

13<sup>th</sup> April 2012

## **PLANNING COMMITTEE - 25<sup>TH</sup> APRIL 2012**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 25<sup>th</sup> April 2012 in the Council Chamber, Town Hall, Rugby.

### **Site Visits**

Site visits will be held at the following times and locations.

2.30pm        Bush Hill Farm Bungalow, Bush Hill Lane, Flecknoe  
3.30pm        Land at Stretton Croft, Watling Street, 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 4<sup>th</sup> April 2012.
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. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 16<sup>th</sup> March to 5<sup>th</sup> April 2012.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2011/12 – 17) are attached.

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

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

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

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

**AGENDA ITEM 4**

**RUGBY BOROUGH COUNCIL  
PLANNING COMMITTEE – 25<sup>TH</sup> APRIL 2012  
REPORT OF THE HEAD OF PLANNING AND CULTURE  
APPLICATIONS FOR CONSIDERATION**

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

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

**RECOMMENDATION**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for Refusal

No applications recommended for refusal.

### Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
	R12/0320	Station Farm Cottage, London Road, Dunchurch, CV23 9LP Proposed single-storey oak framed garages and single-storey extension to barn (to replace the log cabin) and minor modifications to elevational treatment including proposed oak-framed porch and additional internal boundary walls.	3
	R12/0396	The Queen's Diamond Jubilee Centre (Rugby Leisure Centre), Bruce Williams Way, Rugby Revised application for the demolition of existing leisure centre and erection of new leisure centre, including enlarged sports hall, café, parking, ancillary facilities, external works and temporary car park	8
	R11/0239	Land at Stretton Croft, Watling Street, Wolvey Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.	32
	R11/0575	Bush Hill Farm Bungalow, Bush Hill Lane, Flecknoe Removal of Condition 11 (agricultural occupancy condition) of planning permission R76/0294/6659/OP for the erection of an agricultural dwelling.	53
	R12/0380	Eleven Arches Viaduct, Leicester Road, Rugby Listed Building Consent for provision of hard surfacing along the centre of the viaduct in order to provide a link to the established cycleway.	57

**Reference number: R12/0320**

**Site address: Station Farm Cottage, London Road, Dunchurch, CV23 9LP**

**Description: Proposed single-storey oak framed garages and single-storey extension to barn (to replace the log cabin) and minor modifications to elevational treatment including proposed oak-framed porch and additional internal boundary walls.**

**Case Officer Name & Number: Karen McCulloch, 01788 533623**

This application is being reported to Committee as the applicant is Councillor Graham Francis.

### **Relevant planning history**

There are 2 applications that are directly relevant to this application. These were approved in October 2011 and are as follows:

R11/1223 - Conversion of buildings to form 2 dwellings, internal and external alterations, installation of solar and PV panels,

R11/1375 - Retention of swimming pool with timber outbuilding, raised deck and pool plant store.

### **Description of site**

Station Farm Cottage is located within the countryside and is accessed by a long hardcore track from London Road.

There is the main house, Station Farm Cottage, and an L-shaped building. Planning permission to convert the L-shaped building into 2 dwellings was granted in October 2011 and these works are being carried out. The buildings are screened by tall conifer hedges.

There is a parking area in the south west corner of the site which is accessed through metal gates. This is enclosed by conifer hedging and a wall. The area of garden between the main house and the parking area is also enclosed by a wall. The L-shaped buildings form a courtyard which is enclosed by a wall and hedging, there is a swimming pool in this area which is raised above ground level and a single storey timber building. This contains a changing room, gym, sauna and storage.

There are Public Rights of Way adjacent to the site.

### **Description of proposals**

This application includes the erection of garages, to serve the existing house and one of the newly converted buildings, the erection of a porch and single storey extension to one of the converted buildings, minor changes to the elevations of the L-shaped building and the erection of walls and gates to subdivide the property.

Two detached garage buildings are proposed; these will be timber framed with slate tiles roofs and will be located within the existing parking area. The garage to serve the existing house will have 2 bays, 1 of which will be open, this will measure around 5.6m by 5.6m and will be around 4m to the ridge. This will be located within the existing parking area adjacent to the hedge.

The garage to serve the converted building will have 2 open bays, 1 bay with garage doors and a small storage area. This will measure 10.7m by 6m and will be around

4.5m to the ridge. This will be sited on the grassed area between the existing parking area and the hedge.

A brick built extension is proposed to one of the converted buildings. This is to be single storey and will contain a study/gym, shower room, sauna and changing room. This will replace the existing timber building and will be a similar size and location. A timber porch is also proposed to the north elevation of the converted building, this is to be an open canopy porch with a monopitched roof.

New brick walls are proposed between the properties, these will be 2m high and will reflect the existing walls.

### **Third party comments**

Dunchurch Parish Council    No objections

### **Technical consultation responses**

WCC Rights of Way	No objection	Subject to informatives
WCC Ecology	No objection	Subject to informatives
Natural England	Comment	Development should not harm protected species
WCC Archaeology	No comment	

### **Relevant planning policies and guidance**

Rugby Borough Core Strategy 2011  
CS16    Complies    Sustainable Design

Rugby Borough Local Plan 2006 – Saved Policies  
E6    Complies    Biodiversity  
T5    Complies    Parking facilities

National Planning Policy Framework, March 2012

Interim Parking Standards Guidance Note, May 2011

### **Assessment of proposals**

The key issues to assess in relation to this application are whether the principle of the proposed development is acceptable in this location and the impact on visual amenity and the character of the area.

As detailed above Station Farm Cottage is located within the countryside and policy CS1 states that within the countryside new development will be resisted unless permitted by national policy. The NPPF does not refer specifically to residential extensions within the countryside but states that the character of the countryside should be recognised.

The proposals involve the erection of garages, extensions and walls and the impact of these on the character of the countryside and visual amenity must be assessed.

The application proposes 2 detached garage buildings which will serve 2 separate residential properties. These will be constructed of timber frames with tiles roofs to match the existing properties. It is considered that the proposed design of the garage buildings is appropriate within this rural location.

The single storey extension to the existing barn will replace the existing timber building and will be a similar size and in a similar location. This is single storey and

will be subservient to the larger barn building. This will project from one end of the converted building and will square off the courtyard. This is considered in keeping with the character of the building and will be on the site of a further barn that was removed in the past. The materials are to match the existing building and this is considered acceptable.

The proposed porch is to be of a simple appearance with a mono-pitched roof and timber supports, this is considered in keeping with the agricultural character of the existing building.

Elevational changes are also proposed to this building, these include the addition of rooflights and alterations to an approved openings, these are considered acceptable.

Walls are proposed within the site to separate the site into 3 distinct properties, these will match existing walls within the site and are considered acceptable.

The site is surrounded by tall conifer hedges so the proposals will not be visible from outside of the site. Notwithstanding this, if the hedges were to be removed the works and buildings would be seen in association with the existing house and converted buildings and this is considered acceptable.

The impact on the character of the countryside and visual amenity are considered acceptable. The proposals therefore comply with policies CS1 and CS16.

Policy CS16 also states that proposals should not have an adverse impact on the amenity of residents. The closest residential property outside of the application site, Station Farm is around 300m from the site and will not be affected by the proposals in terms of enclosure, loss of light or privacy. The proposed garages and extensions will not have an adverse impact on the other properties at Station Farm Cottage.

The application form states that surface water will drain to soakaways, this is in accordance with CS16 which encourages sustainable drainage systems to be used.

The proposed garages will be constructed within, and adjacent to, the existing parking area. The proposals will result in 4 parking spaces for Station Farm Cottage, 4 spaces for one of the converted buildings and 3 spaces for the other. This is in accordance with the Council's Interim Parking Standards Guidance Note which requires 3 spaces for a 4-bedroom dwelling in this location. This is in accordance with saved policy T5.

There are public Rights of Way adjacent to the site and the route of these on the ground run around the outside edge of the application site. However, WCC Rights of Way have advised that the legal line of these rights of way runs across the south west corner of the application site.

The Right of Way is currently obstructed by the applicants boundary hedging and has been obstructed for some time. One of the proposed garages will further obstruct the Right of Way and WCC Rights of Way have commented that it will be essential for the applicant to apply to divert the Right of Way, they go on to state that they do not object to the principle of this diversion.

As diversions of Rights of Way are controlled by other legislation it is not considered reasonable to require this by condition. An informative could be added to any approval to advise the applicant that this diversion is necessary.

Subject to this informative it is considered that the proposals comply with guidance in the NPPF, paragraph 75, which states Rights of Way should be protected.

In relation to protected species Natural England commented that the development should not affected protected species. WCC Ecology raised no objection to the application and requested an informative relating to bats and nesting birds. They also that the existing hedgerows be protected during construction, however as these are conifer hedges it is not considered that the Council would seek to protect these. The proposals will not, therefore, have an impact on protected species in accordance with saved policy E6.

### **Recommendation**

Approval – subject to conditions and informatives

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R12/0320

### **DATE VALID**

29/02/2012

### **ADDRESS OF DEVELOPMENT**

STATION FARM COTTAGE  
LONDON ROAD  
DUNCHURCH  
RUGBY  
CV23 9LP

### **APPLICANT/AGENT**

Mr Richard Palmer  
Hb Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH  
On behalf of Mr Graham Francis

### **APPLICATION DESCRIPTION**

Proposed single-storey oak framed garages and single-storey extension to barn (to replace the log cabin) and minor modifications to elevational treatment including proposed oak-framed porch and additional internal boundary walls.

### **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 Site Location Plan - R95:11:04, Site Plan - R95.11.23A and Proposed Outbuildings, Plans & Elevations - 95.11.21 received by the Local Planning Authority on 3rd February 2012 and the amended Residential Conversion Scheme Design - R95.11.24C received by the Local Planning Authority on 5th April 2012..

#### **REASON:**

For the avoidance of doubt.



**CONDITION: 3**

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Local Planning Authority on 29th February 2012 and on the approved plans.

**REASON:**

To ensure a satisfactory external appearance and for the avoidance of doubt.

**CONDITION: 4**

The garages hereby approved shall not be used for any purpose other than ancillary to the residential use of Station Farm Cottage and Station Farm Cottage Barn.

**REASON:**

In the interest of residential amenity.

**REASON FOR APPROVAL:**

The proposed garages, extensions and other alterations will be in keeping with the existing house and surrounding countryside and will not adversely impact on the residential amenity of neighbouring properties or protected species in accordance with policies CS1 and CS16 of the Rugby Borough Core Strategy 2011 and saved policy E6 of the Rugby Borough Local Plan 2006.

A suitable level of car parking will be provided for the properties in accordance with saved policy T5 of the Rugby Borough Local Plan 2006.

**INFORMATIVE: 1**

The proposed development would affect Public Rights of Way R168x/R168y. Prior to construction these Rights of Way should be diverted through an application to Rugby Borough Council, a plan of the proposed diversion should also be submitted to the Rights of Way Team at Warwickshire County Council.

**INFORMATIVE: 2**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a 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, so work should ideally take place outside these dates if at all possible.

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

**Reference number:**

R12/0396

**Site address:**

The Queen's Diamond Jubilee Centre (Rugby Leisure Centre), Bruce Williams Way, Rugby

**Description :**

Revised application for the demolition of existing leisure centre and erection of new leisure centre, including enlarged sports hall, 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, 6-court 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. This revised application for the new leisure centre will have a floorspace of just over 5,400 square metres approximately 100 square metres smaller than the existing centre. 292 car parking spaces exist at present and this will be reduced to 273 car parking spaces including 17 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 a dark orange multi brick with mainly white render above, however, the first floor part of the sports hall section will be white plasticol coated steel cladding. The roof will be made from stucco embossed aluminium which will be pre-weathered to reduce its potential shine. 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.

The most significant change between the previously approved application for a new leisure centre and the current proposal is the increase in the size of the sports hall from 4 courts to 6 courts. Other changes include alterations to elevations such as, glazing, doors, louvers, brise soleil, flue diameters and heights and a maintenance rail to the plant room roof.

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, Sustainable Surface Water Drainage Report, Construction Dust Assessment & Action Plan, Demolition & Construction Method Statements, Noise Survey & Details, including Construction Noise Assessment, Boiler Details, Asbestos Survey, Site Waste Management Plan and a Phase 2 Site Investigation Report.

***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 planning history is as follows:

Siting of a secure metal container for the storage of air cylinders at the rear of the building

Approved 01/06/10

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

Approved 28/09/11

Non-material amendment to the application for the demolition of existing leisure centre and erection of new leisure centre

Approved 23/02/12

Full and partial discharge of conditions associated with the demolition of existing leisure centre and erection of new leisure centre

Approved 15/03/12

**Technical Consultations:**

English Heritage	No comment
Environment Agency	No objection
Natural England	Proposal does not appear to affect any statutorily protected sites or landscapes, recommend standing advice on protected species.
Rugby Borough Council – Environmental Services	No objection, subject to conditions & informatives
Rugby Borough Council – Landscaping	No objection
Rugby Borough Council – Parks & Leisure	No comments received to date
Rugby Borough Council – Trees	No objection, subject to a condition and informative
Severn Trent Water	No objection
Sport England	No comment
Warwickshire County Council – Archaeology	No comment
Warwickshire County Council – Ecology	No comment, subject to informatives
Warwickshire County Council – Fire & Rescue	No comments received to date
Warwickshire County Council – Footpaths	No objection
Warwickshire County Council – Highways	No objection, subject to a condition
Warwickshire Police	No objection, subject to informatives
Warwickshire Wildlife Trust	No comments received to date
Western Power (formerly EON/Central Networks)	No comments received to date

**Third Party Consultations:**

Members may recall that as part of the original planning application for the new leisure centre there was a separate public consultation process from the planning process by the Council. Displays of the previous proposals were available at both the existing leisure centre and the museum and art gallery and a specific email address was set up to enable people to ask questions. Since this time the Task Group for the development has had regular meetings which have resulted in the submission of this latest application primarily increasing the size of the sports hall.

The current planning application consultation process has result in the receipt of the following comments:

Neighbours (4)	Observations & Concerns	Great idea, concerned no squash courts Proposed hours of work seem long Proximity of development to residential property
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Bin store too close to residential property – increased risk of smell, litter and vermin;  
 Increased bulk noticeable;  
 Loss of light;  
 Surface water occasionally floods neighbouring property; &  
 Limited capacity in sewer, especially when pool empties.

**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:

National Planning Policy Framework, 2012

Other:

West Midlands Regional Spatial Strategy  
 Planning Obligations Supplementary Planning Document, 2012  
 Sustainable Design & Construction Supplementary Planning Document, 2012  
 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 physically barriers

between the site and the town centre edge, complemented by clear pedestrian links, the intended scheme would accord with Policy CS1.

The existing 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. Annex 2 of the National Planning Policy Framework (NPPF) defines Main Town Centre Uses as including leisure, sport and recreation uses.

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, both Policy CS6 and Annex 2 of the NPPF refer to edge of centre locations being within 300 metres from the town centre boundary.

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 the NPPF.

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 very 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.

#### 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.

A palette of external facing materials will be used providing a mix of deep orange multi bricks, white render and cladding, dark grey powder coated aluminium curtain walling framework, pre-weather embossed aluminium roofing (light grey in colour) and planed larch timber beams that will complement each other and enhance the character and appearance of the building. Hard landscaping details for the car park and surrounding the building have also been provided, which are also considered acceptable. Details relating to 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 & NPPF.

#### 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. 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 NPPF.

#### 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%. This is supported in the current Sustainable Design & Construction Supplementary Planning Document (SD&C SPD), 2012.

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 and are more questionable following recent changes in the Feed in Tariff by the Government.

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 being considered, subject to tariff changes, 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 the NPPF.

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 and estimated amounts. It also focuses on recycling and re-using materials, dealing with inert and hazardous waste as well as identifying the amount of material that has gone to landfill. Training, communication and an ongoing review 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. Environmental Services have commented that the plan is acceptable.

It is understood that bricks and concrete from the existing leisure centre building will be crushed on site with majority of resultant hardcore being used to form a base for the new car park.

#### Ecology:

An extended Phase 1 Habitat Survey has been conducted which confirmed no badger, otter or water vole activity was identified and that there was limited potential for the works to impact upon great crested newts or other reptiles. It also considered that the works would have limited potential to impact on great crested newts, grass snakes, lizards and slow worms. 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. A bat survey, including a nocturnal survey, has been undertaken and no roosts or evidence of roosts, including bat droppings, were identified at the building or at nearby trees.

Natural England have no objection to the application but advise that standing advice procedures are followed for protected species. WCC Ecology has confirmed that the

submitted surveys have been completed to the necessary standards. Ideally they would prefer additional habitat enhancements throughout the site, but accept that owing to the high level of mature landscaping on and adjacent to the site, additional soft landscaping proposed and the proximity of the site to the open countryside, that sufficient provision has been made and will just seek informatives. WCC Ecology had initially requested a condition to be imposed with regard to tree felling and remedial works and the potential impact on bats, especially those which are hibernating. However, following further discussions and that a bat survey had been undertaken, they consider that there is sufficient legislation in place through the Wildlife & Countryside Act, 1981 and the Conservation of Habitats & Species Regulations, 2010 to protect the possible presence of bats in trees without the need for a separate planning condition. Nevertheless informatives in relation to this matter have been requested.

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 saved Policy E6, CS14 & the NPPF.

#### Trees, Landscaping & Open Space:

Of the 235 trees surveyed, 216 are proposed to be retained. All Category A trees are to be retained, whilst 7 Category B trees (whitebeam, maple, hornbeam and cherry) and 7 Category C trees (London plane, cherry, rowan, holly & lawson cypress) 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 25<sup>th</sup> 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 series of tree protection and constraint plans has been submitted, including those for the temporary car park area. The Council's Tree Officer has confirmed his acceptance to the overall proposals and considers that any minor tree losses will be mitigated for via a comprehensive planting scheme maintaining and enhancing tree cover.

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, 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. The NPPF states that access to opportunities for sport and recreation can make an important contribution to the health and well-being of communities and that policies should be based on up-to date assessments of the needs for open space, sports and recreation facilities with opportunities for new provision. On the basis of the above, the proposal is considered not to conflict with saved Policy LR4, CS6 and the NPPF.

#### 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 as with the previously approved scheme 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. As with the previously approved scheme, 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 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 as with the previously approved scheme the residential amenity of this room would be adversely affected to such an extent to warrant a reason for refusal.

This latest scheme would result in the sports hall extending a further 6.5 metres south adjacent to the boundary of Thornfield Bungalow. However, based on the

aforementioned assessment and that the remaining habitable windows on the southern elevation of Thornfield Bungalow lie further away from the site than the master bedroom, 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.

As part of the consideration of the previous application for the new leisure centre, the electricity sub-station and bin store were located further away from Thornfield Bungalow to reduce their operational impact on the residential amenity of this property. This latest application retains the electricity sub-station in its previously revised location, approximately 40 metres north of the property, whilst the bin store has been rotated by approximately 90 degrees and elongated to enable better access. This will actually move the bin store slightly further away from Thornfield Bungalow, as well as setting it further off the boundary. Along with the retaining wall along the western edge of the bin store, the impact of the bin store and electricity sub-station on surrounding properties is considered acceptable. If subsequent problems arise from the bin store in the terms of litter escaping, smell or vermin, this will be a matter that the operators of the site will need to address rather than the planning process. Nevertheless, as stated above, such a facility of the intended scale should be capable of being operated without such issues occurring.

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, its garden and beyond, on balance, the development will result in a building whose impact does still provide the occupier of Thornfield Bungalow with 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 30 metres away. Owing to a slight taper in the boundary, the single storey side section of the leisure centre will lie approximately 11 metres from the boundary with 1 Thornfield Cottage, whilst the taller sports hall section will lie approximately 15 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.

As stated above, this latest application will result in the leisure centre building extending further southwards, however, views from the rear (east) facing windows of

1 Thornfield Cottage would still retain a line of sight beyond the proposed western elevation of the leisure centre. Based on these distances and that the bulk of 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 to such an extent to warrant a reason for refusal.

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 providing 239 spaces. 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 latest set of plans delineates the area for car parking being set off the eastern boundary by between 14-18 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 approximately a further 14 metres into the site. There is also 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. Both these premises lie close to the boundary and the latest set of plans show the northern edge of the temporary car parking being located approximately 1.5 metres off the boundary. However, as only 8 spaces will be this close and the remaining spaces will be over 6 metres and beyond and that these neighbouring uses are not residential, the level of disturbance resulting from this temporary use is not deemed unacceptable in planning terms, particularly as it will be for a relatively short period of time.

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:

A series of noise reports have been completed, including background noise assessment and a construction and demolition noise assessment. The total noise impact of construction and non-construction traffic, use of the temporary car parking area and new permanent parking area have been assessed and deemed to have a negligible impact on noise sensitive properties, eg nearby houses. 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 this element to be dealt with via a planning condition in order to safeguard and mitigate for any potential disturbance to neighbouring properties.

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 stated that any flue installed will be intended 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, particularly air quality, and its design and appearance. The agent has previously stated that the below ground fuel store will expect to have deliveries every 2 weeks with the waste ash collected every month. Details of how the fuel will be stored will also be conditioned.

Matters relating to potential dust particles from the demolition and construction processes and the implementation of appropriate mitigation measures together with ground contamination have been satisfactorily addressed through the reports and documents submitted. Therefore, Environmental Services have confirmed that such issues have either been adequately addressed, can be controlled by condition or governed by separate legislation and therefore accord with Policy CS11 and the NPPF.

#### Highway, Transport & Parking:

The new leisure centre will lie within a high access parking zone. On the basis of the Parking Standards contained within the Planning Obligations SPD, 2012, a maximum of 91 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. 273 car parking spaces are proposed, which includes 17 disabled spaces. This is a reduction of 19 spaces over the existing leisure centre. The NPPF places greater emphasis on Local Planning Authorities setting their own standards whilst protecting and exploiting opportunities for the use of sustainable transport modes. However, 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 submitted a Travel Plan Statement. 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, including covered and uncovered cycle spaces, 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 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.

Space for up to three buses/coaches 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.

Despite previous concerns raised it is not considered that the activities associated with bus/coach travellers at the site would conflict with other users of the site or that 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.

Details of the temporary car park have been submitted with the application and it will lie to the east of Whitehall Recreation Ground. It will provide 239 spaces during the demolition and construction periods with access provided from the north-western edge of the existing Thornfield Indoor Bowls Club car park. It is understood that the existing water park pump house will be retained whilst the temporary car park is operational in order to provide an electricity supply for the temporary lighting. Plans have been submitted which indicate the tree protection measures to be put in place for around the temporary car park, which also depict the retention of the commemorative 25 silver birch trees.

Overall the proposal would accord with saved Policy T5, Policy CS11, and the NPPF.

#### 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. It was originally intended to have solely a permeable surface across the proposed car parking bays however it is understood that percolation tests have revealed that water does not drain as well as first thought and therefore large attenuation tanks will be put in place to help assist in the out fall of surface water from the site. Dark multi orange block paving and drainage channels will now be installed across the car park.

In the light of the details that were submitted as part of the approval of conditions associated with the previous application for the demolition and erection of the leisure centre, R11/0128, the Environment Agency and Severn Trent Water have now both raised no objection to the proposal and consider that sufficient information has been

submitted with this latest application to avoid any requirement for conditions. Therefore, the proposal is therefore considered to accord with Policy CS16 and the general thrust of the NPPF.

**Other Matters:**

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. Nevertheless, Sport England have raised no objection to this latest proposal.

The existing skateboard facility at the southern edge of the current car park has recently been dismantled. It is understood that this facility was well used but its inclusion has not been possible in the redevelopment of the site. 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.

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 and informatives.

**DRAFT DECISION**

**APPLICATION NUMBER**

R12/0396

**DATE VALID**

28/02/2012

**ADDRESS OF DEVELOPMENT**

THE QUEENS DIAMOND JUBILEE  
CENTRE (RUGBY LEISURE CENTRE)  
BRUCE WILLIAMS WAY  
RUGBY  
CV22 5LJ

**APPLICANT/AGENT**

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

**APPLICATION DESCRIPTION**

Revised application for the demolition of existing leisure centre and erection of new leisure centre, including enlarged sports hall, 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:

Bat Survey by Middlemarch Environmental Limited ref RT-MME-109887-02, September 2011 and Extended Phase 1 Habitat Survey by Middlemarch Environmental Limited ref RT-MME-109887-01, October 2011 both received by the Local Planning Authority on 23rd February 2012;

Plans ref L1555-D01 Rev 6 & L1555-D02 for External Drainage and Plan Ref L1555-D03 Rev 2 for Internal Drainage and Sustainable Surface Water Drainage Report L1555 received by the Local Planning Authority on 23rd February 2012;

Plan ref L1555-SK08 Rev 4 drainage plan for the proposed temporary car park received by the Local Planning Authority on 21st March 2012;

Arboricultural Report by Acorn Environmental Management Group - Amended Version 21/03/2012 received by the Local Planning Authority on 21st March 2012;

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 23rd February 2012;

B3 Architects email to the Local Planning Authority regarding trees adjacent the coach park received on 5th April 2012 [16:39];

Travel Plan Statement by BCAL Consulting ref 4621 R002A TP, February 2012 received by the Local Planning Authority on 1st March 2012;

91299 G7 GA-101 H - Proposed Site Plan  
91299 G2 GA-102 H - Proposed Ground Floor Plan;  
91299 G2 GA-103 G - Proposed First Floor Plan;  
91299 G2 GA-104 F - Proposed Roof Plan;  
91299 G7 SI-105 - Location Plan;  
91299 G7 GA-122 D - Temporary Car Park Layout;  
91299 G7 GA-124 A - Proposed Soft Landscaping Layout;  
91299 G7 GA-125 - Substation Details;  
91299 G7 GA-126 - Bin Store Details;  
91299 G2 EL-202 F - North & East Elevations;  
91299 G2 SE-301 G - Proposed Sections A & B; and  
91299 G2 SE-302 F - Proposed Sections C & D;  
all of the above received by the Local Planning Authority on 23rd February 2012;

91299 G2 EL-203 G - South & West Elevations received by the Local Planning Authority on 28th February 2012;

Pre-contract Site Noise Survey by Ken Dibble Acoustics ref P01109009, report date 2011 July 20, the B3 Services/ME Services Acoustic Design Criteria Rev 3 0 dated

17th February 2012 received by the Local Planning Authority on 23rd February 2012 and the HRS Services Limited Construction Noise Assessment ref 111462-AC-1V1 dated 23.03.12 received by the Local Planning Authority on 27th March 2012;

Construction Dust Assessment & Action Plan Version 2 dated February 2012 by AECOM Limited; Phase 2 Ground Investigation Report ref 11-204 dated 25/08/2011 by ARC Environmental; Remedial Measures against Contamination Report ref L1555 dated January 2012 by Furness Partnership; and Management Survey [Asbestos] ref P-36040 Issue No 3 by Environmental Essentials all received by the Local Planning Authority on 23rd February 2012;

Flood Risk Assessment by ARC Environmental ref 11-204 FRA, 30/06/11; Construction of New Facilities and Demolition of Existing Building Method Statements; and Biomass Boiler Flue Discharge Data Report dated 17/02/2012 (2) all received by the Local Planning Authority on 23rd February 2012;

Design Statement Rev 1 Feb 2012 & Access Statement Rev 1 Feb 2012 by B3 Architects both received by the Local Planning Authority on 23rd February 2012

Site Access Report by BCAL Consulting ref 4621 R001B AS, February 2012 received by the Local Planning Authority on 1st March 2012;

Renewable Technology Appraisal Rev 2.0 dated 17/02/2012 by Building Services Partnership Limited received by the Local Planning Authority on 23rd February 2012;

Relux lighting report ref 38469 dated 26/01/2012 (temporary car park) with associated light level and light spill level plans received by the Local Planning Authority on 21st March 2012;

**REASON:**

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

**CONDITION 3:**

Unless otherwise agreed in writing by the Local Planning Authority, the external facing materials of the proposed leisure centre building shall be as follows:

- a) Ibstock Warwickshire Olde English 2613 bricks;
- b) Wienerberger Terca Baggeridge Sovereign Blue stock bricks;
- c) StoRend Cote, Sto Limited white stippled render;
- d) Kingspan KS1000 FL/FL metal composite white cladding - finish XL Forte;
- e) Eleco plc SpeedDeck aluminium roof sheeting stucco embossed milled finished with pre-weathering lacquered finish; and
- f) Powder coated dark grey curtain walling.

and in associated with plans 91299 G2 EL-202 F received by the Local Planning Authority on 23rd February 2012 & 91299 G2 EL-203 G received by the Local Planning Authority on 28th February 2012, together with plans 91299 G7 GA-125 (substation details) and 91299 G7 GA-126 (bin store details) received by the Local Planning Authority on 23rd February 2012.

Additional details of the external facing materials are also stipulated in B3 Architects letter to Rugby Borough Council dated 25th January 2012 received by the Local Planning Authority on 30th January 2012 and B3 Architects email to Rugby Borough Council dated 1st March 2012 [16:38].

**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 boiler flue/stack/chimney, including design, location, height and dimensions, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The boiler flue/stack/chimney shall then be installed in accordance with the approved details.

**REASON:**

To ensure a satisfactory appearance.

**CONDITION 5:**

Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the submitted hard and soft landscaping scheme plans ref 91299 G7 GA101 H (excluding cycle stands) and 91299 G7 GA-124 A received by the Local Planning Authority on 23rd February 2012 and B3 Architects email to the Local Planning Authority received on 30th March 2012 [14:35] in relation to habitat enhancement (bird and bat box installation).

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 interests of visual amenity and wildlife habitats.

**CONDITION 6:**

Unless otherwise agreed in writing with the Local Planning Authority, tree protection measures, no-dig construction methods of footpaths within tree protection areas 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 the 23rd February 2012 and 21st March 2012, together with the Agent's email to the Local Planning Authority dated the 5th April 2012, all as detailed in Condition 2 above, as well as the Agent's letter dated 25th January 2012 received by the Local Planning Authority on 30th January 2012. Protective measures shall remain in place until the completion of all construction works and the root protection area shall be subject to no building, ground disturbance or storage of building materials within them.

**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 both covered and uncovered 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 the car and coach park and the external parts of the 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:**

Unless otherwise agreed in writing by the Local Planning Authority, the temporary car park shall be laid out in accordance with plan ref 91299 G7 GA-122 D received by the Local Planning Authority on 23rd February 2012 before it is first brought into use. Any lighting installed serving the temporary car park shall be carried out in accordance with the plans and report specified in Condition 2 of this decision. Within three months of the new leisure centre first being brought into use, the temporary car park area and any associated infrastructure, including lighting, to the east of Whitehall Recreation Ground shall be removed and the land shall be reinstated to its former recreational use (excluding the AquaPark), 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, suitable measures to ensure that mud and debris will not be deposited on the highway as a result of construction traffic leaving the site (including type, method of operation and control of use), shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The measures shall then be operational in accordance with the approved details and prior to development commencing on site and remain in place for the duration of the entire construction process.

**REASON:**

In the interests of highway safety.

**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, the development shall accord with the details of the noise reports and assessments

approved in Condition 2 of this decision. Prior to the first occupation of the new leisure centre building, details of the operation noise from all mechanical plant (including the boiler) with measures for acoustically treating such equipment, 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 new leisure centre building 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:**

Prior to the installation of any boiler, an air quality assessment associated with the envisaged boiler emissions, as well as operational practices, filtration systems, fuel type and fuel storage arrangements of any boiler, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interest of health and safety.

**CONDITION 15:**

Prior to the kitchen/servery being first brought into use and prior to installation, full details of the air handling extraction units for the kitchen/servery, 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 16:**

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 17:**

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 slight reduction in floorspace, the proposal would accord with policies CS1 & CS6 of the Rugby Borough Council Core Strategy 2011 and the National Planning Policy Framework (NPPF). 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 the NPPF. 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. 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 the NPPF.

**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;  
National Planning Policy Framework 2012.

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

**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](http://www.considerateconstructors.co.uk) .

**INFORMATIVE 4:**

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](mailto:customerworks@central-networks.co.uk)

**INFORMATIVE 5:**

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 6:**

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 7:**

The applicant is advised that a Stage 3 Asbestos Survey is likely to be required for the existing leisure centre building and 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 of the existing leisure centre building.

**INFORMATIVE 8:**

The applicant is advised that prior to construction works commencing on site, the Site Waste Management Plan ref SMARTWastePlan dated 21st March 2012 shall be discussed with the Environmental Services Section of Rugby Borough Council (01788 533857).

**INFORMATIVE 9:**

The applicant is advised that lighting can significantly affect the behaviour of some animals such as moths, birds and mammals, even to the extent of jeopardising their survival or reducing their breeding success. Where lighting is to be installed or updated, lights should be low pressure sodium with a full cut-off lantern in order to minimise the spread of the light. In accordance with Condition 8 above, a sensitive lighting scheme should be designed for the site that minimises lighting across the site at night, and avoids lighting any bat boxes erected, the Sow Brook corridor or trees with potential for bat roosts, We also recommend that the lights are put on a timer so that they can be switched off as soon as possible in the evening. Where floodlighting is considered essential, operational times should be kept to a minimum.

**INFORMATIVE 10:**

Whilst no evidence of badgers has been found, the site is suitable for badger foraging and therefore, the applicant is advised that badgers and their setts (communal place of rest) are protected under the 1992 Badgers Act, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136.

**INFORMATIVE 11:**

The applicant is advised that arboricultural works on the ash tree (T733, as identified in the Arboricultural Report by Acorn Environmental Management Group dated 21/03/2012, received by the Local Planning Authority on 21st March 2012 and the Bat Survey report completed by Middlemarch Environmental Limited dated September 2011, received by the Local Planning Authority on 23rd February 2012) should be carried out under the supervision of a suitably qualified bat worker. No tree should be cross cut in close proximity to cavities or hollows. Any sections containing cavities or hollows should be carefully lowered to the ground and left with openings exposed for a minimum of 24 hours after felling to allow any bats that could be present to leave of their own accord.



**INFORMATIVE 12:**

The applicant is advised that an application for an Environmental Permit to operate a mobile crusher on site will be required with the relevant fee. The application and fee must be forwarded to Dean Taylor of the Public Health & Licensing Team at Rugby Borough Council who can be contacted on 01788 533854 or dean.taylor@rugby.gov.uk

**INFORMATIVE 13:**

Warwickshire Police advise that at barrier, such as a height restrictor, to the entrance to the car park should be installed to ensure only suitable vehicles enter the site. They have also requested that lighting columns are used in the car park and that they meet British Standard BS 5489 1:2003 as well as ensuring there are no dark areas.

**INFORMATIVE 14:**

The applicant's attention is brought to the document entitled Environmental Protection UK - Biomass & Air Quality Guidance for Local Authorities England & Wales, June 2009 and is advised to discuss the boiler specification with Dean Taylor of Rugby Borough Council's Environmental Services Section who will be involved in any Environmental Permits associated with the site. He can be contacted on 01788 533854 or dean.taylor@rugby.gov.uk

**Reference number: R11/0239**

**Site address: Land at Stretton Croft, Watling Street, Wolvey**

**Description: Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.**

**Case Officer Name & Number: Karen McCulloch, 01788 533623**

### **Description of site**

This application relates to an area of land to the north of the Borough close to the junction of the M69 and A5. The site is accessed from the north along Wolvey Road.

The site is located outside of the Green Belt in the countryside.

There was previously a dwelling to the north of the site within the administrative area of Hinckley and Bosworth Borough Council and the applicant have advised that the current application site formed part of the curtilage of this dwelling. The site was also used as a compound when construction of the M69 was carried out.

The site slopes down from Wolvey Road towards the south eastern boundary adjacent to the M69, at the junction the M69 is at a higher level than the site, this slopes down towards the south of the site.

There are residential properties to the north of the site and on Wolvey Road. Close to the site on the A5, Watling Street there are commercial properties, 2 public houses/restaurants and a petrol filling station.

There are high voltage power lines crossing the site, although the pylons are not located within the site area.

There are mature trees on the sites boundary with Wolvey Road and the M69, these are protected by a Tree Preservation Order.

### **Description of proposals**

This is an outline application for the development of the site for uses falling within classes B1 – business, C1 – hotel incorporating A3 – restaurant and D2 – assembly and leisure with associated works, parking and landscaping. The applicant has advised that the A3 use would be ancillary to the proposed hotel.

The application form specifies the amount of floorspace proposed for each of the proposed uses and also states that the proposed hotel would have 100 bedrooms.

As this is an outline application the details relating to the design of the buildings, layout of the site or proposed landscaping are not to be considered at this stage. However, illustrative plans have been provided showing how the site could be developed and showing an illustrative landscape scheme. Indicative levels plans have also been provided which show the building heights.

The illustrative plans show the site being accessed from Wolvey Road in the north western corner of the site. A hotel, leisure building and office building are shown towards the south east of the site, closest to the M69, smaller office/light industrial buildings are shown closer to the site entrance. Areas of car parking and landscaping

are shown between the proposed buildings. Illustrative levels and cross sections have been submitted, these show the buildings adjacent to the M69 as three storey buildings with the buildings closer to the site entrance being two storey.

It is anticipated that the development would create around 350 jobs.

### **Third party comments**

#### Original consultation

Stretton Baskerville Parish Meeting Objection

- impact on residents of peaceful rural area,
- loss of privacy,
- damage to hedgerows when road is widened,
- impact on wildlife,
- large number of vehicle movements,
- impact on M69 roundabout,
- development is Green Belt land,
- previous applications were refused due to traffic concerns,
- not in keeping with character of area,
- enforcement notices to clear site have not been complied with,
- has need for development been proved?

Wolvey Parish Council Comment

Although development is not within Wolvey Parish are concerned that they were not consulted

Neighbours (10) Objection

- development will impact on rural character of the area,
- area of proposed development is not previously developed land,
- will blur boundary between Burbage and the countryside,
- contemporary urban style buildings are not appropriate,
- protected trees, wildlife habitats and hedgerow will be lost,
- there are developments similar to the proposals close to the site, are more really needed?
- site is not accessible by public transport,
- increased use of unadopted road,
- use by large delivery vehicles and buses and use late at night will disturb local residents,
- adding a roundabout will add to congestion on A5 and M69, the area is already very busy,
- Wolvey Road/Three Pots is used as a rat run, development would increase this,
- increased use and larger vehicles on Wolvey Road/Three Pots will be dangerous and damage road,
- increased litter from users of the development using local shops,
- HGVs park overnight in the layby blocking visibility,
- development would lead to HGVs parking on Wolvey Road leading to noise and loss of privacy,
- there are other more suitable sites in the area,
- buildings will lead to loss of privacy to nearby homes, application states the impact is reduced by trees however these will lead to a loss of light,
- when recent homes were completed the developers damaged trees, they do not maintain the land that they own,
- consider Rugby Borough Council has little direct interest in the site,
- do not consider sufficient consultation was carried out,

- Hinckley and Bosworth Borough Council have not been sufficiently involved in the application,
- affected residents live within Hinckley and Bosworth Council's area,
- consider development would infringe Human Rights Act as people have right to private and family life,
- previous applications were refused due to Green Belt location,
- applications for dwellings nearby were refused,
- there are outstanding enforcement issues at the site.

Neighbours (1)            Comment

- Wolvey Road also provides access to agricultural land and Stretton Baskerville Farmhouse,
- access along this road for large agricultural vehicles must be maintained.

Further consultation/additional information

Neighbours (2)            Objection

- does not overcome original objections to the development,
- increased traffic on A5, this is already a high accident area,
- impact on wildlife within the site and surrounding area,
- development would not lead to business or regeneration benefits, there are similar facilities nearby, some of these are vacant,
- local residents would be unable to access homes,
- HGVs park overnight in the layby blocking visibility,
- development would lead to HGVs parking on Wolvey Road leading to noise and loss of privacy,
- when recent homes were completed the developers damaged trees, they do not maintain the land that they own,

Neighbours (1)            Comment

- Wolvey Road also provides access to agricultural land and Stretton Baskerville Farmhouse,
- access along this road for large agricultural vehicles must be maintained,
- concern that agricultural vehicles will have to turn right across traffic leaving the site.

Additional comments and objections received

David Tredinnick MP for Bosworth    Objection

- development will have a detrimental impact on the environment and turn a quiet road into a busy thoroughfare;
- will affect traffic flow and road safety on the A5 and M69 island;
- over intensive and unsustainable use of a site in the countryside close to the Green Belt.

Councillor Warwick            Comment

- requests a site visit;
- something needs to be done to the land, however this will affect local residents;
- traffic will be a major issue, this is a traffic blackspot;
- could the access mitigate for the traffic volumes;
- is the site suitable for this scale of development;
- screening the existing residents from the development should be a priority.

Councillor Bray (Leader Hinckley & Bosworth BC)    Objection

- concern regarding manner genuine concerns of Hinckley & Bosworth Borough Council (HBBC) have been reported;

- report clearly indicates that the development does not comply with Rugby's Core Strategy however, consider Rugby Borough Council (RBC) have already determined application will be approved;
- at meeting with HBBC it was clear RBC wanted to support application, goes against duty to co-operate;
- HBBC gave evidence that sequential tests were not robust, the assessment concludes the site is not the most sequentially preferable;
- consider developers evidence regarding the impact on town centre vitality and viability is not robust, application should therefore be refused;
- have drafted a suggested reason for refusal but this was not reported to members;
- HBBC would be prepared to attend an appeal but would only cover their own costs;
- HBBC supports regeneration and growth but in a justified, evidence based sustainable manner in co-operation with neighbouring authorities;
- would work with developer to find more sustainable sites;
- consider additional need for offices would be met from unallocated sites close to the town centre, should not be met outside of any settlement boundary;
- have not assessed impact of leisure, hotel and restaurant elements of the proposal;
- results of Sequential Assessment are not mentioned despite HBBC providing this information, therefore the report is flawed;
- there are technical deficiencies in the reports which HBBC identified and these have not been included in the report; this shows a lack of objectivity by RBC;
- NPPF has now been published, this defines proposed uses as main town centre uses;
- NPPF retains requirement for a sequential assessment which this development fails;
- application should be refused in accordance with the NPPF;
- RBC have failed in their duty to co-operate with HBBC.

#### Councillor Moore (Sketchley Ward) Objection

- Sequential Site Analysis does not demonstrate why site is sequentially preferable;
- contrary to Rugby Borough Core Strategy policy CS1 as site is within the countryside;
- contrary to Hinckley & Bosworth Core Strategy;
- Council acknowledge development is remote from Rugby and should be assessed in partnership with neighbouring authority;
- Hinckley & Bosworth are concerned about conclusions of sequential assessment;
- the site is over 800m from the centre of Burbage;
- site is not sustainable.

#### Burbage Parish Council (2) Objection

- development is unsustainable and contrary to the NPPF;
- agree with comments made by the Leader of HBBC;
- have major concerns re: impact on traffic in the area;
- concerned were not directly consulted, application should be deferred.

#### Petition signed by 151 residents Objection

- increased traffic problems and congestion;
- inappropriate for the area;
- development is not needed;

- impact on the landscape;
- ridiculous idea;
- concern regarding farm access.

Neighbours (6)            Objection            (Comments sent direct to Council)

Neighbours (2)            Objection            (Comments received via Cllr Warwick)

- annoyed that neighbour objections are not included in the agenda;
- consider recommendation dismisses neighbours concerns without sufficient consideration or weight;
- how can approval be recommended without consultation, does not follow a fair and democratic process;
- application is being determined in a closed meeting;
- development is contrary to policies within Core Strategies of Rugby and Hinckley & Bosworth;
- do not consider conditions would be sufficient to address issues;
- have not had sufficient time to consider sequential assessment, however disagree that there is a need for the development;
- has not been shown why this site is sequentially preferable;
- there are brownfield sites within Hinckley that would be more suitable for the development;
- could affect business at other nearby hotels;
- should visit the site to see the traffic;
- all visitors will arrive by car;
- Council are obviously not aware of the impact on traffic flow, traffic can be at a standstill between the M69 and Dodwells, can take 10 minutes to access the A5;
- proposed roundabout would increase danger and traffic would back up onto the M69;
- why wasn't access from the M69 considered?
- Access direct from the A5 should be considered;
- cannot properly consider application without traffic, pollution or noise reports;
- should have been an Environmental Impact Assessment;
- residents already suffer noise from the M69 and A5 and consider increased traffic will affect the peaceful, rural area;
- traffic along Wolvey Road will increase from around 20-30 movements, to 3000, do not believe this can be mitigated for;
- there will also be increased traffic on the northern part of Wolvey Road, this is a quiet residential road, proposed roundabout could result in this being a rat-run;
- there is currently a bus stop on a blind bend, vehicles try to overtake here and the proposals would make this more dangerous;
- development will not bring jobs to the area, workers will be from outside the area;
- loss of privacy which cannot be screened by landscaping;
- light pollution should not be brushed over and dealt with by condition;
- do not consider developers care for the environment;
- Hinckley & Bosworth object to the application and recommend refusal;
- will affect rural feel of area;
- will affect quality of life of neighbouring residents;
- area is a designated wildlife area;
- Green Belt land should be protected;
- there must be a more suitable use for the site;
- developer is claiming special circumstances to develop this Green Belt land on the basis that the site is brownfield, there was a previous enforcement notice to return land to agricultural condition but this was not complied with;

- properties will be devalued.

### Technical consultation responses

Hinckley & Bosworth BC      Objection

- the Sequential Site Analysis document fails to demonstrate why this site, which is Greenfield land and outside of a settlement, is sequential preferable,
- there are errors and inaccuracies in the submitted document,
- development is contrary to national policy and policies of both Rugby Borough Council and Hinckley & Bosworth Borough Council.

Environmental Health	No objection	Subject to conditions
WCC Highways	No objection	
LCC Highways	No objection	
Highways Agency	No objection	Subject to conditions
Environment Agency	No objection	Subject to conditions
Landscape Officer	No objection	
Tree Officer	No objection	Subject to conditions
Severn Trent	No objection	Subject to condition
WCC Ecology	Comment	Mitigation for impact will be required
Natural England	No objection	
Warks Fire & Rescue	No objection	Subject to condition
Warks Police	No objection	Subject to informative
National Grid	No comments received	
WCC Archaeology	No comments received	

### Relevant planning policies and guidance

#### Rugby Borough Core Strategy 2011

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

#### Rugby Borough Local Plan 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities
LR10	Conflicts	Tourism and visitor facilities and attractions

Planning Obligations SPD, March 2012

Sustainable Design and Construction, February 2012

National Planning Policy Framework, March 2012

### Assessment of proposals

As this is an outline application the main issue to assess at this stage is whether the principle of the proposed development on this site is acceptable. Illustrative plans showing a possible site layout, building designs and building heights have been provided. Although the details shown on these plans is for illustration only they can be assessed to ensure that the proposed development could be accommodated on

the site without having an adverse impact on visual amenity, neighbouring properties, highway safety or protected species.

During the processing of the application the National Planning Policy Framework (NPPF) was produced. This replaces guidance that was previously contained within PPG's and PPS's.

One of the key principles of the NPPF is to "proactively drive and support economic development..." The Government is committed to securing economic growth and the NPPF states that planning should operate to encourage and not act as an impediment to sustainable growth. The applicants have indicated that the proposed development may create up to 350 jobs and therefore this is an important consideration. The NPPF clearly defines hotel and leisure uses as main town centre uses. The proposal also includes B1 business use, this could include offices which are also defined as a main town centre use.

Given the nature and scale of the proposal, PPS4 required the applicant to submit an assessment of sequentially preferable sites and an assessment of the proposal's potential impacts on other centres, this requirement is also contained within the NPPF. This document has been provided and an updated version was submitted to reflect comments made by both Rugby Borough Council and Hinckley and Bosworth Borough Council, as such the applicants have complied with the process set out in national planning policy.

The NPPF states that the intrinsic character and beauty of the countryside should be recognised. However, this also states that economic growth in rural areas should be supported in order to create jobs and prosperity. Whilst the proposed development will result in the loss of countryside, this loss needs to be considered alongside any potential economic benefits of the proposals.

Although the site is located within the countryside its location, adjacent to Burbage, is a key consideration as this would result in development in a more sustainable location than the majority of other countryside sites.

Policy CS1 sets out the strategy for development within the Borough. This states that Rugby Town Centre is the primary focus for services and facilities and that the Rugby Urban area is the primary focus for meeting strategic growth targets. This site is located within the countryside and this policy states that new development will be resisted and will only be permitted if allowed by national policy relating to the countryside. The proposal is therefore contrary to this policy.

However, the site is located close to the urban area of Burbage. The supporting text to policy CS1 acknowledges that the administrative boundary of Rugby Borough is located very close to urban areas within other boroughs. This goes on to state that development adjacent to other urban areas would remain contrary to this policy as it would not assist in achieving sustainable development focussed on Rugby Town Centre and that any proposals for development in these locations would be judged on its merits in partnership with the relevant neighbouring authority.

Saved Local Plan Policy LR10 seeks to ensure that hotel development is consistent with the principles of the aforementioned development strategy. Policy LR10 states that tourism and visitor facilities such as hotels should be located in town centre, edge of centre or urban area locations. Hotels should only be located outside of the urban area in appropriate brownfield locations subject to the impacts on town centre



vitality and viability. Where this is the case, regard should be had to the accessibility of the location and the relationship to the town.

The proposed hotel is therefore contrary to this policy. However, as policy CS1 refers to the proximity to other settlements it is reasonable to consider that the relationship to the urban areas of Hinckley and Burbage may allow the development to be supported in principle, subject to evidence being provided to show that the development will not have an adverse impact on town centre vitality and viability.

Given the policy considerations detailed above and the close proximity of the site to Burbage, officers consider that the principle of the development may be acceptable, subject to it not having an adverse impact on the adjacent settlements.

The applicant has provided a statement that includes an assessment of the impact of the proposals and this has been updated following comments from Rugby Borough Council and Hinckley and Bosworth Borough Council. In relation to the hotel and leisure parts of the development this assessment suggests that the scale of the proposals in relation to the overall market for this sector within the catchment area of Hinckley is minimal.

In relation to proposed office development the assessment refers to the overall target for office development within the adopted Hinckley and Bosworth Borough Council Core Strategy. The applicant's conclude that the proposed development equates to 10% of the Core Strategy target.

Officers have assessed this information and found it to be correct. Other references made within the assessment have also been verified and it is noted that Hinckley and Bosworth Borough Council have identified that the level of offices available within their town centre area action plan is approximately 84% of the need for offices identified in their Core Strategy. It therefore appears that there is capacity within the catchment area for this scale of office development proposed.

As detailed in the supporting text to policy CS1 Hinckley and Bosworth Borough Council were consulted on the proposals and a meeting was held between officers and Members of both authorities. At this meeting Hinckley and Bosworth Borough Council were asked to provide information as to whether the proposed development would have an adverse impact on the adjacent centres and whether there were specific alternative sites that would be affected by the proposals.

Although Hinckley and Bosworth Borough Council have maintained their objection to the application they have not provided this information. On this basis it is not considered that there is any clear evidence to suggest that the proposals will have a significant adverse impact. It is therefore not considered that this is grounds to refuse the application, particularly in the current economic climate and the potential of the scheme to create jobs and economic growth.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and the NPPF highlights the wider sustainable development objectives of the Government and its commitment to securing economic growth to create jobs. It is therefore considered that the principle of the proposed development is acceptable.

Although this application is in outline form only, indicative layout, elevation and levels plans have been provided to show how the site could be developed with buildings of the sizes proposed. Although these plans are provided for illustrative purposes due to

site constraints, such as the access point, overhead power lines, trees and landscape areas, these give an indication of how the development is likely to be approached.

The access to the site from Wolvey Road is shown in the north western corner of the site with the internal access road running along the northern boundary.

The submitted plan shows the hotel, leisure building and a large office building being located in the eastern part of the site, closest to the M69. These buildings would be between 15m and 20m high and could include three storeys of accommodation. Smaller B1 buildings are shown closer to the western site boundary, these are shown as two storey buildings that are around 10m high. Areas of car parking are shown between the buildings broken up by areas of landscaping. Additional parking is shown between the taller buildings and the site boundary and the landscape plan shows this as a cellular surface with planting.

The illustrative elevations show contemporary buildings with large amounts of glazing with render, cladding and terracotta panels.

As the application site is currently undeveloped the proposals will have an impact on the visual amenity of the area. Officers had concerns regarding the height of the buildings shown adjacent to the motorway on the illustrative plans. These concerns were discussed with the applicants who advised that this height was shown due to a design feature on the illustrative plans. The applicant has confirmed that they are prepared to accept a condition limiting the height of the buildings to 16m. These buildings will be seen in association with the M69 which is to the rear of the site and this height of building is considered acceptable.

Although the site is not located within the Green Belt it is immediately adjacent to it, as the site will be seen in association with the M69, A5 and Burbage, which have an urbanising effect it is not considered that the proposals will have an adverse impact on the character of the Green Belt.

The illustrative layout shows lower two storey buildings in the north west corner of the site. There are two storey residential properties to the north of the site around 25m from the site boundary and the proposed two storey buildings provide a transition between these and the larger buildings.

Subject to the condition, it is considered that the illustrative plans show that the proposed development can be accommodated on the site in a manner that is acceptable in terms of impact on visual amenity in accordance with policy CS16.

The closest residential properties are located to the north of the site, accessed from Wolvey Road. The closest of these properties is around 25m from the site boundary, there is a landscaped area between the curtilage of these dwellings and the application site, this is at least 10m wide. It is considered that the proposed development could be accommodated in a manner that provides sufficient separation to ensure these properties are not adversely affected in terms of loss of light and privacy.

Objections received from neighbouring residents state that the proposed development could have an adverse impact in terms of increased noise and air quality. Environmental Health have commented on the application and have requested conditions requiring a noise assessment and air quality assessment. These will allow suitable mitigation measures to be identified and agreed by the

Council. Subject to these conditions the impact on neighbouring properties is considered acceptable in accordance with policy CS16 and guidance contained within the NPPF.

Policy CS16 also states that sustainable drainage systems should be incorporated into developments, the application form states that surface water will be disposed of using a sustainable drainage system in accordance with this requirement.

It is also a requirement of policy CS16 that non-residential development should demonstrate the water efficiency standards included in the BREEAM “very good” standard. Policy CS17 states that developments must comply with the published Building Regulations at the time of construction and that developments of over 1000 square metres of non-residential floorspace should include measures to reduce carbon emissions by at least 10%.

The submitted information states that the design of the development will incorporate these measures and these can be controlled by condition. The proposals therefore comply with the requirements of policies CS16 and CS17.

The proposals are for the site to be accessed along Wolvey Road and it is proposed to upgrade the junction of Wolvey Road and the A5 to a roundabout. Neighbouring residents have objected on the basis that the development would lead to increased traffic and that the junction works would increase congestion and lead to nearby roads being used as “rat-runs.”

Although the site falls within Warwickshire the roads that will be used to access the site are the responsibility of the Highways Agency and Leicestershire County Council. Warwickshire County Council Highways therefore have no objection to the proposals.

The access arrangements have been discussed with both the Highways Agency and Leicestershire County Council. It is proposed to carry out works within the highway to provide a roundabout at the junction of Wolvey Road and the A5 Watling Street to replace the existing crossroad junction.

A roundabout design has been produced and the Highways Agency have advised that this is acceptable. Leicestershire County Council have commented that they have some concerns regarding the geometry of the roundabout but acknowledge that the Highways Agency has the overall responsibility for approving the design and that these concerns could be considered in detail during the design process, therefore the highway authority have no objection to the development.

It is therefore considered that the transport impacts can be mitigated against, in accordance with policy CS11.

This policy refers to the provision of travel plans and this can be controlled by condition. There are also bus routes that pass the site from Hinckley although these have an irregular service. However, there is an hourly bus service from within the nearby residential area. In addition there is a bus between Leicester and Coventry which passes the site every 90 minutes. The application states that provision will be made for these routes to be extended into the site if required.

The submitted illustrative layout shows 371 car parking spaces to serve the development. The Council's Parking Standards contained within the Planning Obligations SPD would require 100 spaces for the proposed hotel and 124 spaces

for an office development of the size shown. In relation to the leisure use the amount of car parking required by the Council's standards would depend on the type and size of facility proposed, the most generous of these would require 1 space per 22 square metres, based on the size of facility proposed this would lead to a requirement of 147 spaces. This would lead to a requirement for 371 spaces. It is considered that the illustrative layout shows that a suitable level of car parking could be accommodated within the site. No cycle parking is shown on the illustrative layout, however this can be controlled by condition. Subject to this condition it is considered suitable parking facilities can be provided in accordance with saved policy T5.

There are mature trees on the western boundary of the site adjacent to Wolvey Road and the south eastern boundary adjacent to the motorway, these are covered by a Tree Preservation Order. The application has been accompanied by a Tree Survey and Arboricultural Reports which assess the quality of these trees. The majority of trees are to be retained although trees within these areas that are in a poor condition, dead or dying are to be removed. The Tree Officer does not object to the removal of these trees.

The proposals also include the removal of 2 mature lime trees to allow the access into the site to be provided. This matter has been discussed with the Council's Tree Officer who is satisfied that the removal of these trees is necessary to provide the access. He therefore does not object to the removal of these trees subject to a condition requiring them to be replaced with semi-mature lime trees to either side of the site entrance.

The submitted Arboricultural information also shows the root protection areas of the trees that are to be retained, the submitted illustrative layout plan shows the buildings and parking areas outside of the root protection areas and it is considered that the development could be accommodated in a manner that would not adversely impact on the retained trees. The Tree Officer has requested a condition to ensure that the works are carried out in accordance with the submitted information.

An illustrative landscape plan has been provided that shows the type of landscaping that could be accommodated within the site. This includes landscaping to the site boundaries, adjacent to the protected trees, between the buildings and between the car parking areas. Officers raised concerns that the rows of car parking are not broken up with landscaping, the applicant has confirmed they would be prepared to provide landscaping within the parking areas and this would be considered in more detail at the Reserved Matters stage. The Council's Landscape Officer is happy with the general approach to landscaping and this is considered acceptable in accordance with saved policy GP2.

The application site and surrounding land are designated as a Local Wildlife Site and the development will have an adverse impact on this. The applicants have provided information to show how green areas within the site and within their ownership could, in part mitigate for the impact on the Local Wildlife Site. However, this mitigation is not sufficient to outweigh the negative impact on the Wildlife Site.

Rugby Borough Council and Warwickshire County Council are currently involved in piloting a national Biodiversity Offsetting scheme and have been working with Natural England and DEFRA on this. This scheme requires developers to pay a contribution that will be spent on enhancements of other areas within the Borough to increase their value for biodiversity. WCC Ecology have commented that off-setting will be appropriate in this case. It is therefore considered that, subject to a s106 relating to off-setting and a condition relating to a Environmental Protection Plan for

Construction, that the impact on biodiversity is acceptable in accordance with policy CS14 and saved policy E6.

A Site Investigation report has been submitted and trial pits were dug on site. The Council's Environmental Health section have reviewed the submitted information and have no objection to the development, subject to a condition relating to further site investigation and, if necessary, remediation. Subject to this condition the development is considered acceptable in accordance with guidance contained within the NPPF.

The Environment Agency initially objected to the application on the grounds that a Flood Risk Assessment had not been provided. This has now been submitted and the Environment Agency have no objection to the development subject to conditions to ensure the mitigation measures included in the Assessment are carried out and requiring drainage details to be approved. Subject to these conditions the development is considered acceptable in accordance with guidance contained within the NPPF.

Stretton Baskerville does not have a Parish Plan.

As the development proposed could include more than 5000 square metres of leisure and office floorspace and is not in accordance with the development plan it is necessary to refer the application to the Secretary of State, if the Council are minded to approve the application, in accordance with Circular 02/2009.

### **Recommendation**

Officers be given delegated powers to approve the application, with conditions, subject to the referral to the Secretary of State and the completion of a legal agreement.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R11/0239

### **DATE VALID**

31/03/2011

### **ADDRESS OF DEVELOPMENT**

LAND AT STRETTON CROFT  
WATLING STREET  
BURBAGE

### **APPLICANT/AGENT**

Mr Fraser Littlejohn  
Montagu Evans Llp  
4th Floor, Exchange Tower  
19 Canning Street  
Edinburgh  
EH3 8EG  
On behalf of , William Kendrick and Sons  
Ltd.

### **APPLICATION DESCRIPTION**

Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.

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

CONDITION: 1

Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before 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 hereby permitted must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON:

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

CONDITION: 3

Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority for each plot before any part of the development of that plot is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout,
- b - Scale,
- c - Appearance,
- d - Access &
- e - Landscaping

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION: 4

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:

<u>Plan/Document</u>	<u>Reference</u>	<u>Date received</u>
Location plan	KDSC-PL02	7th February 2011
Design & Access Statement		7th February 2011
Planning Statement		7th February 2011
Site Investigation Report	AG1535-11	7th October 2011
PPS4 Impact Analysis & Sequential Site Assessment		16th March 2012
PPS4 Assessment Appendices		24th February 2012
Landscape Strategy		26th January 2012
Biodiversity Enhancement	708-CWS-05	26th January 2012
Bat Activity Survey	708-CWS-02	2nd August 2011
Phase 1 Habitat Survey	708-CWS-01	13th June 2011
Supplementary Arboricultural Report		2nd August 2011
Arboricultural Report		6th June 2011
Tree Survey		31st March 2011
Framework Travel Plan	3839/FRP	17th October 2011
Transport Assessment	3839/TA	17th October 2011
Flood Risk Assessment	w1101-111005	17th October 2011
Hydraulic Modelling Report	w3031-T5-11105	17th October 2011

REASON:

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

**CONDITION: 5**

The details submitted in relation to condition 3 shall have full regard to the principles set out on the Illustrative Masterplan - KDSC-PL01D received by the Local Planning Authority on 4th July 2011 and the Illustrative Ecology Mitigation Proposals - 11-19-02/B and Illustrative Landscape Proposals - 11-19-01/C received by the Local Planning Authority on 26th January 2012.

**REASON:**

To ensure the detailed development of the site is acceptable to the Local Planning Authority.

**CONDITION: 6**

Unless otherwise agreed in writing by the Local Planning Authority the development shall comply with the following requirements:

- (i) the hotel shall not exceed 100 bedrooms and 2,787 sq.m.
- (ii) the buildings to be used for B1 use shall not exceed 3,716 sq. m.
- (iii) the buildings to be used for D2 use shall not exceed 3,252 sq. m.
- (iv) the A3 use shall be ancillary to the hotel,
- (v) no building shall exceed 16m in height.

**REASON:**

To ensure the detailed development of the site is acceptable to the Local Planning Authority.

**CONDITION: 7**

No development shall commence on any building unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, for that building, together with samples of the facing materials 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: 8**

No development shall commence on any building, unless and until full details of the siting, design and materials of the proposed bin and cycle stores for that building have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of that building.

**REASON:**

In the interest of visual amenity and sustainability.

**CONDITION: 9**

No development shall commence on any building unless and until details of all proposed walls, fences, railings and gates for that building 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:**

In the interest of visual amenity.

**CONDITION: 10**

No development shall commence on any building unless and until full details of finished floor levels of that building and ground levels of all access roads, parking areas and footways associated with that building have 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:**

To ensure the proper development of the site.

**CONDITION: 11**

The landscaping scheme, as required by condition 3, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

**REASON:**

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

**CONDITION: 12**

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS5837:2005 (Recommendations for Tree Work) and should be carried out before the commencement of any works.

**REASON:**

In the interest of visual amenity.

**CONDITION: 13**

No development shall commence unless and until details of the location of 2 replacement Lime (*Tilia cordata*) trees have been submitted to and approved in writing by the Local Planning Authority.

No building shall be occupied until semi-mature trees (18-20cm circumference and 5-6m in height) have been provided in the approved locations.

If within a period of 10 years from the date of planting, any tree is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree 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:**

In the interest of visual amenity and biodiversity.

**CONDITION: 14**

The development shall not be carried out other than in accordance with the approved Tree Survey, Arboricultural Report and Supplementary Arboricultural Report.



All tree protection measures contained within these reports shall be implemented prior to the commencement of development to the satisfaction and written approval of the Local Planning Authority.

**REASON:**

In the interest of visual amenity and biodiversity.

**CONDITION: 15**

No development, including site clearance, shall commence unless and until a combined ecological and landscaping management scheme has been submitted to and agreed in writing by the Local Planning Authority.

The scheme must include all aspects of environmental enhancements and landscaping and details of species to be planted, timing of works, programme of implementation and future management with monitoring if deemed necessary .

The agreed scheme shall be implemented in the first planting season following the first occupation of the development.

**REASON:**

To protect/enhance the ecological character of the area.

**CONDITION: 16**

No development shall commence unless and until an Environment Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority.

This shall include:

- details concerning working practices and safeguards for wildlife to be employed whilst works are taking place on site,
- details of the protection of species and habitats to be retained on site,
- a timetable of works,
- details of the proposed supervision,
- any necessary translocation, protection and mitigation measures.

The agreed Environment Protection Plan for Construction shall thereafter be implemented in full.

**REASON:**

To ensure that protected species are not harmed by the development

**CONDITION: 17**

The development hereby approved shall not be first occupied until a scheme of highways improvement broadly in accordance with Drawing Number 3839.001 Rev. E, including the approval of necessary departures from standard, has been fully completed to the written satisfaction of the Local Planning Authority in consultation with the Highways Agency and is constructed and open to traffic.

**REASON:**

In the interest of highway safety.

**CONDITION: 18**

Prior to occupation of any individual completed property, a Company Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency. Each individual Company Travel Plan shall accord with the approved Framework Travel Plan.

Each Company Travel Plan shall incorporate as a minimum the following:

10 % modal shift target

25 % internalisation of trips within the site

The methods to be employed to meet the above targets  
The mechanisms for monitoring and review  
The penalties to be applied in the event that the above targets are not met  
Implementation of the Company Travel Plan to an agreed timescale or timetable  
Mechanisms to secure variations to the Company Travel Plan following monitoring and reviews.  
The occupation of any individually completed property shall be in accordance with the Company Travel Plan.

REASON:  
In the interest of highway safety and sustainability.

CONDITION: 19  
No building shall be first occupied until access, loading areas, car and cycle parking serving it have been provided in accordance with the approved plans.

REASON:  
In the interest of highway safety.

CONDITION: 20  
The development shall be carried out in accordance with the approved Flood Risk Assessment including the following mitigation measures:  
1. Limiting the surface water generated by the site to 5l/s/ha.  
2. Provision of compensatory flood storage of no less than 1200m<sup>3</sup>.  
3. No development within the 5m easement strip of the Soar Brook.

REASON:  
To prevent flooding by ensuring satisfactory storage and disposal of surface water and by providing compensatory storage of flood water.

CONDITION: 21  
No development shall commence unless and until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first occupied.

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

CONDITION: 22  
The development hereby permitted shall not be first occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

REASON:  
In the interests of fire safety.

CONDITION: 23

All buildings shall be constructed to comply with the published Building Regulations that are relevant at the time of construction.

**REASON:**

To ensure sustainable design and construction.

**CONDITION: 24**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the first occupation of any building, details of water efficiency measures to be incorporated into the design of that building to meet the equivalent of the BREEAM Very Good water conservation standard shall be submitted to and approved in writing by the Local Planning Authority.

These approved measures shall then be incorporated into the design of each building prior to their first occupation and then retained in working order in perpetuity.

**REASON:**

In order to ensure water efficiency through sustainable design and construction.

**CONDITION: 25**

Unless otherwise agreed in writing by the Local Planning Authority details shall be provided, concurrently with the reserved matters required by condition 3, of technology to be incorporated into the design of the buildings to achieve a 10% carbon emissions reduction efficiency, this shall include the submission of an Energy Performance Certificate.

No development shall commence until these details have been approved by the Local Planning Authority.

The approved efficiency measures shall be implemented in accordance with this approval and shall be retained in working order in perpetuity.

**REASON:**

To ensure energy efficiency through sustainable design and construction is achieved in accordance with CS16 and CS17.

**CONDITION: 26**

No development shall commence on any building unless and until a Construction Method Statement which includes noise and dust mitigation measures, for that building 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 interest of the amenities of the area.

**CONDITION: 27**

No external lighting shall be erected unless and until full details of the type, design, location and light spill levels 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: 28**

No development shall commence unless and until an air quality assessment 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 interest of health and safety.

**CONDITION: 29**

No development shall commence unless and until a noise assessment 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 interest of health and safety.

**CONDITION: 30**

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 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.

**REASON FOR APPROVAL:**

The development represents a departure from the Development Plan due to its location within the countryside outside of the Rugby Urban area and therefore conflicts with policy CS1 of the Rugby Borough Core Strategy 2011 and saved policy LR10 of the Rugby Borough Local Plan 2006. However, the applicant has submitted evidence to demonstrate that the proposals will not have an adverse impact on the vitality and viability of nearby town centres. It is therefore considered that the principle of the development is acceptable in accordance with the NPPF and that the economic benefits are such to justify a departure from the Development Plan.

It is considered that the proposals can be accommodated in a form that would not have an adverse impact on the character of the area or the amenity of neighbouring properties in accordance with policy CS16 of the Rugby Borough Core Strategy 2011.

Subject to biodiversity off-setting the proposals will not have an adverse impact on protected species or green infrastructure and a suitable landscaping scheme can be provided this is in accordance with policy CS14 of the Rugby Borough Core Strategy 2011 and saved policies GP2 and E6 of the Rugby Borough Local Plan 2006.

Subject to improvement works within the highway a suitable means of access and parking facilities can be provided in accordance with policy CS11 of the Rugby Borough Core Strategy 2011 and saved policy T5 of the Rugby Borough Local Plan 2006.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Rugby Borough Core Strategy 2011 - CS1, CS10, CS11, CS14, CS16, CS17  
Rugby Borough Local Plan 2006, Saved policies - GP2, E6, T5, LR10

Planning Obligations SPD, March 2012

Sustainable Design and Construction, February 2012

National Planning Policy Framework, March 2012

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

**INFORMATIVE: 1**

This development is subject to a s106 legal agreement.

**INFORMATIVE: 2**

Work on site should 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: 3

It is considered that the parking layout shown on the illustrative masterplan is unacceptable and this should be broken up with areas of landscaping.

INFORMATIVE: 4

It is recommended that the buildings include Secured by Design crime prevention measures,

INFORMATIVE: 5

The drainage scheme referred to in condition 21 shall include:

- limited surface water discharge from the site as detailed in the Flood Risk Assessment,
- provision of surface water attenuation as detailed in the Flood Risk Assessment,
- details of how the scheme will be maintained and managed after completion.

INFORMATIVE: 6

It is recommended that the Council's Environmental Protection Team (01788) 533857 are contacted to agree the methodology of the noise assessment required by condition 29.

INFORMATIVE: 7

All waste drains serving the kitchen area should be provided with grease traps and detritus traps prior to discharge to the sewer is requested .

**Reference number: R11/0575**

**Site address: Bush Hill Farm Bungalow, Bush Hill Lane, Flecknoe**

**Description: Removal of Condition 11 (agricultural occupancy condition) of planning permission R76/0294/6659/OP for the erection of an agricultural dwelling.**

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

**The Proposal;**

Permission is sought for the removal of an agricultural occupancy condition covered by condition 11 of planning permission R76/0294/6659/OP that was for the erection of an agricultural dwelling. Submitted as part of the application is a planning statement that includes details of a marketing campaign carried out over a nine month period with reference made to the agricultural occupancy condition.

**Site History;**

Erection of farm bungalow (R76/0294/6659/OP)	Approved 01.09.1976
Erection of agricultural dwelling (approval of details) (R76/0294/6659/DB)	Approved 31.01.1977
Continuation of use without complying with condition 11 of R76/0294/6659/OP to allow non-agricultural Occupancy (R89/0275/6659/P)	Refused 12.07.89 BUT allowed on appeal subject to variation in wording of the condition

**Consultee Correspondence;**

Rhodes Rural Planning & Land Management (Rural Affairs Advisor)	No objections
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Environmental Health	No objections
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**Third Party Correspondence;**

Wolfhampcote Parish Council	Object	On the grounds of there being 2 dwellings on the site; the original farmhouse not having an agricultural tie; reason behind proposal is to increase value; neither property is occupied as a farmhouse; it being a livestock farm as is mainly grass; would be likely that an application for a further agricultural dwelling would be inevitable for the farmer to care for the livestock; and where would any new dwelling go.
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**Other Relevant Information;**

Cllr Hazelton requested the application be the subject of a site visit that occurred this afternoon.

Located in the countryside outside of the defined settlement boundaries for Flecknoe, the site is occupied by a number of buildings including the original farmhouse, the bungalow (subject to the agricultural occupancy condition being considered by this application) and a number of other farm buildings. Ground levels fall significantly from Bush Hill Lane into the site toward the bungalow and on to the north-west. The bungalow to which this submission relates is set below road level with foot access being down a number of steps. To the north and north-west of the site are agricultural fields that at the time of the site visit were being grazed.

**Relevant Policies;**

RBCS Policy CS1	Complies	Development Strategy
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NPPF

**Consideration;**

Given that the dwelling already exists with the application seeking the removal of the agricultural occupancy conditions, the main issue relate to the acceptability or otherwise of the removal of the condition then subsequently other matters including residential curtilage.

In 1976 when planning permission was granted for the dwelling condition 11 restricted occupancy of the dwelling to a person or people employed in agriculture. A planning application was submitted in 1989 for the continuation of use without complying with condition 11 of the original permission to allow non-agricultural occupancy of the dwelling. As indicated above this was refused permission BUT allowed on appeal subject to variation in wording of the condition to allow for people or persons last employed in agriculture to occupy it.

As the dwelling was implemented in accordance with the approved details in 1977 its relationship with the locality and the countryside has been established. The main issue therefore relates to whether or not based on the information submitted the condition can be removed. A planning statement in support of the proposal was submitted as part of the application detailing the sites history, marketing and details. This has been assessed by the Councils rural affairs advisor, Rhodes Rural Planning & Land Management, who has commented that although marketing has been done for less than the agreed time, based on the time it has been marketed as well as changes to land owned in connection with the farm and other factors, the condition can be removed.

The provisions of Core Strategy policy CS1 seeks to direct developed to appropriate locations with the supporting text details new dwellings in the countryside will only be allowed in certain circumstance such as where it relates to agriculture. In this instance the proposal is not for a new dwelling



but removal of a restrictive occupancy attached to an existing dwelling. Given the Council is satisfied that the condition can be removed, based on the submitted details and response of Mr Rhodes, and it relates to an existing dwelling it complies with the provisions of policy CS1.

Paragraph 51 of the NPPF relates to Local Planning Authorities identifying and bring back into use vacant and derelict dwellings. The proposed removal of the occupancy condition would serve to ensure the building would not be in this position hence meaning it complies with the provisions of the NPPF.

When planning permission was granted in 1976 the residential curtilage of the dwelling was not defined. Whilst the approved plans had the site, including access and apparent garden area, contained within a red edged area from site visits it appears as though a small area adjacent to but outside of the red edged area has been planted as a small orchard ancillary to the dwelling. Also, permitted development rights are intact with the dwelling. It is considered that a condition formally defining the residential curtilage of the dwelling be attached.

As the application relates to the removal of a condition there is a requirement to re-issue the full decision notice, altering and / or removing conditions complied with. As planning permission was granted in 1976 then subsequently implemented with pre-commencement and other conditions complied with the only condition attached to this permission relates to the definition of the residential curtilage.

Overall therefore the proposal complies with local and national policy and is recommended for approval.

**Recommendation;**

Recommend approval subject to conditions.

Report prepared by: Richard Redford 13<sup>th</sup> April 2012

**DRAFT DECISION**

**APPLICATION NUMBER**

R11/0575

**DATE VALID**

16/02/2012

**ADDRESS OF DEVELOPMENT**

BUSH HILL FARM  
BUSH HILL LANE  
FLECKNOE  
RUGBY  
CV23 8AX

**APPLICANT/AGENT**

John Clarke  
Howkins & Harrison  
7-11 Albert Street  
Rugby  
Warwickshire  
CV21 2RX  
On behalf of Mr R Johnson & Miss J  
Sinclair, C/O Agent

**APPLICATION DESCRIPTION**

Removal of Condition 11 (agricultural occupancy condition) of planning permission R76/0294/6659/OP for the erection of an agricultural dwelling.

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

CONDITION 1;

The residential curtilage of the dwelling shall be that contained within the GREEN line as indicated on the attached plan.

REASON:-

For the avoidance of doubt.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Core Strategy CS1

NPPF

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

REASON FOR APPROVAL:

The removal of the agricultural occupancy condition is acceptable based on the submitted details and will not adversely impact on the amenity of the locality in accordance with policy CS1 of the Rugby Borough Core Strategy 2011 as well as the NPPF.

**Reference number: R12/0380**

**Site address: Eleven Arches Viaduct, Leicester Road, Rugby**

**Case Officer: Chris Davies 01788 533627**

**Description: Listed Building Consent for provision of hard surfacing along the centre of the viaduct in order to provide a link to the established cycleway.**

**History:**

None relating to the proposal.

**Proposal:**

The Council seeks Listed Building Consent to bring the disused viaduct back into use by using it as a link section for the developing cycleway being established through the County. This cycle route is still an ongoing project, but in the long term it will connect at both ends of the viaduct.

**Other Relevant Information:**

The application is brought before the Committee for consideration because the viaduct is Council property and so the application is being made by the Council.

Eleven Arches Viaduct is a Grade II listed structure which spans across the Leicester Road and adjacent tributaries of the River Avon. The structure is owned and maintained by Rugby Borough Council, and has remained in its present state for several years. It is currently fenced off to prevent access and vandalism.

The section of footpath/cycleway leading from Consul Road to the North-West end of the viaduct has already been completed.

**Technical Responses:**

WCC Ecology - Support application and request that material moved from site of the cycleway be redistributed in less ecologically rich locations in the immediate vicinity.

**Ward Responses:**

None

**Neighbour Responses:**

Objections (2) - Concerns raised over potential for loss of privacy, disruption and anti-social behaviour as a result of opening up the viaduct and using the connecting cycleway.

**Planning Policy:**

National Planning Policy Framework March 2012.

**Considerations:**

The key consideration in determining this application is the impact of providing a formal surface to allow use of the viaduct as a cycleway link on the character and appearance of a Grade II listed structure.

Part 12 of the National Planning Policy Framework March 2012 highlights the importance of enabling the conservation and enjoyment of heritage assets for the benefit of the community.

The concept of reopening the viaduct as a means of traversing the Leicester Road and River Avon tributaries is entirely in keeping with the original use of the viaduct, namely to allow trains to cross the same terrain. The proposed works would once again enable the general public to access to the structure in comparative safety (due to the lack of permitted vehicle access), re-establishing a transport link and enabling users to enjoy impressive views of the town and surrounding area.

Given the height of the parapet walls it is unlikely that views specifically of adjacent gardens areas or through property windows would be possible, therefore there should not be a material loss of privacy to adjacent residents.

The actual extent of the proposed works is limited to the removal of some of the existing surface material and the laying of a comparatively narrow strip of hard material in order to provide a safe and stable walking/riding surface. The works will not affect the fabric of the viaduct itself, with even drainage being achieved by existing facilities incorporated into the structure.

When viewed from anywhere but the sections of cycleway leading up to the viaduct (once completed) there will be no material alteration to the visual character of the structure.

The works are easily reversible should this be required at some future date, and pose no threat to the integrity of the listed structure or its visual significance.

The scheme therefore complies with Part 12 paragraphs 126 and 131 of the National Planning Policy Framework March 2012.

**Recommendation:**

Approve subject to appropriate conditions.

**DRAFT DECISION**

**APPLICATION NUMBER**

R12/0380

**DATE VALID**

21/03/2012

**ADDRESS OF DEVELOPMENT**

Eleven Arches Viaduct  
Leicester Road  
Rugby  
CV21 1DJ

**APPLICANT/AGENT**

Paul Mernagh  
Environmental Services  
Rugby Borough Council  
Work Services Unit  
Rugby  
Warwickshire  
CV21 1DH

**APPLICATION DESCRIPTION**

Listed Building Consent for provision of hard surfacing along the centre of the viaduct in order to provide a link to the established cycleway.

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

**CONDITION 1:**

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

**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:

Application form (received by the Council on 07 March 2012)

Design and Access Statement (received by the Council on 07 March 2012)

Site location plan (received by the Council on 13 March 2012)

Cross section (received by the Council on 07 March 2012)

Site layout plan (received by the Council on 21 March 2012)

**REASON:**

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

**REASON FOR APPROVAL:**

The proposed works will bring the viaduct back into use as a community facility, enabling conservation and enjoyment of a significant heritage asset. The works themselves do not materially impact on the fabric of the structure and will not harm its significance or appearance. The scheme therefore complies with Part 12 of the National Planning Policy Framework March 2012.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Part 12 paragraphs 126 and 131 of the National Planning Policy Framework March 2012.

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

**NOTES TO APPLICANT:**

The site forms part of a disused railway line which is an Ecosite and part of a potential Local Wildlife Site. The applicant is advised that excavated soil is placed in a suitable location on land of currently low ecological value. For further information and guidance, contact Warwickshire County Council Museums and Natural Environment section ([www.warwickshire.gov.uk/museum](http://www.warwickshire.gov.uk/museum)).

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	25 <sup>th</sup> April 2012
<b>Report Title</b>	Planning Appeals Update
<b>Portfolio</b>	
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Reporting Director</b>	Head of Planning and Culture
<b>Contact Officer</b>	Greg Vigars Tel: Ext.3621
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	<p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p>
<b>Statutory/Policy Background</b>	The Planning Appeals procedure which came into effect on 6 <sup>th</sup> April 2009.
<b>Summary</b>	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2012 to 31/03/2012.

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



**Planning Committee - 25<sup>th</sup> April 2012**

**Planning Appeals Update**

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

**Recommendation**

The report be noted.

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

**1.1 Appeals determined**

During the last quarter (1<sup>st</sup> January to 31<sup>st</sup> March 2012) a total of 5 planning appeals were determined, of which none were allowed and 5 were dismissed. A schedule of the appeal cases for this period is attached for information (see Appendix 1).

**1.2 Appeals outstanding/in progress**

As at 31<sup>st</sup> March 2012 there were 6 planning appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix 2).

Name of Meeting: Planning Committee  
Date Of Meeting: 25<sup>th</sup> April 2012  
Subject Matter: Planning Appeals  
Originating Department: Head of Planning and Culture

### **LIST OF BACKGROUND PAPERS**

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

(\*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1<sup>st</sup> JANUARY 2012 - 31<sup>ST</sup> MARCH 2012

Application Ref No.	Location	Description	Appeal Decision	Planning Inspectorate Appeal Ref No.  Decision Type
R11/0661  MN	2 Market Place Rugby CV21 3DY	Change of Use from Class A1 (retail) to Class A2 (financial and professional services)	<b>Written Reps</b>  <b>Dismissed</b> <b>18/01/2012</b>	APP/E3715/A/11/2162110  Refused 06/05/2011
R11/12498  CD	Thistle Farm 280 London Road Stretton on Dunsmore CV23 9HX	Extension and alteration of the existing dwelling, including a front porch canopy, a single storey front and side extension, a single storey side extension, a two storey side and rear extension, provision of 3no. side dormer windows and alterations to increase roof space in order to allow additional accommodation at second floor level (partially retrospective).	<b>Written Reps</b>  <b>Dismissed</b> <b>21/02/2012</b>	APP/E3715/D/11/2167472  Delegated – Refused 28/10/2011
NL	Site at Plot 20b (Tuckeys Farm), East Side of Cathiron Lane, Harborough Magna, CV23 0JH	Without planning permission the erection of two timber outbuildings	<b>Enforcement Written Reps</b>  <b>Dismissed</b> <b>24/02/2012</b>	APP/E3715/C/11/2158026
R11/1999  BS	Site at Stone Cottage Vicarage Lane Dunchurch CV22 6QP	Erection of a 2 metre in height new boundary fence	<b>Written Reps</b>  <b>Dismissed</b> <b>15/03/2012</b>	APP/E3715/D/12/2169128  Delegated – Refused 23/11/2011

R10/2245 RR	Old Goods Yard Adjacent to Station Cottages Station Road Broadwell CV23 8FZ	Erection of a residential dwelling and detached garage.	<b>Written Reqs</b>  <b>Dismissed</b> <b>15/03/2012</b>	APP/E3715/A/11/2164135  Delegated – Refused 26/05/2011
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## PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.03.2012

Application Ref No.	Location	Description	Appeal Type	Planning Inspectorate Appeal Ref No. Decision Type
NL	Top Park Top Road Barnacle Coventry CV7 9FS	The change of use, without planning permission, of the land from paddock to a use for the siting of residential caravans, trailers and commercial vehicles.	<b>Enforcement</b> <b>Inquiry</b>	APP/E3715/C/11/2153638  Linked Appeal ref. APPE3715/C/11/2154137 APP/E3715/A/11/2153749(as below)
R10/2298  NL	Site at Top Park Top Road Barnacle Coventry CV7 9FS	The retention of the use of land and ancillary operational development as a residential caravan site (renewal of planning permission (Appeal) reference APP/E3715/A/06/2030623 (R06/0743/PLN) dated 18th January 2008) including the erection of six temporary amenity blocks (resubmission of previously withdrawn application R10/0959 dated 26/11/2010)	<b>Inquiry</b>	APP/E3715/A/11/2153749  Committee – Refused 06/04/2011
NL	5 Arundel Way Cawston RUGBY Warwickshire	Without planning permission, the change of use of the land from residential use (C3) to a mixed use comprising residential and office use (B1)	<b>Enforcement</b> <b>Hearing</b>	APP/E3715/C/11/2167608
R11/0141  CD	Land South of Telephone Exchange Coventry Road Wolvey Hinckley Leicestershire LE10 3LD	Outline planning permission for erection of a dwelling.	<b>Written Reps</b>	APP/E3715/A/12/2169184

R11/2265 RR	Footpath at the Junction of Paddox Close and Hillmorton Road, CV22 5AU	Proposed 11.8m high telecommunication mast with equipment cabinet and electrical metre cabinet	<b>Written Reps</b>	APP/E3715/A/12/2171860 Delegated - Refused 11/01/2012
NL	Greenway Farm 41 Rugby Road Pailton Rugby, Cv23 0QH		<b>Enforcement</b> <b>Written Reps</b>	Ref: APP/E3715/C/12/2168149

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	25.04.2012
<b>Report Title</b>	Delegated Decisions –16.03.2012 to 05.04.2012
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Paul Varnish 3774
<b>Report Subject to Call-in</b>	Y
<b>Report En-Bloc</b>	N
<b>Forward Plan</b>	N
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Deputy Chief Executive under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

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

***Options*** N/A

***Recommendation*** The Report be noted

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



**Rugby Borough Council**

**Planning Committee – 25.04.2012**

**Delegated Decisions – From 16.03.2012 To 05.04.2012**

**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: 25.04.2012  
Subject Matter: Delegated Decisions – 16.03.2012 to 05.04.2012  
Originating Department: Planning and Culture

### LIST OF BACKGROUND PAPERS

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

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

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\* Exempt information is contained in the following documents:

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

(\*Delete if not applicable)

DECISIONS TAKEN BY THE DIRECTOR OF TECHNICAL SERVICES UNDER  
DELEGATED POWERS FROM 16/03/2012 TO 05/04/2012

**A. APPLICATIONS – DELEGATED**

**Applications  
Approved**

<i>R12/0384 Approved 15.03.2012</i>	4 Noble Drive Cawston	Erection of a single storey side and rear extension (amendment to a previously approved scheme for a single storey side and rear extension under p/p ref. no. R11/1907 granted 1st November 2011).
<i>R11/2443 Approved 15.03.2012</i>	1 Southfield Road Rugby	Retention of new garage
<i>R11/2318 Approved 15.03.2012</i>	38 Bulkington Road Shilton	Extensions and alterations to dwelling to include alteration to roof, two storey and single storey extension to rear (to replace existing outbuildings) and elevational alterations.
<i>R12/0369 Approved 15.03.2012</i>	48 Cymbeline Way Bilton	Erection of two storey side extension, front lobby and canopy
<i>R11/2223 Approved 16.03.2012</i>	28 Railway Terrace Rugby	Change of use of Autosales room and MOT repair service (Use Class sui generis) to a community building including an auditorium and ancillary café (Use Class D1)
<i>R12/0088 Approved 16.03.2012</i>	VBE Restorations Bates Farm Bush Hill Lane Flecknoe	Creation of hardstanding area for parking of vehicles (Retrospective)
<i>R11/1148 Approved 19.03.2012</i>	Streamside Main Street Withybrook	Combined use of the existing building as a private dwelling and Bed and Breakfast accommodation (Classes C3 and C1 of the Town and Country Planning (Use Classes) Order 1987 as amended).
<i>R12/0300 Approved 19.03.2012</i>	30 Tennyson Avenue Rugby	Retention of garden shed

<i>R12/0393 Approved 19.03.2012</i>	Land rear of Ivy Cottage Main Road Ansty	Application for permanent retention of stables (original temporary approval R01/0764/22698/P)
<i>R12/0233 Approved 19.03.2012</i>	22 Watling Crescent Clifton	Retention of detached single garage
<i>R12/0391 Approved 19.03.2012</i>	16 Charter Road Rugby	Erection of single-storey rear extension and external alterations to dwelling
<i>R12/0318 Approved 20.03.2012</i>	Woodville Hotel (Rugby) Ltd Woodville Hotel 33 Bilton Road	Demolition of glazed link and detached garage. Conversion of bedroom wing of hotel to form 9 residential flats and erection of a new detached 2-storey building to provide an additional 2 residential flats. Re-instatement of dividing brick wall between 33 and 37 Bilton Road to front of building and provision of associated parking, landscaping and other associated works.
<i>R12/0015 Approved 20.03.2012</i>	Rugby Signal Box Rear of 141 Abbey Street	Installation of a 40kVA standby generator and erection of associated 2.2m high palisade fencing.
<i>R12/0392 Approved 20.03.2012</i>	81 Gibson Drive Hillmorton	Erection of two storey side extension and single storey rear extension
<i>R11/1476 Approved 20.03.2012</i>	Shilton Parish Council Recreation Ground Wood Lane Shilton	Erection of a 2m high fence with 4m high nets above (total height 6 metres)
<i>R11/2436 Approved 21.03.2012</i>	Wharf Farm Kilsby Lane Hillmorton	Retention of stables
<i>R12/0388 Approved 22.03.2012</i>	10 Brookfield Drive Wolvey	Erection of a first floor front/side extension
<i>R12/0427 Approved 22.03.2012</i>	4 Chestnut Grove Wolston	Erection of a single storey front extension.
<i>R12/0033 Approved</i>	39 Carlton Road Bilton	Erection of side garage and rear conservatory

22.03.2012

R12/0390  
Approved  
23.03.2012

34 Gibson Drive  
Hillmorton

Provision of front dormer window and alterations to existing rear dormer window

R11/2039  
Approved  
23.03.2012

First and Second Floors  
40 Regent Street  
Rugby

Change of use of the upper floors from Class A2 (letting agents) to Class C4 (house in multiple occupation) of the Town and Country Planning (Use Classes) Order 1987.

R11/2287  
Prior Approval Not  
Required  
23.03.2012

Warwickshire College  
Lower Hillmorton Road  
Hillmorton

Prior approval application for demolition of buildings

R11/2401  
Approved  
27.03.2012

18 Alicia Close  
Cawston

Conversion of garage to room with new door opening and insertion of window.

R11/2456  
Approved  
26.03.2012

Former Peugeot Works  
Site B, Oxford Road  
Ryton-on-Dunsmore

Renewal of extant planning permission R08/1454/MAJP for the erection of an enclosed and covered structure to provide acoustic screening to external storage area.

R12/0057  
Approved  
27.03.2012

The Acre  
5 Lawford Heath Lane  
Long Lawford

Erection of modular buildings and siting of 2 storage containers (for temporary 3 year period).

R12/0337  
Approved  
27.03.2012

Glebe Farm Barn  
Birdingbury Road  
Bourton on Dunsmore

Renewal of planning permission R09/0008 (Erection of a timber framed garage)

R12/0450  
Approved  
27.03.2012

30 Orson Leys  
Rugby

Erection of a rear conservatory.

R12/0142  
Approved  
27.03.2012

47 Edgecote Close  
Rugby

Erection of a single storey side extension and a front porch.

R12/0214  
Approved  
28.03.2012

71 Bluemels Drive  
Wolston

Relocation of rear boundary wall to create one additional parking space

R12/0293  
Approved  
28.03.2012

Open Space  
Queensferry Close  
Admirals Estate

Upgrade of the Queensferry Close Open Space Area to provide 25 car parking spaces (including 2 Disabled) with associated drop

	Bilton	kerb for vehicular access, proposed concrete paving in front of core entrances, 7 Lighting columns, reconfiguration of a footpath, landscaping proposals and the removal of 4 trees.
<i>R12/0577 Prior Approval Not Required 29.03.2012</i>	Mobbswood Farm Brinklow Road Coventry	Application for prior notification under Schedule 2 Part 6 of the [Town and Country Planning General Permitted Development] Order 1995 for the erection of a silage barn.
<i>R12/0140 Approved 30.03.2012</i>	36-37 Sheep Street Rugby	Alteration of existing floor to create a new residential unit
<i>R11/1594 Approved 30.03.2012</i>	Sparrow Hall Barn Coombe Fields Road Coventry	Conversion of office to residential dwelling
<i>R12/0446 Approved 30.03.2012</i>	6 Tom Brown Street Rugby	Change of Use from Offices (Class B1) to non-residential Day Care Facility (Class D1) (retrospective)
<i>R12/0151 Approved 30.03.2012</i>	Limestone Hall Farm Limestone Hall Lane Church Lawford	Extension of the existing covered cattle yard comprising erection of agricultural buildings, and provision of a subterranean rainwater harvesting system.
<i>R11/1080 Approved 30.03.2012</i>	44 School Street Wolston	Extension of dropped kerb and hardsurfacing of part of landscaped area to create widened driveway access
<i>R12/0468 Approved 02.04.2012</i>	8 Rugby Lane Stretton-on-Dunsmore	Erection of a single storey front extension.
<i>R12/0453 Approved 02.04.2012</i>	20 Stanley Road Rugby	Retention of an Oak Frame Shed with Timber feather edge panels and a felt pitched roof
<i>R12/0492 Approved 02.04.2012</i>	31 Eden Road Rugby	Erection of a single storey rear extension
<i>R12/0490 Approved 02.04.2012</i>	46 Sidney Road Rugby	Erection of a single storey side and rear extension (Amendment to a previously approved scheme for a single storey side and rear extension granted under planning permission ref. no. R11/2406 on 10th January

2012).

R11/2234  
Approved  
03.04.2012

Barnacle Village Hall  
Village Hall  
Lower Road

Erection of an extension to village hall

R12/0268  
Approved  
03.04.2012

Frog Hall Cottage  
London Road

Installation of 16 solar panels on roof of existing barn

R12/0212  
Approved  
03.04.2012

35 Overslade Lane  
Rugby

Proposed two storey side extension and single storey rear extension

R11/1393  
Approved  
04.04.2012

74 Craven Road  
Rugby

Change of use from a former hairdressers to a residential dwelling, including alterations to the front elevation.

R11/1399  
Approved  
04.04.2012

Granville House  
4 Moultrie Road

Erection of a two storey side extension and associated alterations.

### **Listed Building Consents**

R12/0259  
Listed Building Consent  
19.03.2012

8 Market Place  
Rugby

Listed Building Consent for internal alterations and the display of 1 externally illuminated fascia sign and 5 non-illuminated fascia signs.

R12/0324  
Listed Building Consent  
20.03.2012

Woodville Hotel Room Wing  
33-37 Bilton Road

Demolition of glazed link between 2 listed buildings and demolition of detached garage. Various works to the listed building comprising internal and external alterations.

R11/0529  
Listed Building Consent  
23.03.2012

The Old Post Office and Deerhurst  
Coventry Road  
Dunchurch

Listed Building Consent for the replacement of the front windows

R12/0429  
Listed Building Consent  
30.03.2012

Clock Tower  
Market Place  
Rugby

Insertion of rectangular marble tablet with carved lead-filled lettering to eastern elevation of Clock Tower commemorating HM The Queen's Diamond Jubilee.

### **Conservation Area Consents**

R12/0326

Woodville Hotel (Rugby)

Conservation area consent for demolition of

<i>Conservation Area Consent 20.03.2012</i>	Ltd Woodville Hotel 33 Bilton Road	glazed link and detached garage.
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### **Advertisement Consents**

<i>R12/0221 Advertisement Consent 19.03.2012</i>	8 Market Place Rugby	Display of 1 externally illuminated fascia sign and 5 non-illuminated fascia signs
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<i>R12/0448 Advertisement Consent 30.03.2012</i>	29 Sheep Street Rugby	Advertisement Consent for the display of 2 fascia illuminated signs and 1 illuminated double sided hanging sign, (retrospective).
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<i>R12/0451 Advertisement Consent 30.03.2012</i>	The Black Horse 43 The Green Bilton	Retention of 1 non-illuminated fascia sign (comprising individually mounted lettering), 1 externally illuminated projecting hanging sign, and 5 non-illuminated hoarding signs (replaced existing).
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<i>R11/1768 Advertisement Consent 02.04.2012</i>	Land at Paddock Farm Marton Road Birdingbury	Erection of two non illuminated directional traffic signs including one V board.
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### **Approval of Details/ Materials**

<i>R10/0122 Approval of Details 23.03.2012</i>	Land off Tee Tong Road Back Lane Long Lawford	Construction of 120 two and three storey affordable dwellings and associated site development works (amendment of planning approval ref: R00/471/08787/OP dated 26th June 2003).
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<i>R12/0096 Approval of Details 26.03.2012</i>	Tibbits Farm Nethercote House Road Nethercote	Change of use of 3 holiday accommodation units to residential use including a single storey extension to one of the units
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<i>R10/1730 Approval of Details 27.03.2012</i>	Land South Side of Top Road Barnacle	Change of use of land for use as a residential caravan site for gypsy families, comprising of 3 pitches and the siting of 3 mobile homes and 3 touring caravans including ancillary works and the erection of three timber buildings (part retrospective).
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<i>R09/0972/MAJP Approval of Details 29.03.2012</i>	Land East of Calvestone Road Calvestone Road	Outline application with all matters reserved for the development of up to 145 dwellings.
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Cawston

<i>R09/0649/PLBC Approval of Non- material changes 29.03.2012</i>	Land Rear of 9 Main Street Clifton-Upon-Dunsmore	Erection of a dwelling and associated works, with access from North Road.
<i>R10/1306 Approval of Details 29.03.2012</i>	David Smith Packaging Boughton Leigh House Brownsover Road Brownsover	Erection of 5 dwellings with associated landscaping and highways works
<i>R08/1341/MRES Approval of Non- material changes 30.03.2012</i>	Unit 2, Site B Former Peugeot Works Oxford Road Ryton-on-Dunsmore	Approval of reserved matters for units 2 and 3 relating to layout, height, width, length, external appearance and landscaping against outline planning permission R07/2010/OPS for storage, distribution and general industry.
<i>R06/2130/PLN Approval of Details 02.04.2012</i>	165 Rugby Road Binley Woods	Use of the existing building to form a residential dwelling.
<i>R11/0246 Approval of Details 03.04.2012</i>	Plots 1, 2 and 3, Zone C Central Park Castle Mound Way	Erection of an employment building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987, as amended, with ancillary offices, together with the construction of vehicular access, parking, and servicing areas, earthworks, landscaping, fencing and drainage works.
<i>R11/0128 Approval of Details 04.04.2012</i>	The Queens Diamond Jubilee Centre (Rugby Leisure Centre) Bruce Williams Way	Demolition of existing leisure centre and erection of new leisure centre, including café, parking, ancillary facilities, external works and temporary car park
<i>R09/0235/HOUS Approval of Non- material changes 04.04.2012</i>	59 High Street Ryton-on-Dunsmore	Erection of single storey front, side and rear extensions.
<b><i>Withdrawn/ De-registered</i></b>		
<i>R12/0025 Withdrawn 28.03.2012</i>	Land at Gipsy Lane Wolvey	Change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking provisions.
<i>R12/0147</i>	Land adj the Highlands	Erection of a new detached dwelling and

*Withdrawn*  
28.03.2012

Rugby Road  
Brandon

associated access.