

16th September 2011

PLANNING COMMITTEE - 28TH SEPTEMBER 2011

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 28th September 2011 in the Council Chamber, Town Hall, Rugby.

Site Visit

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

4.15pm Land south of the Telephone Exchange, Coventry Road, Wolvey.

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 7th September 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. Delegated Decisions – 19th August – 8th September 2011.

7. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972

To consider passing the following resolution: -

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of information defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act and that in all of the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

PART 2 – EXEMPT INFORMATION

1. Enforcement.

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

The Reports of Officers (Ref. PLN 2011/12 – 8) 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). 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.

**RUGBY BOROUGH COUNCIL
PLANNING COMMITTEE – 28TH SEPTEMBER 2011
REPORT OF THE HEAD OF PLANNING AND CULTURE
APPLICATIONS FOR CONSIDERATION**

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

Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
	R11/1070	213 Bilton Road, Rugby, CV22 7DY Change of use of premises from A1 Retail) to a Veterinary Surgery (Use Class D1) with ancillary retail counter.	7
	R11/0128	Ken Marriott Leisure Centre, Bruce Williams Way, Rugby, CV22 5LJ Demolition of existing leisure centre and erection of new leisure centre, including café, parking, ancillary facilities, external works and temporary car park.	15
	R11/0112	Land Adjacent to Existing Doctors Surgery, Bow Fell, Brownsover Erection of a new medical centre, a detached community centre and associated works.	41

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 Committee voted at their last meeting to defer consideration in order to undertake a site visit.

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 or at the Council Offices.

Reference number: R11/1070

Site address: 213 Bilton Road, Rugby, CV22 7DY

Description: Change of use of premises from A1 (Retail) to a Veterinary Surgery (Use Class D1) with ancillary retail counter.

Case Officer Name & Number: Nisar Mogul 01788 533 688

Planning History:

R83/1950/3924/P	Erection of single storey extension and use as warehouse	Approved	18.04.1984
R85/0705/3924/P	Alterations and construction of first floor extension to retail shop to provide additional showroom/ office and storage to ground floor.	Approved	18.09.1985
R87/0728/3924/P	Erection of ground floor storage and first floor office extension to existing retail premises	Approved	25.09.1987
R93/0029/3924/P	Waiver of condition No. 9 of planning permission reference R83/1950/3924/P to allow unrestricted opening times	Approved	22.02.1993
R94/0728/3924/P	Installation of new shopfront	Approved	11.10.1994
R04/1115/3924/P	Change of use from A1 to A3 and external alterations	Refused	11.01.2005

Site Description:

The application site is located in the Rugby Urban Area of Bilton and is outside the Town Centre Boundary. The former Blockbuster unit is situated on the corner of Bilton Road and Lytham Road adjacent to an attached commercial unit that was formerly an Estate Agent but is currently unoccupied and is in close vicinity to a signal traffic junction.

The building is a vacant single storey, flat roofed building with off road parking for vehicles to the front of the property.

There are a number of uses around site including a public house, car sales garage and offices, however the area consists of predominantly residential dwellings.

Description of Development:

This application is seeking the change of use of the application site from an A1 Retail Use to use as a D1 Veterinary Surgery. There are no external changes to the property; however internal changes will be made to create:

- A reception and waiting area with retail display;
- Four consulting rooms;

- Two treatment rooms;
- A dog ward and a cat ward;
- An admin area;
- A pharmacy lab;
- An imaging room; and,
- Staff areas

The proposed opening hours for this use are Monday to Friday 0800 to 1930 and Saturday 0800 to 1730, with the premises being closed on Sundays and Bank Holidays.

Technical Consultations

Ecology Unit	– No objections subject to informatives.
WCC Highways informatives.	- No objections subject to conditions and informatives.
Environmental Health informatives.	- No objections subject to conditions and informatives.

Third Party Consultations

Neighbours - one concern and 3 objections - Dead animals are kept on premises until collected for disposal and this may cause infection and disease. There is already a veterinary surgery 500 metres away. Site does not provide sufficient off road parking, there would be noise issues during the night from ill animals, this type of business will bring unwanted vermin due to type of waste generated. Clients will park on the road or on the pavement. There are 3 established veterinary practices in Rugby already and allowing a new corporate chain would have a detrimental affect on the existing practices.

Planning Policy:

Saved Local Plan Policies 2006:

E6	Biodiversity	Complies
T5	Parking facilities	Complies

Rugby Borough Council Interim Parking Standards Guidance Note
Rugby Borough Core Strategy 2011:

CS13	Local Services and Community Facilities	Complies
CS16	Sustainable Design	Complies

Considerations:

The Owner of site has stated that the premises have been actively marketed for a period of approximately one year for A1 retail use without any success.

The change of use of this retail unit to use as a D1 Veterinary Surgery, is considered to be a change of use to a community facility, thus the most pertinent policy in the assessment of this planning application is Core Strategy policy CS13.

CS13 permits the provision of new local services and community facilities within existing residential areas to meet the needs of the local community, providing the development is:

- readily accessible by a choice of means of transport;
- the nature and scale of the development is commensurate with its function to provide facilities to the local resident population;
- the nature and scale of the service provision will reflect and relate to the size and function of the individual settlement; and,
- the development would not adversely affect the vitality and viability of any planning town centre development.

It is considered that the proposed D1 use will not have an adverse impact on the vitality and viability of the Town Centre or any planned town centre development. Additionally, as the proposed will bring a currently vacant building back into operation it is considered that the proposal will accord with policy CS13 of the Rugby Borough Council Core Strategy 2011.

The site is located within an area regularly served by buses and has provision for car parking and the potential for cycle parking facilities to be provided. The Rugby Borough Council Interim Parking Standards Guidance Note May 2011, states that a maximum of 4 car parking spaces per each consulting room proposed. Additionally, it states that cycle stands should be provided on the basis of 1 space per 2 consulting room or 1 space per 6 staff which ever is the greater for long stay and 1 stand per consulting room for short stay purposes.

The Warwickshire County Highways Officer has commented on the proposal and now has no objections to the amended parking layout plan subject to conditions and informatives. Moreover, the Highways Engineer has carried out an assessment using the TRiCS database of the vehicular trip generated from the proposed use and compared it with the existing A1 use.

Based on 276 sqm the proposed D1 use will generate approximately 24 trips overall at its busiest time, being 10 am – 11 am as compared to 64 trips at the busiest time for the current A1 retail use. These findings, therefore, clearly demonstrate that the proposed Change of Use would have a lesser detrimental impact on highway safety than the current use if the premises was occupied by a local convenience store. The current A1 use class of the

premises would allow for a local convenience store to operate from the premises without the need of obtaining planning permission.

This site is located within the Low Access Parking Zone and a maximum of 16 car parking spaces would be permitted. This application provides seven car parking spaces, 4 for visitors and 3 for staff. It is also proposed that the existing dropped kerb along Lytham Road will be extended covering the length of the proposed parking bays along this side, in addition to a dropped kerb along the access road, to the north of the premises.

Under the original proposal no cycle stands were provided, however, through negotiations with the Agent, an amended plan was received providing a covered cycle shelter for 6 cycles.

Overall, therefore it is considered that the proposal will be acceptable within the Borough's Parking Standards and therefore the proposal complies with the Saved Policy T5 of the Rugby Borough Local Plan 2006.

Policy CS16 which relates to Sustainable Design seeks to ensure that all new development safeguards the amenities of existing and future neighbouring occupiers. In this instance no external alterations have been proposed other than cosmetic works to improve the premises and therefore enhance the visual amenity of the area.

In terms of the Impact on the amenities of neighbouring properties, concerns have been raised relating to issues of noise and smells that may be generated from this use. However, Environmental Health have commented on the proposal and subject to conditions and informatives have no objections. It is therefore considered that the proposal accords with policy CS16 of the Core Strategy.

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

Overall therefore, it is considered that the proposed change of use will comply with saved policies E6, and T5 of the Rugby Borough Local Plan 2006 and CS13 and CS16 of the Rugby Borough Core Strategy 2011.

Recommendation

Approve subject to the appropriate conditions and informatives.

Report prepared by: Nisar Mogul. 01788 533688.

APPLICATION NUMBER

R11/1070

DATE VALID

06/06/2011

ADDRESS OF DEVELOPMENT

213 BILTON ROAD
BILTON
RUGBY
CV22 7DY

APPLICANT/AGENT

Kingsway Design
The Studio @ The Oaks
Wolsingham
Bishop Auckland
DL13 3HE
On behalf of , Vets 4 Pets Ltd

APPLICATION DESCRIPTION

Change of use of premises from AI (retail) use to a Veterinary Surgery (Use Class D1) with ancillary retail counter.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development shall not be carried out other than in accordance with the original plan ref. no. 0583/02 received by the Local Planning Authority on 2nd June 2011, the amended site location plan received by the Local planning Authority on 28th June 2011 and the amended site layout plan ref. no. 0583/03 Rev. E received by the Local Planning Authority on 13th September 2011.

REASON:

For the avoidance of doubt.

CONDITION 3:

The refuse storage and collection arrangements including provision for disposal of clinical waste and recycling of other waste shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing by the LPA.

REASON:

In the interest of health and safety

CONDITION 4:

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the building, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved by the Local Planning Authority prior to such plant being installed Equipment shall then be installed in accordance with the approved details.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITION 5:

The development hereby permitted shall not commence unless and until a full noise specification report including sound power levels and frequency analysis for the equipment to be installed and a scaled plan showing the positioning and orientation of the equipment in relation to the adjacent premises , together with details of noise mitigation measures to be utilised to prevent the proposed system from causing disturbance to immediately adjacent to the premises shall be submitted to and approved by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION 6 :

Unless otherwise agreed in writing the premises shall not be opened for business other than between the hours of 8.00 AM to 7.30 PM Monday to Friday and 8.00 AM to 5.30 PM on Saturdays and shall not operate on Sundays and Bank Holidays.

REASON:

To protect the amenity of nearby properties.

CONDITION 7:

Notwithstanding the details shown on the application drawing, further detailed drawings shall be provided and approved in writing by the LPA in consultation with the Highway Authority showing a revised parking layout to take account to take account of the lamp column on Lytham Road (D3458).

REASON:

In the interest of highway safety.

CONDITION 8:

The parking bays/spaces hereby approved shall be permanently marked, as indicated on the plan ref. no. 0583/03 Rev. E as received by the Council on 13th September 2011, such spaces shall be kept clear of other obstructions throughout the hours of operation of the premises.

REASON:

In the interest of highway safety.

CONDITION 9:

The vehicular access to the site shall not be used until it has been improved to construct highway (footway) crossings as shown on the application plan.

REASON:

In the interest of highway safety.

CONDITION 10:

The development hereby permitted shall not be occupied before the highway (footway) crossing has been laid out and constructed to the satisfaction of the Local Planning Authority in accordance with the standard specification of the Highway Authority.

REASON:

In the interest of highway safety.

INFORMATIVE 4:

Before any improvement works required by this planning permission are commenced to the existing highway, the developer shall enter into an Agreement under Section 184 of the Highways Act 1980 with the Highway Authority (Warwickshire County Council).

INFORMATIVE 5:

The Applicant will be required to make Section 106 contribution of £3000 towards the consultation process for the provision of a Traffic Regulation Order (TRO) preventing highway parking along the Bilton Road and Lytham Road frontages of the site.

Reference number:

R11/0128

Site address:

Ken Marriott Leisure Centre, Bruce Williams Way, Rugby, CV22 5LJ

Description :

Demolition of existing leisure centre and erection of new leisure centre, including café, parking, ancillary facilities, external works and temporary car park

Case Officer Name & Number:

Richard Holt – 01788 533687

Description of Site:

The site lies within the Urban Area of Rugby just south of the Town Centre Boundary, approximately 700m from the main town centre shopping area. To the immediate north of the leisure centre lies the Outdoor Bowls Club with Whitehall Recreation Ground beyond, whilst to the east on lower ground is the Athletics Track with residential properties beyond. To the north east is the Indoor Bowls Club. To the south also on lower ground is the Hospital of St Cross, whilst to the west is a mix of residential properties, playing fields and sports and recreational facilities all owned by Rugby School. To the south east is Sow Brook with open fields beyond. The leisure centre is accessed off Hillmorton Road along Bruce Williams Way which is flanked by an avenue of trees. It can also be accessed on foot or by cycle from Trevor White Drive off Cromwell Road.

To the immediate north of the site is the Hillmorton, Clifton & Whitehall Road Conservation Area, whilst to the immediate west is the Rugby School & Rugby School Extension Conservation Area.

Description of Proposals:

The application is for the demolition of the existing leisure centre and erection of a new leisure centre. The proposal will include an 8 lane 25m swimming pool, studio pool, sports hall, café, 100 station fitness suite, dance studio, multi-use room, wet and dry changing areas, health suite, climbing wall, offices, car, coach and cycle parking, ancillary facilities, external works and a temporary car park.

The new leisure centre will be built on the car park of the existing leisure centre, which will enable the existing leisure centre to be operational for as long as possible prior to the new leisure centre opening. The new leisure centre will have a floorspace of just over 5,000 square metres, approximately 500 square metres smaller than the existing centre. 292 car parking spaces exist at present and this will be reduced to 270 car parking spaces with an additional 15 disabled parking spaces. The number of cycle spaces will be increased from 8 to 12. During construction works an elongated temporary car park will be provided to the north of the Indoor Bowls Club to the immediate east of the main part of Whitehall Recreation Ground, which will also involve the removal of the existing Aqua Park.

The northern and eastern elevations of the building overlooking Whitehall Recreation Ground and the Athletics Track will contain a significant amount of glazing at both ground and first floor levels. The southern and western elevations of the building primarily comprise of the sports hall element where there is limited glazing. The ground floor external section of the building will be constructed from brick with mainly render above, however, the first floor part of the sports hall section will be plasticol coated steel cladding. The roof will be made from aluminium. Whilst the sports hall will have a dual-pitched roof the remaining sections of the leisure centre will have

mono-pitched roofs. The eaves along the western elevation will be the lowest at approximately 4.9 metres above ground level, however, the sports hall beyond will have an eaves level of approximately 10.5 metres above ground level. The highest ridge line of the mono-pitched roof will be approximately 12.5 metres above ground level.

Large blocks of landscaping are intended to be planted around the proposed car park to soften its impact in the landscape.

Dotted on to the site plan are preliminary sketches of how the leisure centre building could be extended in the future to provide both a 6 or 8 court sports hall and 3 squash courts. These plans also show the potential siting of a possible future Health Centre. In all these cases they would require fresh planning applications and would be subject to separate consultations with stakeholders and third parties and do not form part of the current scheme.

Design and access statements were submitted with the application, together with a series of other documents including a Renewables Technology Appraisal, Arboricultural Report, Highway Access Statement, Travel Plan Statement, Ecological Scoping Survey, Extended Phase 1 Habitat Survey, Bat Survey, Flood Risk Assessment and Site Waste Management Plan.

Relevant Planning History:

Planning permission was granted for the existing leisure centre in 1969. Since this time, a variety of extensions and alterations have been approved throughout the 1970s, 1980s and 1990s. The most recent application was for the siting of a secure metal container for the storage of air cylinders at the rear of the building approved in June 2010.

Technical Consultations:

English Heritage	No comment
Environment Agency	No objection, subject to a condition
Natural England	Statutorily protected sites or landscapes not affect, therefore recommend standing advice on protected species.
Rugby Borough Council – Environmental Services	No objection, subject to conditions & informatives
Rugby Borough Council – Landscaping	No objection, subject to conditions
Rugby Borough Council – Parks & Leisure	No objection
Rugby Borough Council – Trees	No objection, subject to conditions
Severn Trent Water	No objection, subject to a condition
Sport England	No objection, but disappointed at lack of squash courts.
Warwickshire County Council – Archaeology	No comment

Warwickshire County Council – Ecology	Agree with findings of Extended Phase 1 Habitat Survey & Bat Survey, but further nocturnal and dawn swarm bat surveys required.
Warwickshire County Council – Fire & Rescue	No objection
Warwickshire County Council – Footpaths	No objection
Warwickshire County Council – Highways	No objection, subject to a condition
Warwickshire Police	No objection, subject to informatives
Western Power (formerly EON/Central Networks)	No objection, subject to informatives

Third Party Consultations:

There has been an ongoing public consultation process by the Council regarding the building of the new leisure centre. Displays of the proposals have been available at both the existing leisure centre and the museum and art gallery and a specific email address has been set up to enable people to ask questions. Whilst it is understood over 100 separate queries have been made, the majority of them have related to the actual facilities being provided rather than the planning merits of the proposal. That consultation exercise is entirely separate to the formal planning consultation process.

Many letters refer to the overall support for the principle of the new leisure centre, however, the following comments have been received in connection with the planning application consultation process:

Neighbour (1)	Support	Wonderful plans for 8 lane, 25m pool; Proud to officiate at future swimming galas; Real asset to Rugby; and Young swimmers will be able to enjoy clean, modern & well thought out facility.
Neighbours (6)	Object/Concerns	Noise impact from plant, air vents, air conditioning units, bin store & sub-station owing to proximity to property, particularly master bedroom; Potential radiation leakage from electricity sub-station; Vibration impact from electricity sub-station; Proximity of fuel store to residential property; Closed barrier at night required to stop joy-riding; Obstacles, such as posts and kerbs, need to be designed into car park to prevent use by 'boy racers;' New skateboard area could be too close to dwellings;

Future problems, such as potential hidey holes, need to be designed out;
 New leisure centre squeezed at back of site resembling pile of empty shoe boxes;
 New leisure centre would have been better built on Leicester Road or fronting Hillmorton Road;
 No squash courts – over 100 people play in these league;
 Monthly squash subscriptions will go to Rugby School;
 Short-sighted to have no squash courts as can double up as studios in off-peak periods;
 Leisure Centres should provide service to all;
 Bus lay-by next to Outdoor Bowls Club – safety concerns, particularly as have elderly & frail members, with holidaymakers & children milling around;
 Bus lay-by should be moved to south-east of car park;
 One-way system will increase vehicles passing Outdoor Bowls Club;
 Uncontrolled access to perimeter of site of Outdoor Bowls Club could result in litter and vandalism on Club site;
 Mechanical tools at site could injure children who access Grounds; and
 Coach travellers may just wander into Outdoor Bowls Club and use washroom facilities.

Neighbour (1)

Object/Concerns

Concern that proposal may not adequately respect (Revised Plans) character of area – new building will result in a significant change to area;
 Over-shadowing of bungalow and garden with building rising over 10 metres in height few metres from home;
 Loss of light affecting master bedroom, second bedroom, nursery, living room, back and side gardens;
 Loss of privacy during construction and when built;
 Noise disturbance from plant serving new leisure centre;
 Proximity of fuel store to residential property, together with smoke from burning fuel and air pollution; and
 Would welcome additional increased distance between residential property and new leisure centre.

Neighbours (2)	Comment	<p>Existing car park a nuisance with boy racers at night, new car park could be too owing to large open space nearer residential properties;</p> <p>Removal of mini-roundabout welcomed;</p> <p>Existing leisure centre responds well to public demand;</p> <p>Only leisure centre where you can pay per class rather than become a member;</p> <p>'Dance Studio' too small to accommodate current attendees;</p> <p>Plans don't reflect current way facilities used;</p> <p>Gym facilities require buying & maintenance of expensive equipment, whilst classes do not and they generate more profit – give constituents what they want;</p>
A-Line Travel	Comment	<p>Site used by coaches to take children for swimming and for departure point for holiday makers as well as a local bus park as no facilities in town;</p> <p>Existing coach parking bays used by other vehicles, including breast screening clinic;</p> <p>Less bus/coach parking facilities proposed than existing – need to ensure only for bus/coach parking;</p> <p>During construction temporary car park inaccessible to buses coaches – alternative?</p> <p>Coach parking spaces on Barby Road permanently occupied during school term time & Westway coach parking closed – need to provide alternative.</p>
Rugby School	Concerns (Original Plans)	<p>Wholly supportive to redevelopment of Leisure Centre;</p> <p>Proximity of new leisure centre to residential properties;</p> <p>Very close to Thornfield Bungalow siting almost on boundary, with fuel storage, bin store & electricity sub-station all within metres of the boundary;</p> <p>Building will tower over adjacent bungalow removing light and amenity from it;</p> <p>Scale of new development completely overwhelms bungalow and completely out of proportion to it;</p> <p>Plant room noisy and too close to bungalow, needs to go elsewhere;</p>

No information on proposed noise levels, particularly regarding plant and condensers;
 Future extension of leisure centre will impact on 1 Thornfield Cottages similar to Thornfield Bungalow; and
 If footprint of building moved 20m further east majority of concerns would be addressed.

Relevant Planning Policies & Guidance:

Rugby Borough Local Plan, 2006 – Saved Policies:

GP2	Landscaping	Complies
E6	Biodiversity	Complies
T5	Parking Facilities	Complies
LR4	Safeguarding Open Space	Complies

Rugby Borough Council Core Strategy, 2011:

CS1	Development Strategy	Complies
CS6	Development in Rugby Town Centre	Complies
CS11	Transport & New Development	Complies
CS14	Enhancing the Strategic Green Infrastructure Network	Complies
CS16	Sustainable Design	Complies
CS17	Reducing Carbon Emissions	Complies

National Guidance & Policies:

- PPS1: Delivering Sustainable Development
- PPS4: Planning for Sustainable Economic Growth
- PPS5: Planning for the Historic Environment
- PPS9: Biodiversity & Geological Conservation
- PPG13: Transport
- PPG17: Planning for Open Space, Sport & Recreation
- PPS23: Planning & Pollution Control
- PPG24: Planning & Noise
- PPS25: Development & Flood Risk
- Draft National Planning Policy Framework, 2011

Other:

- West Midlands Regional Spatial Strategy
- Interim Parking Standards Guidance Note, 2011
- Sustainable Design & Construction Supplementary Planning Document, 2009
- Draft Sustainable Design & Construction Supplementary Planning Document, 2011
- Rugby Retail & Leisure Study 2008
- Clifton Road, Hillmorton Road & Whitehall Road Conservation Area Appraisal, 2010
- Rugby School Conservation Area Appraisal, 2010

Assessment of Proposals:

General Policy Principles:

The application site lies within the urban area of Rugby. This area is considered to be the most sustainable location to provide the best access to a range of services and facilities. The designated Town Centre boundary lies at the junction of Bruce Williams Way and Hillmorton Road, which forms the edge to the entrance of the application site. Therefore, the overall site and the planning application site boundary would lie within 300 metres of the edge of centre of Rugby Town Centre.

Policy CS1 of the Core Strategy focuses on a hierarchical approach to delivering development. Rugby Town Centre is considered to be the primary focus for services and facilities with the Rugby Urban Area the primary focus for meeting strategic growth targets. The supporting text to this policy states that proposals for new services and facilities that aim to serve more than a local community or neighbourhood must demonstrate that they cannot be located within or on the edge of the town centre before alternative locations will be considered. As the site is located close to the edge of the town centre and there are no physical barriers between the site and the town centre edge, complemented by clear pedestrian links, the intended scheme would accord with Policy CS1.

The Ken Marriott Leisure Centre, together with Whitehall Recreation Ground, Thornfield Indoor & Outdoor Bowls Clubs and the Athletics Track, all form part of an existing leisure and recreational use of the site. There is no change to this use of land apart from the slight reduction in the size of the Leisure Centre building. Planning Policy Statement 4 (PPS4) defines Main Town Centre Uses as including leisure, sport and recreation uses. Policy EC14 of Planning Policy Statement 4 refers to the requirement to submit supporting evidence for planning applications for main town centre uses which create additional floorspace.

Policy CS6 of the Core Strategy refers to both developments within and on the edge of Rugby Town Centre taking account of the Town Centre Area Action Plan Development Plan Document (DPD). Whilst this DPD has yet to be prepared, Policy CS6 does refer to edge of centre locations within 300 metres from the town centre boundary and PPS4.

Although the proposed development would result in an overall decrease in the level of recreation and leisure facilities being provided, this application does involve a proposal for leisure development greater than 2,500 gross square metres. Whilst the development is not in an existing main town centre, owing to the existing use of the site and that the overall site is within 300 metres of the town centre boundary, the proposal is considered to accord with the Core Strategy (Development Plan). On this basis, it is not considered that neither a sequential assessment nor an impact assessment is required as referred to in Policies EC15 & EC16 of PPS4.

Policy PA11 of the West Midlands Regional Spatial Strategy refers to strategic towns, such as Rugby, being the focus for large scale leisure developments greater than 5,000sqm. Therefore, the proposal would be in line with this document.

The Rugby Retail & Leisure Study 2008 concludes that the existing health & fitness leisure facilities on the existing edge of centre of Rugby town centre currently satisfy demand, particularly as the market is stable in this area. Therefore, the slight reduction in floorspace is not considered to undermine the Study's findings.

Overall, it is considered that the proposed development does accord with the existing Development Plan.

Since the submission of this application, the draft National Planning Policy Framework (NPPF) has been published. However, it is considered that the NPPF makes no substantive changes to the policies and guidance that are determinative in this application and the proposal would not be contrary to the general achievements of the NPPF, which places a strong emphasis on sustainable growth.

Design & Appearance:

In order to enable the existing leisure centre to remain open for as long as possible during the construction of the new leisure centre, the final option selected was the building of the replacement leisure centre on the car park of the existing leisure centre with the new car park located in front on the actual site of the existing leisure centre. This will result in two significant viewpoints from Bruce Williams Way/Whitehall Recreation Ground and from Trevor White Drive off Cromwell Road.

Bruce Williams Way is flanked by an avenue of trees which then continue around the edge of Whitehall Recreation Ground. They provide a key setting to the leisure centre over a substantial distance. The proposed building, particularly when viewed from the north and east, has been designed to reduce its overall bulk by breaking down sections of the building into smaller elements through glazing, different materials and a mix of roof slopes and angles, to assist in limiting its dominance. Owing to certain uses within the building, such as the sports hall and swimming pool, there are functional design constraints, nevertheless the more bulky southern and western elevations are mitigated by the mix of materials and roof design. The combination of glass, render, cladding and brickwork helps create a balance between a building with a contemporary appearance whilst respecting the traditional materials found in older buildings nearby.

As ground levels drop in a north-westerly to south-easterly direction, the north-western corner of the building will be dug into the ground by approximately 1 metre and rise out the ground by approximately 2 metres at the south-eastern corner. This will result in a more prominent building when viewed from Trevor White Drive, however, the overall design is considered to be a significant improvement on the existing building which has become a hotchpotch of additions resulting in an appearance that does not give justice to its landmark location.

A large element of glazing to the northern elevation will provide a striking entrance to the leisure centre, whilst providing high levels of natural light into the pool area, without the dangers of direct sunlight hitting the water and causing unnecessary shadows and reflections. The glazing to the eastern elevation will also act as an attractive visual approach to those users approaching from Trevor White Drive enabling views of the climbing wall and café to be clearly seen. Owing to the difference in ground levels the glazing along the eastern elevation of the building will provide users inside the leisure centre as well as those on the café terrace clear views across the Athletics Track providing an element of visual synergy between both recreational areas.

The specific external facing materials used, together with the design and appearance of external plant, such as flues, as well as external lighting will be conditioned to ensure their acceptability. Overall the proposal is considered to accord with Policies CS6 and CS16 & PPS1.

Conservation Areas & Listed Buildings:

The proposed new leisure centre building and car park will lie outside any designated Conservation Area, however, to the immediate north of the new car park is the Clifton Road, Hillmorton Road & Whitehall Road Conservation Area whilst to the immediate west is the Rugby School Conservation Area.

Whitehall Recreation Ground, Bruce Williams Way and the proposed temporary car parking area to the north of Thornfield Indoor Bowls Club lie within the Clifton Road, Hillmorton Road & Whitehall Road Conservation Area. The Conservation Area Appraisal for the Clifton Road, Hillmorton Road & Whitehall Road Conservation Area

refers to the importance of the recreation ground and surrounding trees. It emphasises the key role that this feature plays in characterising the open space of this part of the Conservation Area together with that at Lawrence Sheriff School and how they provide key views and vistas in this part of the town.

The Rugby School Conservation Area Appraisal also refers to the open space and mature trees in its eastern part adjacent the leisure centre site as being key to the character and appearance of the Conservation Area. Reference is made to the open space and that the school playing/sports fields acting as a transition between the densely developed town centre and the open countryside to the south of the town. Many buildings within the Rugby School Conservation Area, including those close to the boundary with the leisure centre, are low density in form and sit within extensive grounds.

The new leisure centre building will impact upon the setting of both Conservation Areas when viewing into and out of these designated areas. The moving of the leisure centre building further back into the overall site will bring it closer to the more built up area of the Hospital of St Cross and provide a greater area of openness, albeit a car park, to the immediate south of the existing Whitehall Recreation Ground. It is acknowledged that this will result in a more enclosed feel to the pattern of development relating to those residential properties to the immediate west of the site, however, the overall character and form of the Conservation Areas would not be unduly harmed by the re-siting of the leisure centre building.

The new car park would now be seen adjacent to the edge of the Clifton Road, Hillmorton Road & Whitehall Road Conservation Area. However, it is intended to provide soft landscaping throughout it and even when in use the area of cars would not be as dominant as the existing leisure centre building. Therefore, this relationship is considered acceptable.

The temporary car parking area will have a noticeable impact on Clifton Road, Hillmorton Road & Whitehall Road Conservation Area. The presence of parked vehicles along the eastern edge of the recreation ground will temporarily erode the open feel of this part of the Conservation Area. It is understood that the existing AquaPark will be removed and tree protection measures will be put in place to ensure that the existing mature trees around the temporary car park will be safeguarded.

Nos. 12-26, 32-38 & 42 Hillmorton Road are Grade II listed buildings, however based on those buildings and their associated curtilages lying over 250 metres away from the new leisure centre building across relatively level ground, their setting is not considered to be adversely affected by the proposed development. Part of No. 42 Hillmorton Road will lie adjacent to the intended temporary car parking area. The setting of this building would be affected by the temporary car park when viewed from the recreation ground, however, based on existing boundary treatments and that the majority of the car park would be located next to the boundary of No. 42 were a modern addition to the listed building has been added, the temporary impact is not considered to be so significant to warrant a reason for refusal.

As it is envisaged that the new leisure centre will be completed by July 2013, the presence of the temporary car park and its impact on the Clifton Road, Hillmorton Road & Whitehall Road Conservation Area and setting of nearby listed buildings would be limited, particularly as the Local Planning Authority would wish to seek the reinstatement of the open grassed area once the works have finished.

Overall proposed development would not conflict with the aims and objectives of the Conservation Area Appraisals, Policy CS16 nor the policies contained within PPS5.

Energy Conservation:

Policy CS17 states that all new developments greater than 1,000sqm of non-residential floor space shall as a minimum incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%. The current Sustainable Design & Construction Supplementary Planning Document (SD&C SPD), June 2009 sets out the Councils' aspirations for development which should achieve the highest feasible and financially viable standards of sustainable design and construction. On major development the Council encourages proposals to meet a Code Level 4 standard although this will not be mandatory until 2013.

A Renewable Technology Appraisal was submitted with the application and this confirms that the roof design of the building could accommodate various technologies such as solar heating and photovoltaics. These options are still being considered, but will only be able to provide a contribution to the target energy saving.

Therefore, the primary renewable source is intended to be a wood chip biomass boiler. A Combined Heat & Power boiler has also been investigated, but the existing one on site has not proved to be reliable during its lifecycle. Ground Source Heat Pumps have also been investigated but they would need to be very large to collect sufficient heat to meet the 10% target and would be much more costly than a biomass boiler. Although solar collection technology is seriously being considered, their installation is unlikely to significantly reduce the size of the intended biomass boiler.

Air source heat pumps will be used for heating and cooling the fitness suite, dance studio, multi-use room and offices, whilst rainwater harvesting is being considered for toilet flushing.

Overall, it has been confirmed that a minimum of 10% of the carbon dioxide emissions resulting from the heating, lighting, ventilation and domestic services within the building will be provided by on-site renewable/low carbon technologies and thus will accord with Policy CS17 and PPS1.

Policy CS16 refers to non-residential development incorporating water efficiency measures in order to achieve the Building Research Establishment Environmental Assessment Method (BREEAM) very good standard for best practice in sustainable design. It is understood that measures such as reduced flow rates from toilets, taps and showers, rainwater harvesting and Sustainable Urban Drainage Systems (SUDS) can all assist in achieving this standard. Therefore, it is considered that the proposal will satisfy Policy CS16.

A Site Waste Management Plan has also been submitted which identifies the possible types of waste that the development may generate. It also focuses on recycling and re-using materials, dealing with inert and hazardous waste. Weekly reports will be prepared identifying all materials coming on to the site as well as a printed sheet identifying the amount of material that has gone to landfill. Waste minimisation, forecasting the waste and managing that waste will form part of the Plan. Ultimately, the acceptance and enforcement of this Plan is governed by separate legislation, but it does highlight the applicant's commitment to limiting unnecessary waste.

Ecology:

The submitted ecological survey states that no evidence of badgers, reptiles or water vole were found. A further extended Phase 1 habitat survey has been conducted which also confirmed no badger or water vole activity was identified. It also confirmed no otter activity on site and that there was limited potential for the works to impact upon great crested newts or other reptiles. The site is a suitable habitat for nesting birds and provides suitable roosting areas for bats in both the surrounding trees and features within the leisure centre building. On this basis, a further bat survey has been undertaken and no roosts or evidence of roosts, including bat droppings, were identified at the building or at nearby trees. WCC Ecology have confirmed their agreement to the findings in both reports, however, in order to produce conclusive evidence that bats are not utilising the area to roost further survey work was required. A nocturnal survey has been completed, however no bat activity was witnessed around the building and a formal report stating the findings will be issued prior to Committee.

Natural England have no objection to the application but advise that standing advice procedures are followed for protected species. WCC Ecology Unit have stated that whilst the building is unlikely to be optimal site for roosting bats further survey work is required. This has now been completed as stated above and a suitably worded condition can be imposed prior to presenting the application to Committee to safeguard and put in place adequate mitigation measures for any protected species on site once the details of the report have been received.

To the south east of the site lies open farmland with Ashlawn Cutting a disused railway beyond which is designated a Local Nature Reserve. This former railway line acts as an important green link into the built up area of Rugby that in turn links to other green infrastructure corridors throughout the town. Enhancements to the soft landscaping around the new leisure centre will provide a valuable contribution to wildlife habitats in the area and the linkages between them.

On the basis of the above, the proposal will accord with Policy E6, CS14 & PPS9.

Trees, Landscaping & Open Space:

Of the 235 trees surveyed, 219 are proposed to be retained. All Category A trees are to be retained, whilst 7 Category B trees (whitebeam, maple, hornbeam and cherry) and 4 Category C trees (London plane, cherry and rowan) will be removed to facilitate the actual development. The remaining 5 trees (sycamore, hawthorn and rowan,) are considered to be in a poor condition and are being removed on that basis. The existing 25 silver birch trees planted in December 2008 adjacent the AquaPark to celebrate the 25th anniversary of the merger of the Hinckley Provident & Rugby Permanent Building Societies will be retained within the temporary car park area.

The loss of any trees is regrettable, however, a comprehensive soft landscaping scheme will be required to ensure any loss is mitigated for and enhance and complement the existing high quality landscaping in the area. Whilst the proposal will result in a new and improved leisure centre complex, particularly aesthetically, it will also provide the opportunity to enhance other areas which were relatively poor in landscape terms, such as the car park. This will also create stronger green infrastructure links across to the south east where open farm land exists.

A revised arboricultural method statement together with a series of tree protection and constraint plans has been submitted which the Council's Tree Officer has confirmed is acceptable in principle and that the finer matters of detail can be

secured by condition. Overall, the proposal is not considered to adversely affect the trees in the designated Conservation Areas nor the trees covered by a Tree Preservation Order to the rear of the United Reformed Church on Hillmorton Road and will accord with saved Policy GP2.

The temporary car parking area does lie within a designated area of open space as depicted in the Core Strategy. Saved Policy LR4 focuses on safeguarding open space and development will only be permitted where it is clearly demonstrated that the existing use, or any potential open space use, is not required, or the proposed development would result in enhanced sport and recreational facilities sufficient to outweigh such loss.

The temporary car park will cover primarily an existing grassed area, which is not a playing field, and a water play park. The temporary car park is only necessary to enable the existing leisure centre to remain open whilst the new leisure centre is built. Once the new leisure centre has been built, the existing one demolished and the new car park formed, the temporary car park will be removed and the land reinstated to its current use. However, it is understood that the existing AquaPark will close and not be replaced.

Whilst the main purpose of Saved Policy LR4 is to ensure that open space is safeguarded, this proposal is solely linked to the enhancement of existing leisure and recreational facilities on site and the area of open space that will be lost would only be for a temporary period until 2013. On this basis, the proposal is considered to be in the spirit of Policy LR4 and overall the area of open space will not be lost in the long term. PPG17 refers to Local Authorities seeking opportunities to improve the value of existing facilities and promote the better use of open spaces, sports and recreational facilities. It also states the provision of these facilities is encouraged in high accessible areas in or adjacent to town centres.

On the basis of the above, the proposal is considered not to conflict with saved Policy LR4, CS6 and PPG17.

Residential Amenity:

The closest residential properties to the site where the new leisure centre will be built are Thornfield Bungalow and 1 Thornfield Cottage. Thornfield Bungalow and its associated front and rear gardens lie to the immediate west of the proposed new building. The majority of the habitable room windows serving this property face south across their rear garden. The new leisure building will be located along the entire eastern boundary of this property and based on the revised plans the proposed building will be located approximately 17 metres away from the side of Thornfield Bungalow. The impact of the new leisure building will be noticeable from both the rooms and the garden of this property.

The closest habitable room window to the development is the master bedroom. This is the only window serving this room and when a 45 degree line of sight is taken from it, the closest part of the proposed building will be approximately 21.5 metres away. The eaves height of this part of the proposed building is approximately 4.9 metres above ground level as this section relates to a single storey part of the building serving part of the plant room, sports hall and mat stores. Beyond this at approximately 26.5 metres away on the same sight line is the side of the sports hall, which rises to approximately 10.5 metres to eaves and has a shallow pitch that then rises to 12.4 metres, at approximately 50 metres away. Based on these distances and that the existing ground floor level of the property is approximately 1 metre above the proposed floor level of the leisure centre building it is not considered that

the residential amenity of this room would be adversely affected to such an extent to warrant a reason for refusal.

The remaining habitable windows on the southern elevation of Thornfield Bungalow lie further away from the site than the master bedroom, so therefore, based on the above assessment it is not considered that those rooms would singularly or cumulatively be subject to any greater impact than that of the master bedroom. The kitchen window on the northern elevation of the property is already subject to a reduced outlook by the presence of a series of outbuildings to the immediate north, approximately 9 metres away. Owing to the relationship between those outbuildings, the bungalow and the proposed new leisure centre it is not considered that the outlook from the kitchen window would be significantly reduced by the intended development.

The re-siting of the bin store and electricity sub-station further north away from Thornfield Bungalow and garden is welcomed and will assist in reducing the impact of the development on this property. The eastern garden boundary of Thornfield Bungalow is primarily characterised by a mix of shrubs and hedging rising to 2.5 to 3 metres, with a green metal palisade fencing beyond approximately 2 metres in height. The southern boundary is dominated by several very tall evergreen trees. The single storey side section of the leisure centre will lie approximately 11.5 metres from the boundary with Thornfield Bungalow, whilst the taller sports hall section will lie approximately 15.5 metres off the boundary. Although the leisure centre building will be visible running along the entire eastern edge of the property and its garden, the revised plans which move the building further away and remove the parapet wall around the sports hall, will on balance, provide a building whose impact does still provide the occupier of Thornfield Bungalow a reasonable level of amenity and enjoyment to their garden.

The presence of the existing evergreen trees to the south of the property will reduce the amount of light the garden of the bungalow receives. Whilst their retention would still mean that the proposed development is acceptable in terms of its impact on Thornfield Bungalow, it is understood that they are under the control of the same landowner, so works could be undertaken in the future to reduce their impact on the garden if so desired.

1 Thornfield Cottage lies to the south-west of proposed new building at approximately 32 metres away. As with Thornfield Bungalow, the single storey side section of the leisure centre will lie approximately 11.5 metres from the boundary with 1 Thornfield Cottage, whilst the taller sports hall section will lie approximately 15.5 metres off the boundary. This boundary comprises of both evergreen and deciduous trees and bushes as well as a timber panel fence approximately 1.8 metres high and a green metal palisade fence approximately 2 metres high. Based on these distances and that the leisure centre will lie to the north-east of 1 Thornfield Cottage, it is not considered that the residential amenity enjoyed by the occupant of this property and its garden would be adversely affected.

Although the submitted plans illustrate the future potential to extend the leisure centre in a southerly direction, this would be subject to a separate planning application. The merits of that proposal together with the issues associated with it, including further consultation, would be assessed at that time and any application would be determined accordingly.

During the construction period of the new leisure centre the elongated western section of Whitehall Recreation Ground will be utilised as a temporary car park.

Access to this car park will be gained from the south adjacent Thornfield Indoor Bowls Club. To the east is primarily residential garden land serving properties along Haswell Close, Willow Lane and Hillmorton Road. The eastern boundary comprises mainly of fencing approximately 1.7 to 1.8 metres high together with an established hedgerow and shrubs approximately 3 metres in height. Owing to the existing trees on site the area for car parking will be set off the eastern boundary by between 7-17 metres. The closest actual dwelling on Haswell Close and Willow Lane will lie approximately 30 metres away. The apartments forming part of Elmhurst, 42 Hillmorton Road will lie approximately 10 metres off the boundary with the temporary car parking area which is then located a further 7-10 metres into the site. An established hedgerow rising to over 3 metres lies along the boundary. Based on these separation distances, the established boundary treatments, and that the car parking is proposed on a temporary basis, it is not considered that these residential properties would be adversely affected by the development to such an extent to warrant a reason for refusal.

To the north of the temporary car parking area is a closeboarded fence approximately 1.8 metres in height with Rugby United Reformed Church and Whitehall Pre-School beyond. Although both these premises lie close to the boundary, the temporary car parking area will be located approximately 10 metres off the boundary and as they are not residential uses, the level of disturbance resulting from this temporary use is not deemed unacceptable in planning terms.

Whilst other properties along Hillmorton Road close to the edge of the site may be subject to additional disturbance, the extensive separation distance from the actual building site to these properties is not considered to lead to such an impact to make the scheme unacceptable. Hillmorton Road is already subject to a high level of vehicular traffic and therefore the additional traffic levels generated during the construction process and potentially after the new leisure centre has opened is not considered to result in a detrimental impact.

Overall the proposal is considered to accord with Policy CS16.

Noise, Air Quality & Contamination:

An existing back ground noise survey has been completed with the overall objective to minimise unnecessary noise exposure to the resident community during construction and once the new leisure centre is open. Background and ambient noise levels have been established which will be used as a basis for subsequent noise assessments, particularly those associated with demolition and construction and noise from mechanical plant and the intended car park. Details of the mechanical plant to be used in the operation of the leisure centre have yet to be concluded. Environmental Services are content for these elements to be dealt with via planning conditions in order to safeguard and mitigate for any potential disturbance to neighbouring properties.

Re-siting of the bin store and electricity sub-station further away from residential properties is welcomed and Environmental Services have confirmed that based on these revisions no further assessment of their impact on surrounding noise sensitive properties is required.

The applicant's agent has confirmed that the most likely use of fuel is wood chip for a biomass boiler. The final boiler selection has not been made at this stage, but it has been confirmed that any flue will be designed to meet the requirements of the Clean Air Act. As the exact specification of such a flue is unknown at present, it is considered reasonable to impose a condition seeking full details to ensure that it is

acceptable from both amenity grounds and its design and appearance. The below ground fuel store will expect to have deliveries every 2 weeks with the waste ash collected every month.

Potential dust particles from the demolition and construction processes will be addressed via a condition that seeks the submission of a Demolition and Construction Method Statement which will identify possible high sensitive receptors as well as appropriate mitigation measures that can be implemented if required.

A preliminary ground contamination assessment has been submitted which so far implies there is no significant risk to human health or controlled waters. A Phase 2 Ground Investigation Report will follow in due course.

Environmental Services have stated that all remaining matters relating to noise, air quality and contamination can be adequately dealt with by planning conditions or separate legislation and thus the proposal will accord with Policy CS11, PPS23 & PPG24.

Highway, Transport & Parking:

The new leisure centre will lie within a high access parking zone. On the basis of the Interim Parking Standards Guidance Note, May 2011 issued by the Council, a maximum of 85 car parking spaces would be sought for the new leisure centre, excluding staff. However, the car park also serves Thornfield Indoor and Outdoor Bowls Clubs, the Athletics Club and Whitehall Recreation Ground. 270 car parking spaces are proposed, which is a reduction of 22 over the existing leisure centre. Nevertheless, the interim standards are guidelines only and Annex D of PPG13 considers that Class D2 uses of the intended size (c5,000sqm) should seek a maximum parking provision of 230 car parking spaces, which does not take account of the other uses serving the site.

Policy EC18 PPS4 implies that local parking standards should be applied to individual planning applications and that in the case of leisure developments at an edge of centre site parking levels should be consistent with town centre parking strategies and that the scale of parking is proportionate to the size of the centre. Therefore, owing to the variety of uses the car park is required to serve and that the parking of vehicles along Bruce Williams Way or Hillmorton Road or surrounding residential streets could jeopardise highway safety, this level of parking, on balance, is considered acceptable.

The applicant's agents have produced a draft Travel Plan Statement following discussions with the Highway Authority. This Statement highlights a variety of sustainable transport methods that will be encouraged including car sharing, buses, cycling and walking. A leaflet/notice board highlighting the benefits of sustainable transport together with up to date public transport timetables will be made available to both staff and visitors at the leisure centre. The Highway Authority has confirmed that this Statement is acceptable.

The existing cycle parking provision will be increased from 8 to 12 spaces despite a decrease in the size of the overall floorspace of the building. However, for a development of this scale the Council would now generally seek a greater number of cycle parking spaces. The applicant's have confirmed that they are willing for the specific details of their location and final number to be addressed by condition.

The access off Hillmorton Road along Bruce Williams Way will not be altered. However, Environmental Services have requested that the access to the site is

limited, particularly at night, by a lockable security barrier to prevent access to the car park being obtained for anti-social behaviour. This is a problem that has occurred in the past resulting in disturbance to adjacent properties. Therefore, the provision of such a barrier, together with a mix of surface treatments, could assist in reducing such concerns and is considered reasonable.

It is understood that the existing leisure centre car park acts as an informal bus/coach depot, particularly as a departure and dropping off point for holiday makers and as a layover (the break the driver/vehicle is given at the end of a trip before it starts operating its next trip). Concerns have been raised by third parties that the re-siting of the bus/coach parking area will conflict with other uses on the site and that insufficient bus/coach parking spaces are being provided. However, this informal arrangement is to cease and it is understood that the applicant has written to all local bus/coach companies advising them of this matter. This in itself will reduce the number of buses/coaches on the site and limit the potential conflict between buses/coaches serving the leisure centre and adjacent uses.

Three bus/coach spaces will be provided adjacent the Outdoor Bowls Club on the far side of the car park. The car park is intended to operate as a circular one-way system, so buses/coaches will drop off their passengers at the front of the leisure centre and then proceed to their designated parking area. A new footpath will be provided around the edge of the car park to reduce the need for car and pedestrian users utilising the same space.

Whilst it is acknowledged that users of other facilities on the site are concerned at activity associated with other bus/coach travellers, it is not considered that any conflict or potential anti-social behaviour would be so significant, particularly owing to future changes occurring as described above. Ultimately this will be a matter for the operational management of the site and not a planning issue.

No specific details have been provided for the temporary car park layout to the east of Whitehall Recreation Ground. However, the temporary car park will have a perimeter fence to be located a minimum 10m from the existing tree stems to ensure their health and well being is protected and the commemorative 25 silver birch trees in the centre of this area will be retained. Further details will be controlled by condition.

Overall the proposal would accord with saved Policy T5, Policy CS11, PPS4 & PPG13.

Flood Risk & Drainage:

The site lies within Flood Zone 1 which has a less than 1 in 1000 annual probability of river flooding in any year. However, based on the scale of the development at the site, a Flood Risk Assessment was required as part of the submitted application. The tests carried out concluded that the site does not suffer from localised surface water flooding or would suffer from high intensity extreme rainfall. The incorporation of sustainable urban drainage systems (SUDS) should be utilised, such as soakaways and storage/attenuation systems for surface water. The agent's have indicated that the proposed car parking bays will have a permeable surface rather than the existing tarmac arrangement resulting in a 40% reduction in the level of impermeable surface as well as the decrease in the size of the floorspace of the existing leisure centre building over the proposed leisure centre building by approximately 20%.

Following initial concerns by the Environment Agency they have confirmed that they raise no objection to the proposal subject to a condition limiting surface water

discharge from the site together with on site surface water drainage management. Severn Trent Water have confirmed that they raise no objection, subject to a condition.

The proposal is therefore considered to accord with Policy CS16 and PPS25.

Other Matters:

Sport England do not object to the proposal but have raised their disappointment at the lack of squash court provision in the new development and that planning permission is not being sought at this stage for their inclusion. Although the Rugby Borough Council Sports Facilities Strategy, 2010 indicated that the formation of 2 or 3 squash courts in the new leisure centre could result in the formation of a more effective club, unfortunately it is understood that this has not been possible due to financial constraints at this time. It is hoped that in the future such provision can be catered for on site, however, it is understood that the squash courts at Rugby School nearby are available to members of the public if they become members.

The existing skateboard facility at the southern edge of the current car park appears to be well used. As part of the redevelopment of the site, its inclusion has not been possible. However, to avoid losing the facility it will be relocated to Featherbed Lane Recreation Ground which has been subject to consultation with skaters, Rugby Area Play Partnership and local residents.

WCC Fire having reassessed the proposal and consider that sufficient supplies of water for fire fighting purposes are present and therefore raise no objection to the proposal.

Overall the proposed development is considered acceptable and would accord with the Development Plan and national planning policy and guidance.

Recommendation:

Approve, subject to conditions.

DRAFT DECISION

APPLICATION NUMBER

R11/0128

DATE VALID

08/07/2011

ADDRESS OF DEVELOPMENT

CENTRE
THE KEN MARRIOTT LEISURE
BRUCE WILLIAMS WAY
RUGBY
CV22 5LJ

APPLICANT/AGENT

Jonathan Mawson
B3 Architects
The Paper Hall
Anne Gate
Bradford
West Yorkshire
BD1 4EQ
On behalf of Tim Margerison, Rugby
Borough Council

APPLICATION DESCRIPTION

Demolition of existing leisure centre and erection of new leisure centre, including café, parking, ancillary facilities, external works and temporary car park

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

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

L1555/D01 Rev 3 Proposed Drainage Scheme received by the Local Planning Authority on 13th September 2011;

Bat Survey by Middlemarch Environmental Limited ref RT-MME-109887-02, September 2011 and an Extended Phase 1 Habitat Survey by Middlemarch Environmental Limited ref RT-MME-109887-01, September 2011 both received by the Local Planning Authority on 12th September 2011;

Arboricultural Report by Acorn Environmental Management Group;
PB/RBC/0611 TCP - North Rev 2 - Tree Constraints Plan;
PB/RBC/0611 TPP - North Rev 3 - Tree Protection Plan;
PB/RBC/0611 TCP - Central Rev 2 - Tree Constraints Plan;
PB/RBC/0611 TPP - Central Rev 3 - Tree Protection Plan;
PB/RBC/0611 TCP - South Rev 2 - Tree Constraints Plan; and
PB/RBC/0611 TPP - South Rev 3 - Tree Protection Plan;
all received by the Local Planning Authority on 30th August 2011;

Travel Plan Statement by BCAL Consulting ref 4621 R002 TP, August 2011 and Renewable Energy Strategy by Building Services Partnership Limited both received by the Local Planning Authority on 12th August 2011;

91299 G7 GA-101C - Proposed Site Plan and PB/RBC/0611 TPP - South Rev 2 - Tree Protection Plan both received by the Local Planning Authority on 8th August 2011;

91299 G2 GA-102 C - Proposed Ground Floor Plan;
91299 G2 GA-103 B - Proposed First Floor Plan;
91299 G2 GA-104 A - Proposed Roof Plan;
91299 G2 SE-201 B - Proposed Sections A&B;
91299 G2 EL-202 A - North & East Elevations; and
91299 G2 EL-203 A - South & West Elevations;
all received by the Local Planning Authority on 5th August 2011;

Pre-contract Site Noise Survey by Ken Dibble Acoustics ref P01109009, July 2011 and the Chemtech Environmental Limited Analytical Test Report (43011) both received by the Local Planning Authority on 29th July 2011;

Flood Risk Assessment by ARC Environmental ref 11-204 FRA, 30/06/11 received by the Local Planning Authority on 12th July 2011;

Access Statement by B3 Architects and Access Statement by BCAL Consulting ref 4621 R001 AS, July 2011 both received by the Local Planning Authority on 8th July 2011; and

91299 G7 SI-105 - Location Plan and Renewable Technology Appraisal by Building Services Partnership Limited Rev 1.0 both received by the Local Planning Authority on 5th July 2011.

REASON:

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

CONDITION 3:

Notwithstanding any indication given on the approved drawings as part of the application, full details of the colour, finish and texture of the materials to be used on all external surfaces of the proposed leisure centre building, including glazing, bricks, render, cladding and angled 'V' columns, together with full external details (including dimensions) of the bin store and electricity sub-station, shall be submitted to and approved in writing by the Local Planning Authority before any development commences. These details shall then be implemented in accordance with the approved details.

REASON:

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

CONDITION 4:

Notwithstanding any details submitted as part of the application or on the approved plans, details of the external design, including dimensions, of any ducts, flues or vents to be installed on the external elevations of the leisure centre building, including roofs, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. These shall then be installed in accordance with the approved details.

REASON:

To ensure a satisfactory appearance.

CONDITION 5:

Unless agreed in writing with the Local Planning Authority, no development shall commence unless and until a comprehensive hard and soft landscaping scheme, including details of furniture, roads, paths, parking and terrace areas, has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following the first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 6:

Tree protection measures and proposed tree works shall be undertaken in accordance with the specific arboricultural report/tree protection plans relating to the approved design details received by the Local Planning Authority on 30th August 2011 and as detailed in Condition 2 above, unless otherwise agreed in writing with

the Local Planning Authority. In addition, before development commences a methodology detailing no-dig construction methods of footpaths within tree root protection areas should be submitted to and approved in writing by the Local Planning Authority. The tree protection measures and proposed tree works shall then be implemented in accordance with the approved details.

REASON:

In the interests of visual amenity and to safeguard the health of the existing trees.

CONDITION 7:

Notwithstanding any of the details submitted as part of the application and prior to the first occupation of the development, details including appearance and location of secure and covered cycle storage facilities for both staff and visitors shall be submitted to and approved in writing by the Local Planning Authority. The cycle provision shall be implemented in accordance with the approved details and made available for use prior to the first occupation of the development.

REASON:

In the interests of promoting sustainable transport measures.

CONDITION 8:

Prior to installation, full details of the height, design and appearance of lighting columns, structures, fixtures and fittings, together with their associated angle, fall, spread and intensity, for both the temporary car park, car and coach park and leisure centre shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved details.

REASON:

To prevent unnecessary light pollution.

CONDITION 9:

Before development commences, details of the layout of the temporary car park, together with access points, shall be submitted to and approved in writing by the Local Planning Authority. The temporary car park shall then be laid out in accordance with the approved details before it is first brought into use. Within three months of the new leisure centre first being brought into use, the temporary car park area to the east of Whitehall Recreation Ground shall be removed and the land shall be reinstated to its former recreational use, the details of which shall be first submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure the long term provision of designated open space land within the urban area of Rugby.

CONDITION 10:

Before development commences drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme for the site shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development shall also be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON:

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

CONDITION 11:

Unless otherwise agreed in writing with the Local Planning Authority, within three months, if not before, of the new leisure centre first being brought into use, the existing leisure centre building shall be demolished in its entirety.

REASON:

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

CONDITION 12:

Unless otherwise agreed in writing with the Local Planning Authority, before development commences a detailed and accurate noise assessment, including details of the operation noise from all mechanical plant (including the boiler) with measures for acoustically treating such equipment, and the proposed car park, shall be submitted to and approved in writing by the Local Planning Authority. The development, mechanical plant and mitigation measures shall be carried out in accordance with the approved details.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITION 13:

Prior to the development first being brought into use, a lockable security barrier across Bruce Williams Way shall be installed, the details of which shall be first submitted to and approved in writing by the Local Planning Authority. The lockable security barrier shall then remain in situ and available for use and all times in the future.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITION 14:

No development shall commence unless and until an air quality assessment, which shall include the demolition and construction procedures as referred to in Condition 17 of this decision, as well as operational practices, such as the envisaged biomass boiler emissions and traffic generation, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION 15:

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

REASON:

In the interests of health and safety.

CONDITION 16:

Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

CONDITION 17:

Prior to the commencement of any works, a Demolition & Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:

- 1) the control of noise and vibration emissions from demolition and construction activities, including groundworks and the formation of infrastructure, as well as arrangements to monitor noise emissions from the development site during the demolition and construction phases;
- 2) the control of dust including arrangements to monitor dust emissions from the development site during the construction and demolition phases;
- 3) measures to reduce mud deposition offsite from vehicles leaving the site; and
- 4) details of who is responsible for what (e.g. project manager) and all contractors and sub-contractors should be signed up to the plan.

The development shall be carried out in compliance with the approved Demolition & Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

REASON:

In the interests of the amenities of the locality and in the interests of health and safety.

CONDITION 18:

Prior to the kitchen being first brought into use and prior to installation, full details of the air handling extraction units for the kitchen, including odour, noise abatement and flue details, shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed, operated and maintained in accordance with the approved details.

REASON:

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

CONDITION 19:

In relation to the demolition and construction of the leisure centre buildings, no plant or machinery shall be operated, no process shall be carried out and no construction traffic shall enter or leave the site outside the hours of 07.00 hours to 18.00 hours Monday to Friday, nor outside the hours of 08.00 hours to 13.00 hours on Saturdays, nor at any time on Sundays or Public/Bank Holidays unless approved in writing in advance with the Local Planning Authority.

REASON:

In the interests of the amenities of the locality, including neighbouring properties.

CONDITION 20:

Prior to the development first being brought into use, details of water efficiency measures to be incorporated into the design of the leisure centre building and site shall be submitted to and approved in writing by the Local Planning Authority. The approved measures and technologies shall be implemented in accordance with the approved details and thereafter shall be retained in working order in perpetuity.

REASON:

In order to ensure that energy efficiency through sustainable design and construction is achieved.

REASON FOR APPROVAL:

The proposed scheme involves the demolition and erection of a leisure centre on the edge of Rugby town centre within an existing leisure, sports and recreational complex. Based on the location of the development and the overall reduction in floorspace, the proposal would accord with policies CS1 & CS6 of the Rugby Borough Council Core Strategy 2011 and PPS4 & PPG17. The design and appearance of the new leisure centre and associated parking area would represent a significant improvement over the existing building and parking area and would not adversely affect the character of the adjacent Conservation Areas or setting of nearby listed buildings. Therefore, the proposal would accord with policies CS6 & CS16 of the Rugby Borough Council Core Strategy 2011 and PPS1 & PPS5. The proposed development would incorporate carbon emission reduction technology as well as water efficiency measures thereby satisfying policies CS16 & CS17 of the Rugby Borough Council Core Strategy 2011 and PPS1. The relationship of the proposal with adjacent properties is such that on balance it will not adversely affect the amenities of those occupants both during and after development or have an unacceptable impact on the surrounding infrastructure, including highways and drainage. The proposal will also safeguard the potential presence of protected species and key landscape features. Therefore, the scheme will accord with saved policies GP2, E6, T5 & LR4 of the Rugby Borough Local Plan 2006 and policies CS11, CS14 & CS16 of the Rugby Borough Council Core Strategy 2011 and PPS9, PPG13, PPS23, PPG24 & PPS25.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Local Plan 2006 Saved Policies GP2, E6, T5 & LR4;
Rugby Borough Core Strategy 2011 Policies CS1, CS6, CS11, CS14, CS16 & CS17;
West Midlands Regional Spatial Strategy;
PPS1, PPS4, PPS5, PPS9, PPG13, PPG17, PPS23, PPG24, PPS25 & Draft National Planning Policy Framework 2011.

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

INFORMATIVE 1:

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

Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

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

INFORMATIVE 2:

Separate advertisement consent may be required from the Local Planning Authority for any proposed signage.

INFORMATIVE 3:

The applicant is advised to give due regard to the advice contained in BS5228:2008 noise and vibration control on construction and open sites. In addition, the applicant's attention is drawn to the Considerate Constructors Scheme. This is a voluntary Code of Practice, driven by the construction industry, which seeks to:-

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

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

INFORMATIVE 4:

The applicant is advised that the surface water drainage scheme referred to in Condition 10 above shall include the following:

- 1) Limiting surface water discharge from the site to at minimum existing discharge - 20% for Climate Change;
- 2) At the detailed design stage a plan and calculations in support of the on site surface water drainage system (i.e., microdrainage output for the 30 year, 100 year and 100 year plus 30% for residential, 20% for commercial (for climate change) rainfall events, to demonstrate that no flooding occurs to the proposed development or surrounding area from the above rainfall events;
- 3) Details of how the scheme shall be maintained and managed after completion.

INFORMATIVE 5:

The applicant is advised that in order to minimise the effect of crime and increase security consideration should be given to the following:

- 1) maintain good lighting in the car park so CCTV continues to work effectively;
- 2) good in house security and access control so the only people who gain access to the changing area are those that are using the facilities; and
- 3) the access door for staff is covered by good lighting and CCTV.

INFORMATIVE 6:

It is understood Western Power Distribution has network equipment within the site. Therefore, the applicant is advised to contact Aim Bureau Services on 02476 186502 or at <http://eon-uk.com/distribution/networkplans.aspx> to obtain copies of their Network records. There may be a charge levied for this service.

For new developments, diversions and ground works the applicant can contact Western Power Distribution CAT Team at Toll End Road, Tipton, DY4 0HH, or phone 08450 727270. For advice and support on locating our equipment and safe working around our network, contact CableSafe on 0800 015 0927 or see <http://eon-uk.com/distribution/safety.aspx> for more information.

There is an electricity substation within close proximity of the development. A substation is a potential source of noise, therefore the developer should adopt measures to ensure that acceptable noise levels are maintained for future residents.

Western Power Distribution also emphasise that any alteration, building or ground works proposed in the vicinity of their network that may or may not directly affect their cables, must be notified in detail to Western Power Distribution. For further information please contact Robert Field at Western Power Distribution, Pegasus

Business Park, Castle Donington, Derbyshire DE74 2TU or email
customerworks@central-networks.co.uk

INFORMATIVE 7:

All waste drains serving the kitchen attached to the leisure centre should be provided with grease traps and detritus traps prior to the discharge to the foul drainage network to avoid grease, fat and food debris entering the sewer system.

INFORMATIVE 8:

The applicant is advised that before the commencement of any works on site protective barriers and geogrid ground protection shall be erected in the positions as shown within the Tree Protection Plan as approved under Condition 2 of this decision. The protective barriers will consist of a scaffold framework in accordance with Figure 2 of BS5837:2005 (Trees in relation to Construction). The protective fencing shall comprise a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. On to this weldmesh panels should be securely fixed with wire or scaffold clamps. Protective measures should remain in place until completion of all construction works. Root protection areas should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them.

INFORMATIVE 9:

The applicant is advised that it may be expedient to meet with the Council's Arboricultural Officer (01788 533634) and designated arboricultural consultant responsible for the site prior to works commencing.

INFORMATIVE 10:

In relation to Condition 15 of this decision, the applicant is advised that there is a specific requirement in the Control of Asbestos Regulations 2006 for all asbestos containing materials (ACM's) to be removed as far as reasonably practicable before demolition commences.

INFORMATIVE 11:

The applicant is advised that prior to construction works commencing on site, the Site Waste Management Plan rev 04.09.2011 prepared by Shepherd Construction shall be discussed with the Environmental Services Section of Rugby Borough Council (01788 533857).

Reference number: R11/0112

Site address: Land Adjacent to Existing Doctors Surgery, Bow Fell, Brownsover

Description: Erection of a new medical centre, a detached community centre and associated works

Case Officer Name & Number: Owain Williams – 01788 533789

Site Description

This application has been brought before the committee as it is a departure from the development plan

The land adjacent to the existing doctor's surgery is located within the heart of Brownsover which is within the urban area of Rugby.

The land is classed as open space within the local development plan and listed as high quality and high value. The site sits to the side of the existing surgery which faces into the car park area accessed off Helvellyn Way and consists of a grassed piece of land with a bank of trees and shrubs to the east of the site which front on to the road Bow Fell. There is also a small area of hard standing to which a play ground once stood. The existing car park within the site which serves the existing surgery also provides access to the rear of the parade of shops which form the centre of Brownsover.

The area is predominately residential with a church, Jehovah witness building and social services building making up the other buildings within close vicinity.

Proposal Description

The proposal is for the erection of a new two storey medical centre and the erection of a new one and half storey community centre.

The proposed medical centre will extend the full width of the open space and will have a depth of 10 metres. The medical centre sits within 10 metres of Bow Fell replacing the existing band of trees in the process. The centre will stand two storeys high and will have two storey projections extending out from the main bulk of the building to give visual interest and space to the surrounding residents.

The front elevation has a gable ended projection which will have an overhang supported by two poled legs which will form a covered area for cycle stands. The main entrance to the side will be to the side of this projection and will face out towards the Jehovah Witness Building and separate car park. The building will be banded by different materials to add to its visual interest and will have a low profile hipped roof to reduce its bulk.

The community centre will be located to the rear of the existing surgery and adjacent to the vicarage and will replace an area of shrubbery. The centre will be a one and half storey building which will have a hipped roof rising away from the boundary with the vicarage. The building will have similar materials to that of the medical centre so continuing the development.

The existing car park will be utilised to serve the centre and a new band of landscaping is proposed to the rear of the new medical centre to soften the edge of the site with Bow Fell.

Relevant Planning History

None

Technical Consultation Responses

Tree Officer – Objection

Landscape Officer – No objections

Environmental Services – No objections subject to conditions

Access Officer – No objections

WCC Ecology – No objections

WCC Highways – No objections subject to conditions and a Section 106 agreement

WCC Water Officer – No objections

Police Architectural Liaison Officer – No objections

Open Space Society – No comments received

Third Party Responses

Neighbours (4) – Objection Question the need for a new larger building; why the need for a new community centre when there is already one in existence, not enough canvassing of opinion was done; why does the green area have to be destroyed; there is no bus stop or scheduled bus route along Bow Fell; why do the trees have to be removed; would the existing surgery be reused; retail activity should be prevented within the medical centre; adequate parking needs to be provided for the larger building; loss of privacy; there will be an increase in disturbance from the proposed community centre and increase in the amount of traffic on Bow Fell; the character of the area would be severely affected; loss of light to dwellings; increase noise and disturbance.

Relevant Core Strategy Polices, Saved Policies and Guidance

Core Strategy Policies

CS1 – Development Strategy	Complies
CS11 – Transport and New Development	Complies
CS13 – Local Services and Community Facilities	Complies
CS16 – Sustainable Design	Complies

Saved Policies

GP2 – Landscaping	Complies
GP6 – Biodiversity	Complies
T5 – Parking Facilities	Complies
LR4 – Safeguarding open space	Conflicts

Guidance

Rugby Regeneration Strategy 2010

PPS1 – Delivering Sustainable Development
Draft National Planning Policy Framework

Assessment of Proposals

The determining issues to take into account in this case would be the principle of developing upon this area of open space, the impact on the character and appearance of the area and the impact on the neighbouring amenities, biodiversity and highway safety

Whether the principle of the of the development is acceptable or not will come down to whether or not the benefits of locating a medical centre and community centre in this location would out weigh the loss of an open space.

Saved Policy LR4, Safeguarding Open Space, states that planning permission for the development of open space for non sport and recreation uses will be granted provided that the open space is no longer needed or of value for its current or other open space use now and in the foreseeable future. As the medical centre and community centre would be a non sport and recreation use and the open space is classed as high value and high quality the proposal would clearly conflict with saved policy LR4. The open space however is not used for recreational purposes and would not have been used since 1992 for this purpose as this is when a section of the land was sold off and the play area which was upon the open space was removed. Although the land would not have amenity use in terms of recreation it does still hold amenity value visually with a bank of trees to the east of the site being the most significant feature. The provision of open space within Brownsover compared to other areas is plentiful with other areas of open space within close vicinity of the site, however even though this may be the case and the open space over time has degraded in terms of its use, the loss of the space would still have to be given due consideration as improved management could see it upgraded.

Policy CS13, Local Services and Community Facilities, of the Core Strategy states that new local services and community facilities will be permitted in identified areas of deprivation where the provision would contribute towards addressing the deprivation, or in existing residential areas within the urban area, provided that it is readily accessible by a choice of means of transport, including by foot and cycle, the nature and the scale of development would be commensurate with its function to provide facilities of the local resident population, the nature and scale of service provision will reflect and relate to the size and function of the individual settlement and would not adversely affect the vitality and viability of the Town Centre or any planned town centre development. There are certain areas of Brownsover which are classed as deprived. The area known as Brownsover South Lake District North (BSLDN) has been highlighted as deprived within the Regeneration Strategy 2010. The purpose of the regeneration strategy is to provide a framework for local agencies

and communities to work together to make improvements to the parts of the Rugby that are experiencing poorer quality of life than the rest of the borough. The strategy has highlighted areas within the borough and tiered the areas in terms of their need in order to prioritise potential regeneration of the area. The area BSLDN has been given tier 1 priority within the strategy and has broken down the main issues and characteristics within the area that contributes to its status. Issues such as population, income, unemployment, education, crime, health, housing and community perceptions have been researched. In terms of health it states that young people's health is a cause for concern in BSLDN. 25 residents under the age of 16 claim DLA, second only to Cawston due to its sheer population volume. This concentration of individuals represents not only a community need now but for the future too, with over 2 times the borough average number of DLA claimants under 16. The neighbourhood is home to the joint highest number of physical incapacity benefit claimants and the third highest number of incapacity benefits claimants as a result of social/mental health issue. The Brownsover South Ward also has the second highest levels of teenage pregnancies in the borough. The medical centre is to be located on the edge of the BSDLN as it is shown within the regeneration strategy so will serve the population of Brownsover including the deprived areas. There is already a doctor surgery located within Brownsover however the building is small and would be unable to provide the potential opportunities and facilities that a new medical centre would give to the population of Brownsover. The introduction of the medical centre and the community centre would benefit the area improving medical services to the residents and providing a more up to date community facility. The introduction could improve education of local people towards health, provide enhanced facilities and services and would also provide the potential for new services to be introduced creating a catalyst for regeneration of the area which would be a move to achieving some of the goals within the regeneration strategy which would comply with policy CS13 of the Core Strategy.

Weighing up the benefits of the development to the community against the negatives of a loss of open space it is considered that the benefits would outweigh that of the negatives as this area is a tier 1 priority in terms of regeneration and with there being other open space within close vicinity to the development the loss of this under used area would not be significant therefore the principle of the development upon this open space would be acceptable.

Policy CS16, Sustainable Design, states that all development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. The introduction of the medical centre and community centre to the site will have an impact on the visual appearance of the site as the band of trees to the east will be removed to make way for the medical centre building however there are some efforts to put landscaping back into the scheme. The proposed two storey medical centre is to be a building with a low profile hipped roof to match that of the surrounding buildings such as the shops, church and existing surgery and also to reduce the massing of the building. The building is to have different materials to provide banding around the building which will provide visual interest with cedar cladding in areas breaking up the continuity of the building mass. The community centre will be situated at the same level as the street and will sit adjacent to the vicarage which is a detached dwelling. The community centre will have elements of a domestic dwelling but features which tie in with the medical centre as a community building. The landscaping which will front Bow Fell will soften the edge of the building along the street scene which would go some way to replace that was removed. Taking into account the design and appearance of the building taking influences of surrounding

properties, ensuring the massing of the roof is kept low and the landscaping scheme proposed the development would not unduly impact on the character and appearance of the surrounding area therefore complying with policy CS16 of the Core Strategy

Policy CS16, also states that development will ensure that the amenities of the existing and future neighbouring occupiers are safeguarded. The medical centre will be situated at a higher level to that of the neighbouring properties situated opposite on Bow Fell however the new centre will be sited 10 metres in from the back of the pavement totalling a maximum of 25 metres between the dwellings and the proposed medical centre. It will be this separation distance combined with the low profile roof of the building which would help reduce the impact on the neighbouring amenities in terms of loss of light and overbearing impact. The community centre will be positioned adjacent to the vicarage which is a domestic dwelling with detached garage. The garage will separate the community centre from the main dwelling. The community centre would be positioned slightly forward of that of the vicarage which has two side facing windows, however these windows are non-habitable and a secondary window respectively so therefore the impact would be minimal upon the amenities from these windows. Although the dwelling will sit forward of the vicarage the medical centre would be 1 and half storeys tall with the roof slope rising away from the boundary further reducing the impact. Taking into account the above it is considered that the proposed development would have minimal impact on the neighbouring amenities complying with policy CS16 of the Core Strategy. With regards to the noise and disturbance that may be created from the community centre the environmental services officer has requested that uses within community centre be restricted to that of community based functions and not that of private hire. In addition to this comment he also suggested opening and closing times of the centre to ensure that the neighbouring amenities of the area were taken into consideration.

The building will be in compliance with modern standards of energy efficiency and a use of a variety of environmentally friendly materials will be used which will comply with the new provisions set out within policy CS16 of the Core Strategy.

Saved policy T5 of the Local Plan states that planning permission will only be granted for development incorporating satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities. The proposal offers 25 parking spaces with an additional 3 disabled spaces which increases the number of spaces provided by the existing car park by 3. The existing car park is under used as shown in a traffic survey which was undertaken by the applicants and which is also highlighted by the fact that three spaces are taken up by recycle bins and still not being full at any one time. Although the proposed new premises will be substantially larger than the existing surgery the application form indicates that there is no intent to employ additional staff therefore it could be argued that the same number of patients would be served, however it is considered that a larger range of services could be provided and this has been taken into account through the assessment. There is further parking available elsewhere adjacent to the site (albeit that it is not within the red edge) which serves the existing community centre and Jehovah witness building that could be utilised by members of the public if necessary. There is also a lay-by on Bow Fell which has some capacity and whilst it has not been provided for users of the site would not necessarily be a highway safety issue. With reference to the community centre the users the design and access statement explains that the proposed community centre would be likely (in the main) to operate outside the hours of the Medical Centre; thus the parking provision for the site as a whole would be available. Taking into account the above it is considered that adequate parking provision has been provided on site and also with there being other public parking

available in the area the proposed development would comply with saved policy T5 of the Local Plan 2006. As part of the highway officers comments and discussions with the applicants it has been agreed that a section 106 agreement be entered to secure funding for the provision and improvement of facilities for pedestrians to cross the highway in the vicinity of the site. Taking this into account any approval will not be granted until this agreement has been finalised and signed.

Saved Policy E6 of the Local Plan states that the council will seek to safeguard, maintain, and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern. The site has no known statutory or non statutory nature conservation designation and there are no such sites within the surrounding area. There are no known protected species records within the site of the surrounding area. It is noted that the vegetation on the area of land will be removed however as they are semi mature trees they are not likely to contain features which are found in mature trees which support roosting bats. It has been advised by the ecological department of the county council that the removal of the trees should be done outside of the nesting season to minimise disturbance to nesting birds. Taking into account the above it is considered the development would have minimal impact on biodiversity complying with saved policy E6 of the Local Plan 2006.

Recommendation

Approval subject to the applicants entering into a section 106 agreement to secure funding for the provision and improvement of facilities for pedestrians to cross the highway in the vicinity of the site and subject to the following conditions:

APPLICATION NUMBER

R11/0112

DATE VALID

27/06/2011

ADDRESS OF DEVELOPMENT

LAND ADJACENT EXISTING

DOCTORS

SURGERY

BOW FELL

BROWNSOVER

RUGBY

APPLICANT/AGENT

Mr Robert O'callaghan

Robert O'callaghan Architects

Ivy House

Church Street

Rugby

Warwickshire

CV23 0EW

On behalf of Dr S Kavuri

APPLICATION DESCRIPTION

Erection of a new medical centre, a detached community centre and associated works

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

REASON:

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

CONDITION: 3

No development shall commence unless and until a contaminated land assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and measures to avoid risk (to the site users, buildings and environment) when the site is developed. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION: 4

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

REASON:

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

CONDITION: 5

The accommodation for car parking and the loading and unloading of vehicles, shown on the approved plan ROC\504\PD\002A shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

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

CONDITION: 6

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

REASON:

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

CONDITION: 7

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the building, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved by the Local Planning Authority prior to such plant being installed. Equipment shall then be installed in accordance with the approved details.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITION: 8

Unless otherwise agreed in writing the community centre shall not be used other than between the hours of 08:30 to 22:30 Monday to Sunday.

REASON:

To protect the amenity of nearby properties.

CONDITION: 9

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

Drawing Nos. ROC\504PD\001 and ROC\504\PD\005 received 27th June 2011 and the amended plans drawing nos. ROC\504\PD\002A, ROC\504\PD\003A and ROC\504\PD\004A received on 7th September 2011 and the amended design and access statement received on 7th September 2011.

REASON:

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

CONDITION: 10

Unless otherwise agreed in writing by the Local Planning Authority the community centre hereby permitted shall only be used for community purposes and functions and not for any private hire purpose.

REASON:

To safeguard the neighbouring amenities

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Policies CS1, CS11, CS13 and CS16 of the Core Strategy 2011, Saved Policies GP2, GP6, T5 and LR4 of the Local Plan 2006 and PPS1 and the emerging NPPF

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

REASON FOR APPROVAL:

The benefits of the locating this proposed development upon this area of open space would outweigh the negatives as this area is a tier 1 priority in terms of regeneration and with there being other open space within close vicinity to the development the loss of this under used area would not be significant therefore the principle of the development would be acceptable complying with policies CS1, CS13 and the Regeneration Strategy 2010. The proposed development would have minimal impact on the surrounding area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policy CS16 of the Rugby Borough Core Strategy 2011. The parking facilities and access to the site are adequate complying with saved policy T5 of the Rugby Borough Local Plan 2006.

INFORMATIVE: 1

If the proposed community centre holds event with live entertainment they will require a premises licence. The operators will need to contact the Council's Public Health & Licencing Team to obtain an application form by contacting them on (01788) 533882.

INFORMATIVE: 2

The indicative site layout of the proposed community centre shows kitchen facilities. The operators of the centre will need to contact the Council's Public Health & Licencing Team before the facility opens to register as a food business, to comply with relevant food safety legislation

INFORMATIVE: 3

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

Monday - Friday 7.30 a.m - 18.00 p.m.

Saturday 8.30 a.m. - 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

INFORMATIVE: 4

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

INFORMATIVE: 5

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The applicant is advised that as additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Suitable native species include native ash, oak, pear and apple. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

INFORMATIVE: 6

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team - Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits

INFORMATIVE: 7

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the [applicant{s}/ developer{s}] must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	28 th September 2011
Report Title	Delegated Decisions –19.08.2011 to 08.09.2011
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Paul Varnish 3774
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Deputy Chief Executive under delegated powers
Risk Management Implications	N/A
Financial Implications	N/A

Environmental Implications N/A

Legal Implications N/A

Equality and Diversity N/A

Options N/A

Recommendation The report be noted.

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

Rugby Borough Council

Planning Committee – 28th September 2011

Delegated Decisions – From 19.08.2011 to 08.09.2011

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: 28.09.2011
Subject Matter: Delegated Decisions – 19.08.2011 to 08.09.2011
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.

* 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 19/08/2011 TO 08/09/2011

A. APPLICATIONS – DELEGATED

**Applications
Refused**

<i>R11/0407 Refused 19.08.2011</i>	46 Broad Street Brinklow Rugby	Erection of detached dwelling to rear of No. 46 Broad Street
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<i>R11/0503 Refused 25.08.2011</i>	Land adjacent to 1 Wynter Road New Bilton	Erection of a two storey office building.
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**Applications
Approved**

<i>R11/0176 Approved 18.08.2011</i>	117 Newbold Road Rugby	Change of Use of part of site from vehicle rental hire (sui generis) to container storage business (B8), including associated external works.
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<i>R11/1373 Approved 18.08.2011</i>	Clifton Hall Farm Lilbourne Road Clifton Upon Dunsmore	Erection of a single storey rear extension
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<i>R11/1427 Approved 19.08.2011</i>	19 High Street Rugby	Variation of conditions no. 2 and 3 of R10/2067 to amend the plans and materials for the shopfront
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<i>R11/1100 Approved 22.08.2011</i>	19 Avon Street Clifton Upon Dunsmore	Retrospective application for the retention of the single storey and two storey rear extension and the provision of a wooden balcony and decking with steps leading from the rear of the property to the garden.
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<i>R11/0905 Approved 22.08.2011</i>	26 Dunchurch Hall Rugby	Insertion of first floor side facing window
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<i>R11/1463 Approved 22.08.2011</i>	Draycote Water Visitors Centre Draycote Water Kites Hardwick	Construction of a glazed lobby and minor external alterations to Draycote Water Visitors Centre.
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<i>R11/0451 Approved 22.08.2011</i>	5 Coventry Road Rugby	Proposed two storey side extension, single storey attached garage and porch
<i>R11/1402 Approved 23.08.2011</i>	Fosse Farm Fosse Way Wolston	Installation of solar photovoltaic panels on an agricultural building.
<i>R11/1422 Approved 23.08.2011</i>	2 London Road Coventry	Single storey rear extension and detached garage and front porch
<i>R11/0386 Approved 23.08.2011</i>	Ivy House Farm Lower Street Willoughby	Erection of two storey side extension
<i>R11/0409 Approved 23.08.2011</i>	The Old Post Office School Street Churchover	Single storey extension to rear, conversion and extension of detached garage to form annexe.
<i>R11/1186 Approved 23.08.2011</i>	2 Eastfield Place Rugby	Installation of new shop front
<i>R11/1404 Approved 23.08.2011</i>	22 Church Road Shilton Coventry	Erection of single storey front and rear extensions (including demolition of an existing garage) and conversion of the other existing detached garage to ancillary residential accommodation.
<i>R11/0826 Approved 23.08.2011</i>	1 Heath Way Rugby	Erection of a front extension to form a porch.
<i>R11/0368 Approved 23.08.2011</i>	East Coker 9 Cord Lane Easenhall	Erection of a rear extension with accommodation in the roofspace.
<i>R11/1391 Approved 24.08.2011</i>	23 St Margarets Avenue Wolston Coventry	The Erection of a Conservatory
<i>R11/1283 Approved 24.08.2011</i>	MG Seaman and Daughter 6 Paynes Lane New Bilton	Erection of a 2.1 metre high palisade fence and gates around the site

<i>R11/1426 Approved 24.08.2011</i>	Spinney Close Birdingbury Road Leamington Hastings	Erection of replacement entrance gateway and alterations to existing vehicular access
<i>R11/0603 Approved 25.08.2011</i>	Land adjacent to Balancing Pond Back Lane Long Lawford	Substitution of house types to plot 1 and plot 2 approved under reference R10/1153
<i>R11/1280 Approved 25.08.2011</i>	Dunchurch Allotment Gardens Coventry Road Dunchuch	Erection of a communal shed
<i>R11/1431 Approved 25.08.2011</i>	Top Nosh 156 Railway Terrace Rugby	Change of use of the ground floor from Class A1 (sandwich bar) to A5 (hot food takeaway) of the Town and Country Planning (Use Classes) Order 1987.
<i>R11/1292 Approved 25.08.2011</i>	Spinney Close Birdingbury Road Leamington Hastings	Retention of single storey side extensions with rooms in the roof space and dormer windows including alterations to the fenestration of the dwellinghouse with portico entrance, dormer windows to the front, rear and sides of the dwelling, installation of balcony, retention of chimneys and the demolition of the existing conservatory and outbuildings
<i>R11/1389 Approved 25.08.2011</i>	4 Permian Close Rugby	Garage conversion and rear conservatory
<i>R11/1488 Approved 25.08.2011</i>	27 Thackeray Close Rugby	Rear conservatory
<i>R11/1489 Approved 25.08.2011</i>	1 Corbridge Place Cawston	Rear Conservatory
<i>R11/1465 Approved 26.08.2011</i>	5 Windrush Way Long Lawford Rugby	Erection of a two storey terraced dwelling and provision of parking (resubmission).
<i>R11/1143 Approved 26.08.2011</i>	The Sikh Temple 4-10 Craven Road Rugby	Erection of a single and a two storey rear extension and change of use of No. 8 & 10 Craven Road from C3 (Residential) to a place of worship (D1) to form part of existing Sikh Temple

<i>R11/1493 Approved 30.08.2011</i>	Willow Cottage Birdingbury Road Frankton	Two-storey side extension for garage and annexe
<i>R11/1473 Approved 30.08.2011</i>	140 Ashlawn Road Rugby	Erection of single storey side extension
<i>R11/1238 Approved 30.08.2011</i>	Flecknoe Fields Farm Flecknoe Station Road Flecknoe	Subdivision of existing buildings to form a further two residential units (retrospective).
<i>R11/0260 Approved 31.08.2011</i>	CO-OP Store Adjacent 1 Warren Field Ryton on Dunsmore	Demolition of part of existing store and construction of single-storey side and rear extension, external alterations including addition to roof and associated works to site including fencing, designated parking, alterations to access, formation of service yard, landscaping, bin store and cycle rails.
<i>R11/1515 Approved 31.08.2011</i>	Arcadia Coventry Road Dunchurch	Single-storey rear extension to replace existing conservatory
<i>R11/1508 Approved 31.08.2011</i>	Draycote Water Sailing Club Draycote Water Kites Hardwick	Provision of parking area.
<i>R11/1442 Approved 31.08.2011</i>	3 School Street Churchover Rugby	Erection of a single storey rear extension
<i>R11/1560 Approved 05.09.2011</i>	Telephone Exchange Northampton Lane Dunchurch	Replacement of glazing with aluminium louvers
<i>R11/1117 Approved 05.09.2011</i>	Brickyard Cottage Monks Kirby Lane Monks Kirby	Erection of two-storey rear extension, part single-storey part first floor extension over garage to side including front and rear dormer windows, single-storey rear extension and external alterations.
<i>R11/1454 Approved 05.09.2011</i>	19 Vicarage Lane Dunchurch	Provision of pitched roof over existing single-storey front extension

<i>R11/1555 Approved 05.09.2011</i>	271 Alwyn Road Rugby	Retrospective application for a two storey rear extension
<i>R11/1542 Approved 05.09.2011</i>	72 Vernon Avenue Rugby	Erection of single storey rear extension
<i>R11/1556 Approved 05.09.2011</i>	Two Hoots Birdingbury Road Bourton-On-Dunsmore	New Juliet Balcony & door to replace existing window
<i>R11/1500 Approved 05.09.2011</i>	32 Lime Tree Avenue Bilton	Erection of single storey rear extension, side extension, front portico including new bay window and new pitched roof
<i>R11/1318 Approved 06.09.2011</i>	64 Warren Road Rugby	Two storey side and single storey rear extension.
<i>R11/1491 Approved 06.09.2011</i>	J Sainsburys 385 Dunchurch Road Rugby	Alterations to car park layout and access and provision of additional landscaping.
<i>R11/1575 Approved 06.09.2011</i>	Acorns Croft Burnthurst Lane Princethorpe	Erection of replacement detached outbuilding
<i>R11/1456 Approved 07.09.2011</i>	Land at 94 Main Street Long Lawford	Erection of a detached bunaglow and garage with associated works (Renewal of planning approval R09/0292/OPS)

**Advertisement
Consents**

<i>R11/1439 Approved 18.08.2011</i>	CO OP High Street Ryton on Dunsmore	Proposed signs
<i>R11/1352 Approved 23.08.2011</i>	2 Regent Street Rugby	Display of 1no. internally illuminated fascia sign and 1no. externally illuminated hanging sign.
<i>R11/1189 Approved 23.08.2011</i>	2 Eastfield Place Rugby	Display of illuminated fascia sign lettering and illuminated hanging sign
<i>R11/1376</i>	2 I O Centre	Erection of sign

Approved
31.08.2011

Valley Drive
Rugby

R11/1419
Split Decision
01.09.2011

Newtown Vehicle
Rentals Limited
117 Newbold Road
Rugby

Erection of signs

**Certificate of Lawful
Use or Development**

R11/0897
Approved
25.08.2011

27 Cherwell Way
Long Lawford
Rugby

Certificate of proposed lawful development for
demolition of an existing rear conservatory and
construction of a single storey rear extension.

**Approval of Details/
Materials**

R11/0380
Approval of non-
material changes
18.08.2011

Ainscough Crane Hire
Limited
Stockley's Spinney
Rugby Road
Princethorpe

Retention of electronic gates and fence, fuel
tank and toilet block.

R10/1110
Approval of details
18.08.2011

The Coach House
Church Street
Churchover
Rugby

Conversion of existing barn (outbuilding) into
additional living accommodation.

R10/1111
Approval of details
18.08.2011

The Coach House
Church Street
Churchover
Rugby

Listed Building Consent application for
conversion of existing barn (outbuilding) into
additional living accommodation.

R08/0223/PACA
Approval of details
23.08.2011

Dunchurch Social Club
The Square
Dunchurch

Change of use of the first floor from ancillary
social club facilities to a commercial restaurant
(Class A3 of the Town and Country Planning
(Use Classes) Order 1987).

R08/0503/LBC
Approval of details
26.08.2011

Princethorpe College
Leamington Road
Rugby

Provision of new roof, disabled access ramp
and internal/external repairs

R10/0543
Approval of Non-
Material Changes
02.09.2011

The Hollies
Church Road
Grandborough

Demolition of existing single storey garage and
outbuildings. Erection of a detached two storey
building comprising a garage/workshop and
storage on the ground floor and studio/office
accommodation on the first floor.

Withdrawn/

De-registered

E2E 776
Withdrawn
22.08.2011

Ivy Cottage
Main Street
Bretford

Discharge of conditions: Conversion and
Integration of chapel with Ivy Cottage and
extension to dwelling.