1000 metres
Turbine 5 to Streetfields Farm	– 790 metres
Turbine 5 to Farm Cottages (Cestersover Farm)-	480 metres
Turbine 5 to Cestersover Farm	- 500 metres
Turbine 5 to Long Acre (Churchover)	- 1030 metres
Turbine 6 to Cestersover Farm	- 420 metres
Turbine 6 to Long Acre (Churchover)	– 800 metres
Turbine 6 to Church Farm (Churchover)	– 850 metres
Turbine 7 to Cestersover Farm	– 530 metres
Turbine 7 to Large Barn (off Montillo Ln)	- 670 metres
Turbine 7 to Harborough Fields Farm	- 750 metres
Turbine 8 to Cestersover Farm	– 580 metres
Turbine 8 to Farm Cottages (Cestersover Fm)	– 670 metres
Turbine 8 to Large Barn (off Montillo Ln)	- 480 metres
Turbine 9 to Cestersover Farm	– 600 metres
Turbine 9 to Farm Cottages (Cestersover Fm)	– 670 metres
Turbine 9 to Large Barn (off Montillo Ln)	- 600 metres

Discussions with the applicant have taken place to ensure that those properties that are most affected (Cestersover Farm and its adjacent farm cottages including Foxhole Cottage/Godfery's Hill Cottage and Home Close/Spinney Close as well as Streetfield Farm and Streetfield Farm Cottage) are 'financially involved' in the proposal. This is important, as if this is the case a higher background noise threshold at these properties, can be accepted when the turbines are in operation, using ETSU guidance as well as considering visual impact issues.

In this instance, an agreement under s106 of the Town & Country Planning Act 1990 or a unilateral undertaking, would be required to ensure that all of the 'financially involved' properties remain as such during the lifetime of the development.

(a) Visual Impact.

As discussed earlier the size and scale of the proposed turbines will have a significant visual impact, particularly when located close to residential properties. Whilst planning legislation does not give rights to or protect views across private land, it does seek to ensure that the outlook from properties is not harmed to such a degree that it would harm the enjoyment of people living in affected properties.

The distance measurements shown above indicate the distances that each turbine could be to the nearest occupied property, if permitted. Account also has to be made of the applicants request to micro-site the proposed turbines by potentially up to 50m in each direction.

The closest properties to most of the proposed turbines are Cestersover Farm and its associated farm cottages, Streetfield Farm and Streetfield Farm Cottage, who are all 'financially involved' properties. The distances to turbines from these properties to the nearest turbine(s) varies from 420m to 480m (without 50m micro-siting). On this basis, although closely located, it is considered that as the occupants will gain to benefit from this proposal, the impact on outlook in these instances should not be given as much weight as privately owned/occupied properties.

There are concerns though about the potential impact on a recently converted barn (Large Barn, Montillo Lane), which is accessed off Montillo Lane. The main outlook from the front of this property is to the east, although it does have an enclosed garden to the rear and a small fenced garden/paddock to the front. With micro-siting, there is the potential for Turbine 8 to be as close as 430m from this property when viewed in a north-easterly direction. Although its base would be screened by the landform, it would still result in a structure that would overwhelm and dominate this property, and thus have a serious impact on the everyday amenities and enjoyment of the occupiers of this property.

Views from properties in Churchover village in a west and north-westerly direction, will look directly towards Turbines 6 to 9. The nearest turbine is Turbine 6, which will be 850m from the village (without any micro-siting tolerance). Whilst views of these turbines from these properties will be significant, the effect of distance would reduce the impact on the outlook from these properties to a level that is considered, on balance, to be acceptable.

The distance from respective turbines to properties on Montillo Lane, at the A426 Gibbet Hill and Moorbarns and Hill Farm (Leicestershire) is again considered to be acceptable in relation to impact on outlook.

It is therefore considered that in terms of the potential visual impact on adjoining residential properties (particularly the Large Barn off Montillo Lane), the proposal fails

to comply with the requirements of saved Policy GP5, Core Strategy Policy CS16 and national planning guidance set out in PPS1 and PPS22.

(b) Noise and Disturbance.

The main issues to be addressed in terms of protecting the amenities of adjoining residents relates to the impact of noise, amplitude modulation and shadow flicker.

Paragraph 22 of PPS22 confirms the Government position that ETSU-R-97: *The Assessment and Rating of Noise from Wind Farms*, should be used to assess and rate noise from wind energy development. This states that for day time hours noise limits are to be 35 – 40 dB(A) or 5 dB(A) above prevailing background as measured during quiet day-time periods. For night time periods the noise limit is 43 dB(A) or 5 dB(A) above the prevailing night-time background, whichever is the greater.

When an occupier of a property has some financial involvement with the wind farm, the day night-time lower noise limits are increased to 45 dB(A) and consideration can be given to increasing the permissible margin above background.

Background noise was monitored at a range of locations, where residential properties exist close to the proposed turbines, around the application site. The night-time noise assessment showed that the predicted turbine noise levels, at the nearest residential locations to the site, were below the night time limits under all conditions. The day-time assessment also confirmed the same for the lower day-time noise limits under all conditions.

The Head of Environmental Services has so far raised no objections to the proposal on the grounds of noise and disturbance, subject to a number of conditions being attached and further clarification/assessment being provided by the applicants. It is therefore considered, that if suitable planning conditions are applied, noise and disturbance problems to nearby properties could potentially be prevented. The Head of Environmental Services also requires formal clarification from the applicant about the status of each of the financially involved properties that are potentially affected by the proposed wind farm.

The proposed conditions would seek to include the following matters:

- Submission of full wind farm design – make, model, design, hub height, blade measurements, power rating, tonal assessment etc
- If the chosen wind turbine deviates from the candidate wind turbine (2 MW Vestas V90 – with hub height of 80m) used for the ETSU-R-97 noise assessment, before commencement of development an additional full acoustic report be submitted and approved by the LPA.
- Construction works and traffic restricted to 08:00 to 18:00 hours Monday to Friday and 08:00 to 13:00 on Saturday only
- A construction management statement be agreed to control noise, dust, vibration etc
- An operating noise condition based on ETSU-R-97 guidance
- Prevention of turbines rotating a speeds below 2 m/s
- Within 28 days of the receipt of a noise complaint or complaint on amplitude modulation, the applicants shall employ a independent noise consultant approved by the LPA to assess the level of noise emissions and whether there has been a breach of noise limits

- Wind speeds, directions and power generation for each turbine shall be continually logged and provided for a period of 5 years – to aid analysis of any potential noise complaints
- The developer shall comply with any reasonable requests by the LPA, when investigating noise complaints, including stopping the wind farm from operating for a period of time to assess these complaints
- When a wind turbine is chosen, a manufacturer's warranty be submitted to establish relevant noise conditions.

The Borough Council's Environmental Health Officers discussions with the applicant's noise consultants regarding agreement on acceptable noise conditions is continuing, and an update on progress/outcomes will be provided at the meeting.

### **5. Ecology & Wildlife Issues.**

An ecological survey was submitted with the application. In summary, this indicated that some non-avian protected species were found to be present on or close to the site – minor otter activity in the River Swift, seven species of bats were surveyed and some evidence of badger, grass snake and brown hare. No impact on these species from the development is predicted.

Where excavation works are proposed, these locations will be carefully searched and any works carefully carried out and monitored to prevent potential impacts on wildlife species. Some further survey work of existing ponds along or close to the line of the grid connection to the Pailton Electricity sub-station, will be necessary to check for the possible presence of Great Crested Newts.

The operation of the turbines will be monitored any bat or bird corpses that are discovered, will be recorded, analysed and fed back to WCC Ecology..

There are also proposed ecological enhancements to the site, including 0.8km of willow and alder plantings along the line of the River Swift, which is considered to be the most effective location for biodiversity improvements away from the location of the proposed turbines.

Extensive ornithological studies have also been carried out on the site. Four bird species of elevated statutory conservation status were found to be present – Golden Plover, Hobby, Marsh Harrier and Peregrine – plus additional species of increased conservation concerns. These species could be at potential risk of adverse effects from wind turbine development.

Warwickshire County Council Ecological Unit have been consulted and their comments (which echo those of Natural England and the Warwickshire Wildlife Trust) are set out as follows:

*We support these organisations' assessments and will follow the similar format to that of WWT's response to help you formulate your response. I suggest that the level of impact on some of the species (e.g. records of Nathusius' pipistrelle bat suggest that they are very rare in Warwickshire so the loss of even one individual would be highly significant), but this would not alter my recommendations, which*

are:

- *That a full Local Wildlife Site Criteria Assessment of Churchover meadows potential Local Wildlife Site (pLWS) should be undertaken to inform the proposals and subsequent management plan. This assessment will need to be assessed by the Local Wildlife Site Partnership Panel before the pLWS site can be approved/ refused accordingly. Therefore we suggest that the survey data for Churchover Meadows is submitted for review by the partnership ideally in the format that accords with the Warwickshire Sites for Nature Conservation Assessment criteria (which I can supply to the applicant's representatives electronically). Under normal circumstances we would request this as predetermination information, however, we suggest that there is adequate mitigation potential within the landholding to offset any biodiversity loss.*
- *We are satisfied with the proposed list of mitigation measures detailed in paragraph 8.7 of the EIA and the need for adequate safeguards for protected species during the construction works. We suggest that such provisions are incorporated into a Environmental Protection Plan for Construction condition (see below).*
- *We agree with the recommendations to enhance the River Swift corridor and the disused railway at Cosford pLWS. We recommend that the enhancement details as outlined in paragraph 8.11 of the EIA include monitoring for bat and bird mortality. We suggest that these are incorporated into a Section 106 as some of the mitigation that may be required could be outside the red line of the planning application and potentially the landowner site boundary. I would suggest that the terms of the Section 106 that an "Ecological Mitigation and Management Plan is to be produced by an [allocated] time" can be agreed if you are minded to approve this application. Thus enabling us (on RBC behalf) and other stakeholders to interpret the existing data gathered during the EIA survey work and that requested in the first bullet point to assist in apportioning appropriate compensation and mitigation. The survey requested in the first bullet could either be a condition or be part of this Section 106 depending upon the timing of and earth moving operations that may impact on the potential Local Wildlife Site. I can possibly advise on this later.*
- *Similarly we welcome the requirements for the development of a decommissioning plan for the site. Once again this could be part of a Section 106 so that it can be written and submitted based on environment data at the time of the decommissioning. For example, when the decommissioning occurs climate change may have significantly change the surrounding habitats and so the plan will need to be compatible to these unforeseeable changes.*

A number of planning conditions is recommended to be applied, if the application is recommended for approval.

On this basis the proposal is considered to comply with national planning guidance contained in PPS9.

## **6. Access.**

Access to and from the site will be via a new entrance off the A5 (Watling Street), close to the River Swift crossing at Bransford Bridge. A widened site access of the A5 will be required plus 5.5m wide access tracks with 40m wide radii at junctions, to enable specialised low-loader wind turbine transporters to access the site. This will involve the need to remove some existing tree planting along the A5, although replacement planting would be required to mitigate this.

A Transport Assessment has been submitted in the ES. This indicates the following:

- Peak level HGV trips will be 44 per day during the peak construction period (Month 5) rising to 67 on days when concrete foundations are being poured
- Trips by construction personnel to the site will be between 10 and 50 trips per day. A staff travel plan will be put in place to reduce the number of car trips to the site.
- During operations the traffic generation will significantly decrease

During the construction period, during peak hours, traffic flows on the A5 will increase by around 10%, which is not considered to be significant.

The ES also contains proposed access routes to the site along the national road network from the M1 and M6, using the low-loader transporters, which demonstrates that the road network in the area can safely cope with long vehicles transporting turbine equipment to the site.

WCC (Highways) and the Highways Agency have raised no objections to the findings contained in the transport assessment or the proposed large vehicle access to the site.

## **7. Impact on Users of Footpaths/Bridleways.**

Most of the proposed turbines are located far enough away from established footpaths/bridleways around the site.

I have concerns about certain specific turbine locations to adjacent footpaths. These are:

- Turbine 1 to Bransford Bridge - Churchover footpath – 100metres
- Turbine 7 to Churchover - Montillo Lane footpath – 35 metres
- Turbine 8 to Churchover - Montillo Lane footpath – 90 metres

The turbine blades have a radius of approximately 44m and therefore will either oversail or be very close to these footpath routes, resulting in an overbearing impact on the users of these routes. These turbines will thus require re-locating further away from these critical points. The 50m micro-siting tolerance that is being sought, could compound these critical distances even further.

Objectors have also raised potential safety issues, regarding information contained in the turbine manufacturer's warranty, relating to safe working distances from turbines. This is currently being discussed with the applicant, and an update will be provided at the meeting.

## **8. Flood Risk**

A flood risk assessment has been submitted as the site size exceeds the Environment Agency trigger point threshold of greater than 1.0 ha, and because part of the development lies close to the River Swift, partly within Flood Zone 3.

The Environment Agency has commented as follows:

The Environment Agency has no objections to the proposed development but wishes to make the following comments.

*Having reviewed our flood maps, drawing no. PAF1, entitled Site Layout, illustrates that there is, other than the river crossing, no development within Flood Zone 3.*

*There must be minimal interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.*

*Measures will need to be taken to ensure that any surface water run off from the proposed development and during the construction phase shall be free from material likely to cause pollution to controlled watercourses. Access roads and trackways will need to be constructed and maintained to ensure that surface water run off does not result in high levels of suspended solids causing pollution to watercourses. Consideration should therefore be given as to the most appropriate method of drainage system to be installed.*

*An easement strip from the top of bank of any watercourse is required in order to protect the watercourses from detrimental impact.*

*Proposals for crossings of watercourses on the site require the prior formal written consent of the Agency under the terms of the Water Resources Act 1991 and Land Drainage Act 1991.*

The above comments indicate that in terms of impact on the flood plain alongside the River Swift, it is therefore considered that the proposal complies with the requirements of national planning guidance contained in PPS24 'Development & Flood Risk'

#### **9. Health Issues/Shadow Flicker.**

A number of objectors have raised a number of health issues that may result from the presence of wind turbines close to residential properties.

There is no known medical evidence or research that has yet proven that wind turbines have a potentially negative impact on health, although concern does exist about this. Until medical evidence/research emerges that can demonstrate a connection to ill health, concerns in their own right are not sufficient under planning legislation to oppose this proposal.

Wind turbines are large structures which can cast long shadows when the sun is low in the sky. Shadow flicker can occur in certain circumstances inside buildings (which are located 130 degrees either side of north in relation to the turbine), when the sweep of the blades passes through the rays of the sun.

The ES contains a computed Shadow Flicker Assessment for 16 potential properties that could be affected around the site. It concludes that the maximum minutes per day when shadow flicker may occur ranges from 25 to 71 days per year and the total hours per year ranging from 9 to 139.

The applicants have suggested a computerised management regime could be implemented, so that at times when shadow flicker could potentially occur, the turbines that are identified as being responsible for the occurrence of shadow flicker will be shut down at the appropriate time.

It is therefore considered that any potential shadow flicker issues can be dealt with via a planning condition to ensure that a suitable management regime is in place that will close down a turbine at a time when potential shadow flicker can occur.

#### **10. Site Re-instatement.**

The proposed development is for a temporary period of 25 years. The bases of the turbines are anchored via large concrete foundations. There are also hard surfaced crane hard-standing areas and 5.5m wide access tracks and control buildings.

If this proposal is considered to be acceptable, a condition will be applied to ensure that all of the temporary structures – the turbines, the foundations, hard-standing areas, access tracks and any other ancillary equipment – will be removed from the site and it be restored to its former condition.

#### **11. Other Issues.**

##### **- Micrositing**

As discussed earlier, the applicant has requested a micro-siting tolerance of 50m around the base of each turbine. It is claimed by the applicants to be a common request by wind farm applicants to Local Planning Authorities

This is required as detailed ground and geotechnical survey have yet to be carried out on the site, which may lead to a necessity to marginally change the location of the wind farm infrastructure. It is claimed that more often than not the micro-siting tolerance will not be utilised, as considerable work has already informed the wind farm design. As the detailed wind farm design and location of turbines will need to adhere to planning conditions if planning permission is granted (e.g. noise conditions) to protect residential amenities, where any micro-siting is required the applicant will need to provide compelling evidence that it will not unacceptably affect residential amenities.

It is not considered that any compelling reasons have been put forward by the applicants to allow such a large amount of flexibility in permitted locations. In certain instances if the full micro-siting tolerance is used, a turbine could in theory move to within 370m of Cestersover Farm, 430m of Streetfields Farm (Listed - Grade 2) and 50m closer to Churchover village and its surrounding conservation area.

As stated above there are many concerns already raised regarding the impact in particular on heritage assets and the visual amenities of certain adjacent properties. By allowing a micro-siting tolerance of up to 50m this would only compound the already identified harm. Also, it is unheard of in any other major infrastructure planning projects, that such a large leeway in which a building/structure can be sited, is tolerated. In very isolated rural areas, some leeway could be permissible, but in areas such as Churchover with its many constraints, this is not considered to be acceptable.

The applicant has suggested an alternative 20m micrositing tolerance due to officers concerns, but even this is still not acceptable for similar reasons.

If the application is allowed and in the future the re-siting of the turbines is required due to adverse ground conditions, this could be dealt with in one of two ways:

- Re-submit a planning application showing the revised location of any turbines (A “free go” is available to the applicant, within 12 months of the earlier submission/decision)
- Submit a Minor Material Amendment Application under recent amendments to planning legislation for each turbine or group of turbines that need to be re-located.

The above would allow for all issues to be properly considered and consultations with affected parties to be properly carried out and form part of the decision making process.

- Air Traffic control issues

NATS (National Air Traffic Control Service) and Coventry Airport have both issued holding objections due to the potential impact on operational radar in this area.

The applicant has been in discussion with both parties with a view to carrying out a study to establish how the identified problems to the operational radar in the area can be overcome

An update on this issue will be reported verbally at the Committee meeting.

**12. Conclusion.**

Wind energy projects are recognised by the Government as being an important source of renewable energy for the future. Therefore significant weight must be given to supporting new wind energy projects that emerge, when planning applications are being considered.

Conversely, given the large size of the turbines and their siting, the presence of a wind farm can lead to significant harm to existing landscape character and adjacent heritage assets as well as having an over-dominant impact on nearby residential properties.

A balance therefore has to be struck between the above two conflicting scenarios, which is recognised in government guidance, particularly in PPS1 and PPS22 as well as saved Local Plan Policy GP5.

In this instance it is considered that the need for this renewable energy project does not outweigh the significant harm that has been identified in the above sections. This includes the significant harm caused by the presence of such a large wind farm on the landscape character of the River Swift Valley in the immediate vicinity of Churchover and also the important heritage assets contained in around the village (including the setting of the Grade 2\* Holy Trinity Church and the conservation area that surrounds the village recognising its important setting overlooking the valley) as well as other heritage assets at Streetfield Farm. In addition some harm to non-financially involved residential properties has also been identified.

The scale and prominence of a wind farm containing 9 turbines, would also contribute to creating a windfarm dominated landscape in this location, which would be compounded by the cumulative impact of other nearby consented wind farms at Low Spinney (4 turbines), Swinford (11 turbines) and Yelvertoft (8 turbines)

The adopted Borough Wide Landscape Capacity Study for Wind Energy Developments, does identify that the site may have the potential for between 1 and 4

turbines in this location, given the existing landscape and heritage constraints around the River Swift valley. It is considered that a reduced size of development of up to 3 turbines (Nos. 1-3) could potentially be acceptable, as it would delete the turbines that have the most identified harm, and also better contain the extent of the wind farm and associated infrastructure. The landscape character is also slightly more defined in this part of the site – particularly resulting from the presence of more tree belts and hedgerows – meaning that the problems of additional cumulative impact with other nearby wind farm developments would also be reduced.

Finally, the location of Turbine 8 and to a lesser extent Turbine 7 by reason of their positioning, size and scale, is considered to have a significantly harmful and overbearing impact on the existing residential amenities and outlook of an existing property known as Large Barn, Montillo Lane

Unfortunately the application for 9 turbines, now under consideration, is of such a large size, extent and scale that it is unable to overcome the significant identified harm in this instance, and therefore fails to comply with local and national planning policy.

### **13. Recommendation.**

**REFUSE** for the following reasons:

1. The proposed wind farm development containing 9 turbines, by reason of its scale, appearance, extent and positioning, is considered to have a significantly harmful impact on local heritage assets, principally the setting of Holy Trinity Church (Grade 2\*), Churchover and views both from within and towards Churchover Conservation Area which surrounds the village and contributes to its setting within the wider landscape, as well as the setting of Streetfield Farm (Grade 2). This identified harm is not considered to be outweighed by the need to provide additional renewable energy projects. The proposal is therefore considered to be contrary to Saved Rugby Borough Local Plan Policy GP5, Rugby Core Strategy Policy CS16 and national planning guidance contained in PPS1 'Delivering Sustainable Development', PPS5 'Planning & the Historic Environment' and PPS22 'Renewable Energy'
2. The proposed wind farm development containing 9 turbines, by reason of its scale, appearance, extent and positioning, is considered to have a significantly harmful impact on the established landscape character of this part of the River Swift Valley as well as the settlement character of Churchover Village. This identified harm is not considered to be outweighed by the need to provide additional renewable energy projects. The proposal is therefore considered to be contrary to Saved Rugby Borough Local Plan Policy GP5, Rugby Core Strategy Policy CS16 and national planning guidance contained in PPS1 'Delivering Sustainable Development', PPS7 'Sustainable Development in Rural Areas' (as amended) and PPS22 'Renewable Energy'.
3. The location of Turbine 8 and to a lesser extent Turbine 7 by reason of their positioning, size and scale, is considered to have a significantly harmful and overbearing impact on the existing residential amenities and outlook of an existing residential property – Large Barn, Montillo Lane. The proposal is therefore considered to be contrary to Rugby Core Strategy Policy CS16.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	7 <sup>th</sup> September 2011
<b>Report Title</b>	Statistics for Planning Applications – August 2010 – July 2011
<b>Portfolio</b>	Economy, Development and Culture
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	N/A
<b>Contact Officer</b>	Ross Middleton
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report provides statistics for decisions on planning applications in relation to BVP1 log.
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

<b><i>Environmental Implications</i></b>	N/A
<b><i>Legal Implications</i></b>	N/A
<b><i>Equality and Diversity</i></b>	N/A
<b><i>Options</i></b>	N/A
<b><i>Recommendation</i></b>	The report be noted.
<b><i>Reasons for Recommendation</i></b>	N/A

**Rugby Borough Council**

**Planning Committee – 7<sup>th</sup> September 2011**

**Statistics for Planning Applications –  
August 2010 – July 2011**

**Report of the Head of Planning and Culture**

**Recommendation**

The report be noted

This report shows the planning statistics as they have always been reported at Appendix 1 with the exception of the percentage of the applications determined in 8 weeks being removed and also the new format in line with the government's current development control targets for determining planning applications as specified in the best value performance indicator BVP1 157a, 157b and 157c.

See Appendices 2, 3 and 4

Name of Meeting: Planning Committee

Date of Meeting: 7<sup>th</sup> September 2011

Subject Matter: Stats. for Planning Applications –  
August 2010 – July 2011

Originating Department: Planning and Culture

### **LIST OF BACKGROUND PAPERS**

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

(\*Delete if not applicable)

**RUGBY BOROUGH COUNCIL**  
**Planning Committee – 7<sup>th</sup> September 2011**  
**Report of the Head of Planning and Culture**  
**Statistics for Planning Applications August 2010 – July 2011**

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Statistics for planning applications for the period August 2010 – July 2011

	B/F	Received	Determined	Outstanding
August 2010	179	47	96	130
September 2010	130	99	96	133
October 2010	133	33	91	75
November 2010	75	72	71	76
December 2010	76	69	58	87
January 2011	87	58	59	86
February 2011	86	67	67	86
March 2011	86	83	64	105
April 2011	105	64	56	113
May 2011	113	52	74	91
June 2011	91	74	63	102
<b>August 2011</b>	<b>113</b>	<b>71</b>	<b>58</b>	<b>126</b>
<b>Monthly Average</b>	<b>113</b>	<b>66</b>	<b>73</b>	<b>105</b>

### 1.1 RECOMMENDATION

The report be noted.

## RUGBY BOROUGH COUNCIL

Planning Committee – 7<sup>th</sup> September 2011

## Report of The Head of Planning and Culture

## Statistics for Major Planning Applications (Major) – BVP1 157a

The Government's development control target for Major applications is 60% in thirteen weeks.

Statistics for planning applications for the period August 2010 – July 2011

Month	Applications Determined	Major Applications Determined Within 13 Weeks	% Of Major Applications Determined Within 13 Weeks
August 2010	4	0	0.0%
September 2010	1	0	0.0%
October 2010	2	0	0.0%
November 2010	2	0	0.0%
December 2010	2	0	0.0%
January 2011	1	0	0.0%
February 2011	1	1	100%
March 2011	1	0	0.0%
April 2011	4	3	75%
May 2011	3	1	33.3%
June 20	1	1	100%
<b>July 2011</b>	<b>0</b>	<b>0</b>	<b>N/A</b>

### 1.1 RECOMMENDATION

The report be noted

## RUGBY BOROUGH COUNCIL

Planning Committee – 7<sup>th</sup> September 2011

## Report of The Head of Planning and Culture

## Statistics for Minor Planning Applications (Minor) BVP1 157b

The Government's development control target for Minor applications is 65% in eight weeks.

Statistics for planning applications for the period August 2010 – July 2011

Month	Applications Determined	Minor Applications Determined Within 8 Weeks	% Of Minor Applications Determined Within 8 Weeks
August 2010	28	7	25%
September 2010	35	16	46%
October 2010	26	18	69%
November 2010	26	19	73%
December 2010	54	18	33%
January 2011	45	28	61%
February 2011	19	14	74%
March 2011	22	16	73%
April 2011	22	13	59%
May 2011	24	17	71%
June 2011	31	21	68%
<b>July 2011</b>	<b>20</b>	<b>14</b>	<b>70%</b>
<b>Monthly Average</b>	<b>29</b>	<b>17</b>	<b>59%</b>

### 1.1 RECOMMENDATION

The report be noted.

## RUGBY BOROUGH COUNCIL

Planning Committee – 7<sup>th</sup> September 2011

Report of the Head of Planning and Culture

## Statistics for Other Planning Applications (Other) BVP1 157c

The Government's development control target for Other applications is 80% in eight weeks.

Statistics for planning applications for the period August 2010 – July 2011

Month	Applications Determined	Other Applications Determined Within 8 Weeks	% of Other Applications Determined Within 8 Weeks
August 2010	53	21	39%
September 2010	59	35	59.3%
October 2010	63	53	84.1%
November 2010	43	36	84%
December 2010	38	33	87%
January 2011	30	27	90%
February 2011	47	34	72%
March 2011	41	35	85%
April 2011	30	29	96.6%
May 2011	47	37	78.7%
<b>June 2011</b>	<b>32</b>	<b>29</b>	<b>91%</b>
<b>July 2011</b>	<b>38</b>	<b>33</b>	<b>87%</b>
<b>Monthly Average</b>	<b>43</b>	<b>34</b>	<b>79%</b>

## 1.1 RECOMMENDATION

The report be noted.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	7 <sup>th</sup> September 2011
<b>Report Title</b>	Delegated Decisions –29.07.2011 to 18.08.2011
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Paul Varnish 3774
<b>Report Subject to Call-in</b>	Y
<b>Report En-Bloc</b>	N
<b>Forward Plan</b>	N
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Deputy Chief Executive under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

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

***Options*** N/A

***Recommendation*** The Report be noted

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

**Rugby Borough Council**

**Planning Committee – 7<sup>th</sup> September 2011**

**Delegated Decisions – From 29.07.2011 to 18.08.2011**

**Report of the Head of Planning and Culture**

**Recommendation**

The report be noted

**1. BACKGROUND**

Decisions taken by the Head of Planning and Culture in exercise of powers delegated to her during the above period are set out in the Appendix attached

Name of Meeting: Planning Committee  
Date of Meeting: 7<sup>th</sup> September 2011  
Subject Matter: Delegated Decisions – 29.07.2011 to  
18.08.2011  
Originating Department: Planning and Culture

#### 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 DIRECTOR OF TECHNICAL SERVICES UNDER  
DELEGATED POWERS FROM 29.07.2011 TO 18.08.2011

**A. APPLICATIONS – DELEGATED**

***Applications  
Approved***

<i>R11/1133 Approved 27.07.2011</i>	Gorse House Ashlawn Road Rugby	Proposed first floor and ground floor side extension and proposed two storey front extension to form a porch
<i>R11/1232 Approved 28.07.2011</i>	21 Bucknill Crescent Hillmorton Rugby	Single storey side and rear extensions
<i>R11/1150 Approved 28.07.2011</i>	Malt Kiln Farm Shop Main Street Rugby	Installation of solar panels
<i>R11/0927 Approved 28.07.2011</i>	Redundant Barn Opposite Newnham Grounds North Side of Kings Newnham Lane Kings Newnham Near Rugby	Conversion of redundant barn to B1 office use
<i>R10/2191 Approved 28.07.2011</i>	Somerville Cottage Main Street Birdingbury	Single storey rear extension and dormer window
<i>R11/0727 Approved 29.07.2011</i>	Top Farm Long Itchington Road Birdingbury	Conversion of a redundant barn to ancillary residential accommodation and a farm office on the ground floor and ancillary residential accommodation on the first floor. Retention of alterations to previously approved schemes (planning reference numbers R01/0954/14588/P and R03/0228/14588/P).
<i>R11/1302 Approved 29.07.2011</i>	Chapel House Church Road Rugby	Erection of a 1.5 storey side extension, a two storey side extension and the replacement of the conservatory with an oak orangery
<i>R10/1965 Approved 02.08.2011</i>	Beaconsfield Main Street Thurlaston	Replacement dwelling

<i>R11/1300 Approved 02.08.2011</i>	Land rear of 100 Bilton Road Bilton Rugby	Renewal of planning permission reference R08/1594/PLN (Erection of 2no. dwellings with integral garages and associated works).
<i>R11/0585 Approved 03.08.2011</i>	Lawrence Sheriff School Clifton Road Rugby	Retention of an existing flue
<i>R10/2032 Approved 03.08.2011</i>	Units 1 & 2 The Stables Sheep Dip Lane Rugby	Retrospective change of use of 2 no. holiday lets to form 2 no. residential dwellings (resubmission of previously refused planning permission R09/0914/PLN dated 19th October 2009).
<i>R11/1245 Approved 04.08.2011</i>	The Three Cranes 36-38 Overslade Lane Rugby	Installation of ATM
<i>R11/1324 Approved 04.08.2011</i>	Rokeby Courts Flats 1 to 12 295 Dunchurch Road Rugby	Amendments to existing building comprising new windows, new patio doors / glazing panels, new balustrades and internal works.
<i>R11/1218 Approved 04.08.2011</i>	Draycote Water Visitors Centre Draycote Water Kites Hardwick	Variation of conditions 2 and 11 of Planning Permission R10/1335 (Construction of two-storey side extension to visitor centre and alterations to existing car park/boat parking area and internal access roadways) to amend car parking layout, internal road layout, footpaths and public realm and car park use. Waiver of conditions 7 (hard landscaping scheme) and 10 (traffic management plan) of R10/1335.
<i>R11/1381 Approved 09.08.2011</i>	17 Aikman Green Rugby	First floor extension
<i>R11/1386 Approved 09.08.2011</i>	4 Ratcliffe Road Rugby	Erection of a single storey rear extension.
<i>R11/1366 Approved 10.08.2011</i>	20 Stanley Road Rugby	Erection of two storey side extension including a porch and a single storey rear extension
<i>R11/0738 Approved</i>	10 Hayes Close Brownsover	Erection of a part first floor, part two storey side extension

10.08.2011	Rugby	
R11/1392 Approved 10.08.2011	10 Reynolds Close Hillmorton Rugby	Single storey extension to front, side and rear of property
R11/1096 Approved 10.08.2011	58 Lime Tree Avenue Bilton Rugby	Re-positioning of the detached garage (amendment to the previously approved scheme for the erection of single storey rear extensions, a single storey side extension and a detached garage to front , ref R11/0237 granted 25th March 2011)
R11/0510 Approved 11.08.2011	Hilltop Garden Centre Shilton Lane Shilton	Erection of covered entrance structure.
R11/1101 Approved 11.08.2011	19 Avon Street Clifton Upon Dunsmore	Retrospective application for the retention of the single storey and two storey rear extension and the provision of steps and handrail to the rear of the property.
R11/1274 Approved 12.08.2011	31 Gold Avenue Cawston Rugby	Erection of a two storey side extension
R11/1394 Approved 12.08.2011	16 Park Road Rugby	Two storey and single storey rear extensions
R11/1124 Approved 16.08.2011	13 Livingstone Avenue Rugby	Retention of outbuilding and the change of use of the outbuilding to use as a beauty treatment room and relaxation room (use class sui generis)
R11/1258 Approved 16.08.2011	Land Adj 5 Dalkeith Avenue Bilton	Renewal of Outline Planning permission for erection of a detached dwelling and garage (Planning Reference No. R08/1108/OPS granted 12th September 2008)
R11/1388 Approved 17.08.2011	Hillcrest Farm Flecknoe Road Flecknoe	Removal of Condition 5 (agricultural occupancy) of planning approval R/88/2257/6079/OP (erection of agricultural dwelling) dated 19th April 1989
R11/1200 Approved 17.08.2011	8 Fornside Close Brownsover Rugby	Erection of a two storey side and single storey rear extension including a new gate in the northern boundary wall.

R11/1009 Approved 17.08.2011	42 Harebell Way Brownsover Rugby	Erection of first floor extension to side.
R11/1353 Approved 17.08.2011	Pasture Land (Gordbit Field) Birdingbury Road Leamington Hastings	Erection of a horse walker.
R11/1359 Approved 17.08.2011	Pasture Land (Gordbit Field) Birdingbury Road Leamington Hastings	Construction of a 20m by 40m menage / riding arena.

**Advertisement Consents**

R11/1243 Advertisement Consent 04.08.2011	CO-OP Main Street Newbold Rugby	1no. Internally illuminated free standing double sided display unit
R11/1252 Advertisement Consent 05.08.2011	Wycliffe Peugeot Leicester Road Rugby	Erection of 2 x Peugeot illuminated fascia lettering - 2 x corner stripe illuminated feature x 1 x illuminated owners fascia lettering - 2 x illuminated Peugeot lion - 1 x illuminated totem sign, 1 x Peugeot sign on maintenance building
R11/1246 Advertisement Consent 17.08.2011	Elliot's Field Retail Park Leicester Road Rugby	Erection of replacement signage

**Certificate of Lawful Use or Development**

R11/1221 Certificate of Lawfulness 10.08.2011	Clifton Cruisers Clifton Wharf Rugby	Certificate of lawfulness for no. 1 permanent residential mooring
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**Approval of Details/ Materials**

R10/1057 Approval of Details 28.07.2011	Part Cawston Local Centre Land off Gerard Road (West of Scholars Drive) Cawston	Erection of single storey building comprising 4No. Units to be used for purposes within Classes A1( Retail), A3( Food & Drink), and A5(Hot Food Takeaway), of the Town & Country Planning (Use Classes) Order 1987 (as amended) together with associated access arrangements, parking , servicing and
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landscaping.

*R10/1335  
Approval of Details  
28.07.2011*

Draycote Water Visitors  
Centre  
Draycote Water  
Rugby

Construction of two-storey side extension to visitor centre and alterations to existing car park/boat parking area and internal access roadways.

*R10/1584  
Approval of non-  
material changes  
03.08.2011*

30 Timber Court  
Hillmorton  
Rugby

Two storey side extension.

*R10/0723  
Approval of non-  
material changes  
05.08.2011*

7 Townsend Lane  
Long Lawford  
Rugby

Erection of rear extensions and loft conversion with gable extensions to provide first floor accommodation.

*R09/0331/MAJP  
Approval of Reserved  
Matters  
09.08.2011*

Land Forming part of  
former Cattle Market  
Railway Terrace  
Rugby

Mixed use development comprising:  
Part full planning permission for the erection of buildings for use as a 72 bedroom hotel with ancillary bar/restaurant (C1/A3) and 420sqm GEA of retail floorspace (A1), an 80 bed nursing home (C2), a 45 unit extra-care sheltered housing development (C3) and the erection of 47 no. affordable residential units (C3) together with associated access, parking and landscaping.  
Part outline planning permission for the erection of 69 no. residential units (C3), the erection of buildings for employment use (B1 (a), (b) and (c) - maximum floorspace 3842sqm GEA) and community use (D1/D2 - maximum floorspace 2250sq.m GEA) and the provision of public open space (0.95ha) - all matters reserved apart from access, and in the case of the residential units and public open space apart from layout and scale.