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A detached garage is proposed to the front of the property, however due to the orientation of the building this will be further from the road than the main building. This is to be white render with a slate tiled pitched roof to match the existing building.

It is considered that the proposed extensions and alterations to the existing building and the proposed garage will be in keeping with the existing building and will not have an adverse impact on visual amenity or the character of the Conservation Area. The relevant part of policy CS16 is therefore complied with.

If extensions to the dwelling are constructed under permitted development these could have an adverse impact on the character of the Conservation Area. A condition removing permitted development rights for extensions is therefore considered necessary.

In terms of the impact on residential amenity the property that would be most affected by the proposals is Swift House. The front elevation of the Haywaggon faces the side elevation of this property. The residents have objected to the application on the basis that the proposed front dormer windows will be visible from their rear garden and would lead to a loss of privacy. These windows will be around 13.5m from the boundary and it is not considered the garden would be overlooked to such an extent as to warrant the refusal of the application.

Swift House has side facing windows which will be around 18.5m from the proposed dormer windows. These are obscure glazed or serve non-habitable rooms and the ground floor windows are screened by the existing boundary wall, the impact on these windows is considered acceptable.

The detached garage will be between the Haywaggon and Swift House, however this will comply with the 45 degree guideline from Swift House. The impact on residential amenity is therefore considered acceptable in accordance with the relevant part of CS16.

CS16 also requires development to meet the water conservation standards in Code Level 4 of the Code for Sustainable Homes and this can be secured by condition.

The proposed dwelling will have 5 bedrooms and will have a parking and turning area to the front. The Council's parking standards, contained within the Planning Obligations SPD do not contain a standard for 5 bedroom dwellings but would require 3 spaces for a 4 bedroom property in this location. Two spaces can be accommodated in the proposed garage and additional parking is provided to the front of the property, cycle parking could be accommodated in the garage or garden, this is considered acceptable in accordance with the Council's parking standards and saved policy T5.

WCC Ecology commented on the application and raise no objection, subject to informatives, the impact on protected species is therefore considered acceptable in accordance with saved policy E6.

The Highway Authority and County Archaeologist have no objection to the proposals, subject to conditions.

Churchover does not have a parish plan.

**Recommendation**

Approval

**DRAFT DECISION**

**APPLICATION NUMBER**

R10/0794

**DATE VALID**

22/08/2012

**ADDRESS OF DEVELOPMENT**

THE HAY WAGGON  
THE GREEN  
CHURCHOVER  
RUGBY  
CV23 0EP

**APPLICANT/AGENT**

Hb Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH

On behalf of Mrs K GARGIULO

**APPLICATION DESCRIPTION**

Change of use from public house/restaurant to single dwelling, including erection of detached garage to front, erection of first floor extension to side, installation of dormer windows to front and other elevational alterations.

**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 - R146:08:13 received by the Local Planning Authority on 3rd August 2012 and the amended plans Site Plan - R146.07.20/A and Plans & Elevations - R146.07.21/A received by the Local Planning Authority on 22nd August 2012.

**REASON:**

For the avoidance of doubt.

**CONDITION: 3**

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

**REASON:**

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

**CONDITION: 4**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Class A of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

**REASON:**

To protect the character of the Conservation Area and residential amenity.

**CONDITION: 5**

During the construction period, adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

**REASON:**

In the interest of highway safety.

**CONDITION: 6**

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

**REASON:**

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

**REASON FOR APPROVAL:**

The proposals will result in the loss of a community facility. However, the applicants have demonstrated that there is no realistic prospect of the use continuing and the property has been marketed as required. In addition the community centre will, in part, provide alternative facilities for local residents. The principle of the proposed use is therefore acceptable in accordance with policy CS13 of the Rugby Borough Core Strategy 2011.

The proposed extension and garage will be in keeping with the existing building and Conservation Area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policy CS16 of the Rugby Borough Core Strategy 2011.

The proposals will provide suitable levels of parking and will not have an adverse impact on protected species in accordance with saved policies T5 and E6 of the Rugby Borough Local Plan 2006.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Rugby Borough Core Strategy 2011 - CS1, CS13, CS16

Rugby Borough Local Plan 2006, Saved policies - E6, T5

Sustainable Design and Construction SPD, 2012

Planning Obligations SPD, 2012

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.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE: 1**

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

**INFORMATIVE: 2**

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the [applicant{s}/ developer{s}] must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

**INFORMATIVE: 3**

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.

**INFORMATIVE: 4**

In view of the nearby grass snake record and allotments, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights

of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

**INFORMATIVE: 5**

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering.

This can be downloaded at:

[http://www.rugby.gov.uk/site/scripts/documents\\_info.php?documentID=223&categoryID=200295](http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295) .

Alternatively, you can contact the Street Naming and Numbering Team for an application form at: [SpecialistSupport@rugby.gov.uk](mailto:SpecialistSupport@rugby.gov.uk) or by ringing 01788 533885

**Reference number: R12/0617**

**Site address: Land Opposite Draycote Water, Southam Road, Rugby**

**Description: Change of use of the land to form a centre of rural excellence to include the erection of a new two storey building, smaller ancillary buildings, caravan and camping pitches and the formation of a new vehicular access.**

**Case Officer Name & Number: 01788 533789**

This application has been brought forward to committee due to its status as a major application.

### **Site Description**

The land opposite Draycote Water entrance covers approximately 7.2 hectares and is currently open pasture land where horses are grazed and has some existing ancillary buildings on the land.

The site is located in close proximity to Leam Valley Golf Centre to the south, Draycote Reservoir and its recreational facilities to the west and the local rural settlement of Kites Hardwick to the South.

There are works occurring at Leam Valley Golf Centre involving the construction of fishing lakes and the provision of caravan pitches and ancillary facilities. The two sites are divided by a single access track which is accessed from the Southam Road.

The site has hedgerows surrounding it which, to a certain extent, screens the site from view.

### **Proposal Description**

The proposal is to change the use of the land to form a centre of rural excellence (CRE). The applicant has stated that the CRE is to be created to promote awareness of the diversity of activities the rural environment has to offer, including walking, fishing, animal husbandry and other outdoor pursuits such as gardening and crop cultivation.

The CRE will include the erection of a new two storey building which will be the main centre and reception building of the site. This building which will be clad in cedar weatherboard will hold a large foyer and exhibition room, an event and seminar room, a produce shop and cafeteria and also some smaller seminar rooms on the first floor. There will be areas within the building which will benefit from full floor to ceiling height to give an open feeling to the rooms. The main building will be positioned 40 metres in from the main entrance and will be the first building you will see when entering. The car park will be to the side of the building holding approximately 18 cars.

The area to the north of the main centre will be allocated for 10 caravan pitches which will be arranged in a crescent shape with a new amenity block located centrally to them. The camping pitches will be located to the east of the caravan pitches and all will be located within newly landscaped grounds.

To the side of the main centre will be a fruit tree orchard and two allotments split into a public and produce allocation. Further away from the centre building would be mobile stables with a ménage and other mobile buildings located in areas for animal husbandry and poultry.

A pole barn is to be erected towards the bottom of the site which will be used for the craft and practical construction activities that will take place on the site.

### **Relevant Planning History**

None

### **Technical Consultation Responses**

Environmental Services – No objections

Landscape Officer – No objections

Tree Officer – No objections subject to conditions

WCC Highway – No objections subject to conditions

WCC Ecology – No objections subject to conditions

Severn Trent – No objections

Environment Agency – No objections subject to conditions

### **Third Party Responses**

Neighbours – No comments received

Parish Council – Comments

The parish council have concerns over the proposed new entrance with it being almost directly opposite the Draycote Water entrance and close to a very sharp bend, especially when there are pitches for towing caravans and maybe cars towing camping trailers entering and leaving the site.

Generally the centre itself should be an asset to the area and appears to have been sympathetically designed.

It is a very good and worthy idea. In terms of planning, the buildings seem to be of a rural design and so would not look too out of place in the location and provided that the entrance from the A426 is approved by the Highways Authority the council have no objections.

### **Relevant Planning Policies and Guidance**

#### Core Strategy

CS1 – Development Strategy

CS16 – Sustainable Design

## Saved Local Plan Policies

E6 – Biodiversity

T5 – Parking Facilities

## Guidance

National Planning Policy Framework

### **Assessment of Proposals**

The determining issues to take into account in this case are the principle of development in this locality, the impact on the character and appearance of the area and the impact on nearby residents, biodiversity and highway safety.

## Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. The proposed CRE is to be located within the open countryside which is 5<sup>th</sup> in the settlement hierarchy. It states that new development will be resisted and only where national policy on countryside locations allows will development be permitted.

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Section 3, Supporting a prosperous rural economy, of the NPPF would relate to this case. It states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings and also support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

The introduction of the CRE would be a provision of a tourist facility which would be located close Draycote Water, which is one of the main tourist attractions in Rugby, and Leam Valley Golf centre and fishing lakes which would therefore be an appropriate location providing connectivity between the sites and avoiding the creation of extra journeys between the three. As the centre is aimed at rural activities the best location for the centre would be in a rural area. The location of the site being in close proximity to Dunchurch with facilities such as restaurants and shops and there already being bus stops close to the site the proposal would be a sustainable form of development.

As part of the submission the applicant undertook a questionnaire and asked visitors to Draycote Water whether or not they would use the facilities they would be providing. A large majority of the people asked stated they would be interested in the centre and would be interested in the classes and activities run if it were to open. Although this was a small questionnaire it highlights that a facility such as this would

generate interest and would supplement well the existing attractions already in the area.

Taking into account the above it is considered that the principle of the use in this location would be acceptable complying with policy CS1 of the Core Strategy 2011 and also the National Planning Policy Framework.

### Character and Appearance

Policy CS16 states that all development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The development site at present is an open field which is screened from the highway by trees and a hedgerow. There are a couple of openings within the hedgerow to which glimpses across the field can be gained. The proposed CRE will include several buildings and structures which will undoubtedly have an impact upon the character and appearance of the open countryside however taken into account the size of the site compared to the size and positioning of the buildings an open aspect feel and most importantly a rural feel will be maintained.

The main building on site, that of the visitors centre, will be positioned towards the front of the site (40 metres from the highway) and accessed off the new access road which will run in from the Southam Road. The building which will stand two storeys high will have a low roof line which seeks to reduce its impact on the local environment. The overall scale and massing of the building in relation to the site it serves is modest and would not dominate the landscape. The building will be a combination of brick and cedar cladding which will provide a more natural appearance within the countryside. The other permanent buildings within the site are that of the toilet and amenity block and the pole barn. The toilet/amenity block is a small building which will sit close to the area marked out for the caravan pitches. This building along with the caravan pitches will sit within an area of landscaped land which will help soften its appearance. The pole barn is to be located further into the site and will have an agricultural appearance, so when viewed across the landscape it would not appear out of keeping. There are other structures proposed which have been indicated as temporary structures such as mobile shelters for poultry and mobile stables for the horses which all will relate to the activities and means of education to which this site will be promoting. These kinds of structures again will be common within a countryside location and due to the spacing given between the different activities the openness of the field would be retained to an extent.

The introduction of a caravan site and camping site within this area would not be out of keeping considering the other sites in close vicinity most notably Leam Valley Golf Centre. The caravan site will only consist of 10 pitches and these will not allow permanent stays therefore the visual impact of the caravans would be intermittent during the year.

As part of the proposals a landscaping scheme has been proposed which will help to soften the appearance of the buildings when viewed from the highway and from across the landscape. This scheme has been assessed by both the landscape officer and tree officer and is deemed to be satisfactory with the correct native species used and the correct density and spread provided to create a natural appearance which would sit well within the current landscape.

Whilst the introduction of the buildings and associated car park would alter the appearance, of the once open field, the proposals have taken into account the character and appearance of the area through their design, materials used, positioning and scale of the buildings reducing their visual impact. The addition of further landscaping adding to that which already screens the site would further reduce the impact of the proposals. It is therefore considered that the proposals would comply with policy CS16 of the Core Strategy 2011.

#### Impact on the Neighbouring Amenities

Policy CS16 continues to state that development ensure that the amenities of existing and future neighbouring occupiers are safeguarded

The proposed site is located well away from any neighbouring residents therefore the proposals would not impact on the amenities of any neighbour complying with policy CS16 of the Core Strategy 2011.

#### Biodiversity

As part of the planning process an ecological survey was undertaken, which was submitted and passed to the ecology department at the County Council. The report concluded generally the level of bat activity in the area was low, however a Daubenton's bat was recorded commuting over the site and several noctules were recorded foraging within the site. It has been accepted by the ecology department that the proposed access road bisecting the hedgerow is not expected to have any significant impact on bat foraging or commuting routes. However it is clear that bats do visit the site on an occasional basis. With this in mind, the ecologist has suggested that a sensitive lighting scheme is designed in order to avoid any disruption to bats whilst foraging/commuting. This would involve no direct lighting of any potential bat roosting areas (such as the mature oak tree in the western boundary hedgerow), lowering the level of the lighting columns to reduce illumination and maintaining dark commuting routes/flight lines for bats through the site. A condition has been attached to the recommendation to resolve this situation. Taking the above into account and with a suitable condition attached it is considered that the proposals would comply with saved policy E6 of the Rugby Borough Local Plan 2006.

#### Highway Safety

A new access is to be created off the Southam Road to the proposed Centre of Rural Excellence. This will be through an existing hedgerow and will be located close to the existing access of Draycote Water on the opposite side of the road. The access is also located within close vicinity to a bend in the road. As part of the original submission of the application a transport assessment was submitted due to the location of the access however this was not accepted by the highway authority as it was judged insufficient to calculate the 85% ile of traffic. It was claimed by the highway authority that this should be done using tubes, over seven days. This objection was relayed back to the applicants who went away and came back with a Transport Statement, which included trip rates and a speed survey data and a Stage ½ RSA. The highway authority have now assessed this information and removed their objection to the proposal. The highway authority has however suggested conditions to attach to any approval which would ensure that highway safety is maintained.

### Flood Risk

The site is not within a flood zone that requires a flood risk assessment (FRA) to be undertaken however the site has watercourses along both the northern and eastern boundaries which have too small a catchment area to be included in the flood extents. As the Flood Zones outlines are not definitive and do not include all minor watercourse flood plains, they should not be assumed to be correct where a minor watercourse (ditch, brook, drain, dyke, etc...) is shown with no flood zones outlines, within or adjacent to a site. As a result of this the Environment Agency requested that an FRA be submitted to assess the risk of flooding to the site from these watercourses especially as the proposals include caravan and camping sites which are considered to be More Vulnerable in accordance with the National Planning Policy Framework (NPPF), Technical guidance, Table 2. A FRA was submitted by the applicants and has been assessed by the Environment Agency and found to be acceptable subject to conditions to be attached to any approval given.

### Recommendation

Approve Subject to Conditions

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R12/0617

### **DATE VALID**

30/03/2012

### **ADDRESS OF DEVELOPMENT**

LAND OPPOSITE DRAYCOTE WATER  
ENTRANCE  
SOUTHAM ROAD  
RUGBY  
CV23 8AA

### **APPLICANT/AGENT**

Mr Robert O'callaghan  
Robert O'callaghan Architects  
Ivy House  
Church Street  
Churchover  
Rugby  
Warwickshire  
CV23 0EW  
On behalf of Jessica Plantier

### **APPLICATION DESCRIPTION**

Change of use of the land to form a centre of rural excellence to include the erection of a new two storey building, smaller ancillary buildings, caravan and camping pitches and the formation of a new vehicular access.

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

#### **CONDITION: 1**

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

**REASON:**

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

**CONDITION: 2**

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

**REASON:**

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

**CONDTION: 3**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) reference 20497/PH/01-13/3332, dated January 2013, and the following mitigation measures detailed within the FRA: Limiting the rate of surface water run-off generated by the site to discharge at no more than the Greenfield rates as stated in the FRA.

**REASON:**

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

**CONDITION: 4**

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year (plus 30% of climate change) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion

**REASON:**

To prevent the increased risk of flooding, both on and off site.

**CONDITION: 5**

The right turn access as mentioned in 2.3 of the RSA should be in general accordance with drawing no. ROC/446/PD/005

**REASON:**

In the interests of highway safety

**CONDITION: 6**

The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.

**REASON:**

In the interests of highway safety

**CONDITION: 7**

The access to the site for vehicles shall not be used in connection with the development [hereby permitted] until it has been surfaced with a bound material for a distance of 15 metres as measured from the near edge of the public highway carriageway] in accordance with details to be approved in writing by the Local Planning Authority [in consultation with the Highway Authority]

**REASON:**

In the interests of highway safety

**CONDITION: 8**

The development shall not be commenced until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 160 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

**REASON:**

In the interests of highway safety

**CONDITION: 9**

The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Planning Authority expects lighting to be kept to a minimum at night across the whole site in order to minimise the impacts on local wildlife and the sites value for them. This could be achieved in the following ways:

- a) low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
- b) the brightness of lights should be as low as legally possible;
- c) lighting should be timed to provide some dark periods;
- d) connections to areas important for foraging should contain unlit stretches.

**REASON:**

In accordance with the NPPF and ODPM circular 2005/06.

**CONDITION: 10**

All tree protection measures (i.e. the erection of protective fencing around the root protection area of the mature Oak tree located adjacent to the north western boundary) should be carried in accordance to the 'proposed site plan' relating to the approved design details and implemented prior to the development phase to the satisfaction and written approval of the LPA. Protective measures should remain in place until completion of all construction works. Root protection areas should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them.

**REASON:**

To protect retained tree stock during the development phase in interests of local amenity

**CONDITION: 11**

In the first planting season following completion of development works trees/hedge planting should be carried out in accordance with plan no. ROC/446/PD/002A relating to the approved design details. If within a period of 5 Years from the date of planting of that tree/hedge or any tree/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/hedge of the same species and size originally planted shall be planted at the same place by the developer/site owner, unless the LPA gives its written consent to any variations.

**REASON:**

To maintain and enhance continuity tree cover in the local area.

**CONDITION: 12**

No development shall commence until further details including drawings showing the scale and appearance of the mobile shelters and stables have been submitted to and agreed in writing by the Local Planning Authority.

**REASON:**

To ensure the satisfactory appearance of the development

**CONDITION: 13**

Prior to the formation and layout of the allotment area details of the allotments shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include accesses, hardstandings, landscaping, boundary treatments and any buildings. The allotments shall be formed in accordance with these details and thereafter maintained as so.

**REASON:**

In the interest of visuall amenity.

**CONDITION: 14**

Notwithstanding the details regarding the caravan pitches, full details of the layout and formation of the pitches, ensuring a 6 metre separation between pitches, shall be submitted and agreed in writing by the Local Planning Authority. The caravan pitches shall be laid out in accordance with these details and no more caravans or motor homes shall be stationed/sited within the site other than on the land indicated, apart from those allowed for rallies held under separate legislation set out in the Caravan Sites and Control of Development Act 1960

**REASON:**

To ensure satisfactory appearance and to safeguard amenity

**CONDITION: 15**

No tent shall be erected other than on the land indicated for camping on the submitted plans received by the Local Planning Authority on 20th February 2013.

**REASON:**

To safeguard visual amenity

**CONDITION: 16**

The maximum stay permitted for any vehicle, caravan, motorhome, trailer tent or tent entering the site and using the pitches hereby permitted shall not exceed 28 days in duration. Upon leaving the site no return is permitted until a period of 28 days has elapsed.

**REASON:**

To prevent the permanent occupation of the site by caravans, trailer tents, tents or other motor vehicles.

**CONDITION: 17**

No development shall commence until a contaminated land survey, including soil samples particularly where the allotment is proposed, to test the suitability of the soil for home grown produce has been undertaken submitted to and agreed in writing by the Local Planning Authority

**REASON:**

In the interest of health and safety

**CONDITION: 18**

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before first occupation of the development.

**REASON:**

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

**CONDITION: 19**

No animal waste or bedding should be permitted to be burned onsite

**REASON:**

In the interest of health and safety

**CONDITION: 20**

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:

Plan Nos. ROC/446/PD/005, ROC/446/PD/004 and ROC/446/PD/003 received by the Local Planning Authority on 30th March 2012

Plan No. ROC446/PD/002A received by the Local Planning Authority on the 20th February 2013

Flood Risk Assessment (FRA) reference 20497/PH/01-13/3332, dated January 2013 and received by the Local Planning Authority on the 29th January 2013

Transport Statement report ref 20497/TR/01-13/3341 and details received by the Local Planning Authority on the 21st December 2012 and the 29th January 2013

**REASON:**

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

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Policies CS1 and CS16 of the Rugby Borough Core Strategy 2011; Saved Policies E6 and T5 of the Rugby Borough Local Plan 2006 and the National Planning Policy Framework

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 principle of this change of use to form a centre of rural excellence would be acceptable in accordance with Policy CS1 of the Rugby Borough Core Strategy 2011 and the National Planning Policy Framework. The proposed buildings and structures on site will be in keeping with the rural character of the site whilst positioning of the buildings will retain the openness of the countryside. The proposals will not adversely impact on the residential amenity of neighbouring properties, in accordance with policy CS16 of the Rugby Borough Core Strategy 2011. Additionally as the proposal

does not have an adverse impact on the biodiversity of the area it accords with Saved Policy E6 of the Rugby Borough Local Plan 2006.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE: 1**

Contrary to the recommendation in the FRA, no Environment Agency Flood Warning service is available in this area

**INFORMATIVE: 2**

Condition numbers 1-4 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

**INFORMATIVE: 3**

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

**INFORMATIVE: 4**

In view of the pond nearby, care should be taken when clearing the ground prior to development. If evidence of great crested newts is found during development, work should stop immediately while Natural England are contacted on 0845 601 4523 for advice on the best way to proceed. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2010 the latter of which makes them a European Protected Species. Where newts are present a licence might be necessary to carry out the works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523.

**INFORMATIVE: 5**

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and

earth which can be used by reptiles, amphibians and invertebrates. As additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required

**INFORMATIVE: 6**

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

**INFORMATIVE: 7**

The applicant will need to register as a food business to comply with relevant food safety legislation. Further information and registration forms can be obtained by contacting the council's Public Health & Licencing Team on (01788) 533882.

**INFORMATIVE: 8**

The caravan site will require a caravan site licence as prescribed by the Caravan Site and Control of Development Act 1960. An application form and further details can be obtained from the councils web site on [www.rugby.gov.uk](http://www.rugby.gov.uk) or from the councils Public Health and Licencing team.

The licence will have conditions attached which could include the distance between units, toilet numbers, sewerage provision, electrical safety, drinking water etc

**Reference number:**

R11/0476

**Site address:**

Former Ballast Pits & Railway Sidings, Lower Street, Hillmorton, Rugby

**Description :**

Outline planning application for up to 76 dwellings together with associated access, roads and infrastructure.

**Case Officer Name & Number:**

Richard Holt 01788 533687

**Description of Site:**

The application site is located at the far eastern edge of the Rugby Urban Area, approximately 2.5 miles (4 kilometres) from the town centre. The site area equates to approximately 5.1 hectares and is currently accessed via a narrow road off Lower Street just before the road goes underneath the railway line and past a row of former Railway Cottages (170-178 Lower Street). The site is a former ballast pits and railway sidings but over the years the majority of the land has become characterised by soft landscaping including a southern embankment of trees and shrubs. The trees on this embankment are subject to a tree preservation order.

To the immediate north of the site is the railway with the Oxford Canal and land allocated for the Sustainable Urban Extension known as the Mast Site. Predominately residential properties lie to the south, east and west of the site however owing to the previous use of the site these dwellings, particularly to the south, are at a significantly higher level by approximately 12 metres. The site itself is fairly level although it is approximately 2 metres higher than the former Railway Cottages that lie to the north west of the main site.

Metal palisade gates and fencing run across the entrance to the site and along the northern boundary with the railway line. A mix of fencing and post and wire fencing runs around the rest of the site at the top of the embankment. Currently there is no authorised public access across the site.

**Description of Proposals:**

This is an outline application for up to 76 dwellings together with associated access, roads and infrastructure. All matters are reserved for consideration at a later stage apart from access. The illustrative plan submitted with the application shows that approximately 2.5 hectares of the site would be developed with the existing embankment of protected trees being retained around the southern, western and eastern edges and the formation of a wildlife reserve with ponds along the northern edge of the site. A mix of detached, terraced and semi-detached units are shown incorporating a range of 2, 3, 4 and 5 bed dwellings with eaves heights of between 4.7 metres to 5.2 metres above ground level and ridge heights between 7.5 metres to 9 metres above ground level.

Both vehicular and pedestrian access will be provided off Lower Street by remodelling the junction between the site, Lower Street and Moors Lane and altering the priority. These changes result in the existing access road level being lowered in front of the former Railway Cottages by approximately 1.4 metres and the provision of a retaining wall of between 0.75-1.6 metres in height being created. A 5.5 metre carriageway will be provided with a 2-3 metre wide footpath in front of the former Railway Cottages with a pedestrian guardrail. Lower Street will then run directly into the site with narrow chicanes either side of these Cottages to slow traffic down and two separate T-junctions will be formed off the new road to provide access to Moors Lane and the Network Rail compound. Six parking spaces will be provided

approximately 30-70 metres to the east of the former Railway Cottages for use by the residents of these existing properties.

The illustrative plan also shows a potential natural play area within the existing woodland and the formation of a new footpath linking the site and Lennon Close on the eastern edge of the site.

The applicant has also submitted a Planning Statement with updates in relation to the National Planning Policy Framework (NPPF), Design & Access Statement, Arboricultural Assessment, Site Investigation Report, Landscape Appraisal, Noise & Vibration Assessment, Flood Risk & Water Environment Report, Soakage Testing Report, Extended Phase 1 Habitat Survey, Reptile Survey, Invertebrate Assessment, Ecological Mitigation Strategy, Residential Travel Plan, Transport Assessment, Viability Analysis and an Affordable Housing Viability Submission.

**Relevant Planning History:**

None.

**Technical Consultations:**

Natural England	Comments	Standing advice in connection with protected species should be used and presence of Local Site should be considered in determination.
Warwickshire Wildlife Trust	Object	Loss and degradation of local wildlife site resulting in net loss of biodiversity on site and concerned that bio-diversity off-setting will not fully safeguard biodiversity.
Warwickshire Police	No objection	Subject to an informative in relation to secured by design. Financial request sought for increased need in police vehicles and equipment.
PCT/NHS Estates	No objection	Seek financial contribution towards expansion of services.
Inland Waterways	No objection	Whole site is virtually invisible from Oxford Canal due to railway embankment which is a pity as appears to be well planned and designed estate.
British Waterways	No comments	
Environment Agency	No objection	Subject to conditions.
Severn Trent Water	No objection	Subject to a condition.
WCC Highways	No objection	Subject to conditions & informatives.
WCC Fire & Rescue	No objection	Subject to a condition.
WCC – Resources	Comments	<ul style="list-style-type: none"> <li>- Site could potentially generate 30 affordable homes away from town centre;</li> <li>- lack of local facilities and away from regular bus routes;</li> <li>- safe pedestrian route from site entrance to Constable Road/Lower Street should be formed;</li> <li>- Mast Site development will provide new services;</li> </ul>

		<ul style="list-style-type: none"> <li>- Mast Site will generate more traffic along Moors Lane; &amp;</li> <li>- Footpath/cycleway to Mast Site should be provided to prevent isolation of families in affordable homes.</li> </ul>
WCC Ecology	Object	If minded to approve would seek Section 106 legal agreement for financial contributions in association with bio-diversity off-setting and conditions & informatives.
RBC Landscaping	Comments	Detailed planting plan, schedule and management plan for open space needed; Access to site for number of units not ideal and number of dwellings too great;
RBC Trees	Comments	Recommend conditions, but concerned about dwellings in south-east corner and relationship with trees.
RBC Environmental Services	No objection	Subject to conditions & informatives.
Network Rail	Initially objected, but now request informatives.	

**Third Party Consultations:**

Petition signed by 208 local residents

- would be significant detriment to the community;
- site is listed as open space; Site of Importance for Nature Conservation and part of the Green Infrastructure;
- increased traffic congestion; and
- access into site would be dangerous.

Neighbours (43)            Objection

- brown field sites should be used for development;
- there has been a lot of building in the Hillmorton area;
- there is no need for more development;
- schools could not cope with extra demand;
- this is a Site of Importance for Nature Conservation;
- open space should be protected, was previously protected by the Council;
- site should be bought and turned into a nature area;
- site is used by birds, butterflies and other wildlife including wild orchids, a total of 156+ species have been recorded;
- loss of trees and wildlife habitats;
- impact on local landscape;
- site used by local people for recreation;
- access is narrow and does not have a pavement, there is no space for pedestrians;
- one 1 access point is proposed;
- is access suitable for emergency and refuse vehicles;
- will significantly increase traffic in area, local roads cannot cope;
- road is single track under the tunnel;
- increased bus services will not reduce traffic;
- on street parking restricts access on local roads;
- junction of Watts Lane and Crick Road will need to be improved;
- other developments constructed and proposed, including the mast site, will also add to traffic;
- speed limit is not enforced;

- there is increased traffic and parking at school times;
- large construction vehicles will affect residential roads, will also lead to mud on the road, damage to the roads, noise and pollution;
- is difficult to cross the road, this will affect elderly people living in sheltered accommodation;
- would block access for Network Rail;
- noise and disturbance during construction and from occupants;
- proposal does not include affordable housing;
- site includes contaminated material and was previously used for tipping of hospital waste and chemicals;
- thousands of glass tubes with mercury tipped on site, plus chemical and oil drums;
- ash and coal used to be disposed on site from steam engines – smoke use to come out of ground and these underground fires burnt until 1960s;
- site will require piled foundations, noise and vibration will affect neighbours and nearby properties;
- residents of Railway Cottages will be affected by noise and loss privacy;
- loss of parking for these properties, replacement parking is unsafe and some distance away, would not be able to unload shopping and solid fuel;
- believe there is a legal right to use the parking spaces;
- believe site includes land owned by a local resident;
- change in levels could affect the foundations of these cottages;
- residents value peace and quiet;
- old quarry site could be dangerous for new residents;
- site provides a buffer from the railway;
- Hillmorton is a lovely village but has lost its village status due to other developments;
- Council should consider existing rate payers;
- there are errors in the transport report; and
- development is purely for profit.

Neighbours (2)            Comment

- pleased wooded areas are being retained;
- security fencing should be used to secure the bank and woodland and to ensure neighbouring properties cannot be accessed;
- what clearance of spoil and low level vegetation is proposed;
- additional trees should be planted to prevent overlooking; and
- buses do not run in the evenings and timings of some services are not suitable, would welcome increased services.

Additional Information/Amended Plans:

Neighbours (2)            Objection

- dispute with applicant that they do have right to park in front of property [former Railway Cottages] (further documentary evidence provided);
- far too many dwellings planned for site;
- 10-12 dwellings more appropriate, retaining woodland habitat;
- new landscaping will take years to mature;
- impact on amenity of residents of former Railway Cottages and loss of their parking;
- potential subsidence of former Railway Cottages by new road;
- adverse impact on surrounding road network, especially on High Street, Hillmorton;
- road network already busy due to traffic to and from DIRFT;
- Hillmorton already had lots of housing development and now Mast Site is proposed;

#### Neighbour (1) Comment

- new road junction still makes pedestrian passage down Moors Lane more dangerous; and
- footpaths should be provided from railway bridge up past Lowry Court and other side of railway bridge to canal bridge on Moors Lane.

#### Cllr Sewell Object

- in breach of local and national planning policy and Countryside & Rights of Way Act 2000;
- developments need to be sustainable not damaging environment for future generations;
- site allocated as Green Infrastructure, Site of Importance for Nature Conservation, County Important Local Wildlife Site, Greenfield & Open Space and therefore should not be considered for development as will result in a loss or degradation of such sites;
- development contravenes Council's Biodiversity Strategy;
- site is part of Green Infrastructure network which is crucial to allow important breeds to migrate through area;
- half of site being considered for development but contains over 156 species, some of which will be lost and some of which are rare and will lead to an irreversible loss of genetic diversity;
- the proposed wildlife area is currently hardstanding for Network Rail and will be made not accessible to public;
- last 5 to 6 years considerable amount of wildlife has been destroyed by developments in Hillmorton from back garden development;
- open space should be protected for community and biodiversity benefit;
- quality of natural and historic environment should be protected and enhanced;
- site originally removed from Strategic Housing Land Availability Assessment (SHLAA) and went back in as an error – this should be corrected;
- affordable housing should be 40%, although acknowledge should be negotiated depending on practicality but not removed just for financial gain;
- dramatic increase in traffic flow and congestion in area, including Lower Street, Watts Lane, High Street & Crick Road which are already heavily congested;
- will result in an excess of 300 vehicle movements a day;
- lowering of road by 1.3 metres in front of cottages will cause severe damage due to slippage;
- road junction will result in a major hazard to road users, including pedestrians and cyclists as no pathways;
- Lower Street road level varies by at least 2.6 metres;
- works to road will not be visually attractive;
- landfill site containing contaminated waste;
- pile foundations will cause excessive noise, create substantial amount of contaminated waste, and cause settlement to mainline railway;
- development should not have any potential impact on the countryside or landscape; and
- geological features if lost will be irreplaceable.

#### Cllr Allen Object

- in breach of local and national planning policy and Countryside & Rights of Way Act 2000;
- developments need to be sustainable not damaging environment for future generations;

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- pile foundations will cause excessive noise, create substantial amount of contaminated waste, and cause settlement to mainline railway;
- development should not have any potential impact on the countryside or landscape; and
- geological features if lost will be irreplaceable.

Cllr Allen        Object

(Additional comments to those above)

- poorly designed access dangerous to local area;
- vehicle trips given are completely fictitious;
- Opening of DIRFT 2 dramatically increased traffic flow along Crick Road, High Street & Hillmorton Road;
- Traffic data implies there has been 2 road accidents with slight injuries, but County Highways data shows 19 road accidents, 3 serious with injuries equating to a total of 27, 4 serious; and
- Inaccurate data, independent report should be initiated.

Cllr Roodhouse        Object

- intensification of highway network and impact on traffic in local area;
- construction noise pollution;
- development of open space, Greenfield site, SINC (Site of Interest & Nature Conservation) and that site is part of Borough Council Green Infrastructure; and
- significant impact on wildlife habitats.

Rugby Group of Warwickshire Wildlife Trust                      Object

- site is part of a green corridor important for wildlife and recreation, which will be more crucial when Mast Site is developed;
- interesting wildlife on site, including uncommon plant species such as orchids, broomrape, bladder campion, sulphur cinquefoil, musk thistle and wild basil and uncommon butterflies such as green hairstreak & grizzled skipper;
- Ecosite since 1982 and now a Local Wildlife Site;
- simple management of site not been undertaken and much of site could be restored where species rich grassland and scrub management could lead to increased nest sites;
- development would displace present wildlife and areas most beneficial to restore grassland;
- mitigation proposals put forward totally inadequate;
- woodlands and remaining areas would come under pressure from residents of new homes;
- deficit of natural and semi-natural open space within urban area;
- loss of local wildlife site conflicts with local plan; and
- site should be retained for community use.

**Relevant Planning Policies & Guidance:**

Rugby Borough Council Local Plan 2006 Saved Policies:

GP2	Landscaping	
	Complies	
E6	Biodiversity	
	Complies	
LR1	Open Space Standards	
	Complies	
LR3	Quality and accessibility of open space	
	Complies	
LR4	Safeguarding Open Space	
	Complies	
H11	Open space provision in residential developments in the urban area	
	Complies	
T5	Parking Facilities	
	Complies	

Rugby Borough Core Strategy 2011:

CS1	Development Strategy	Complies
CS10	Developer Contributions	Complies
CS11	Transport & New Development	Complies
CS14	Strategic Green Infrastructure	Complies
CS16	Sustainable Design	Complies
CS17	Reducing Carbon Emissions	Complies
CS19	Affordable Housing	Complies

Rugby Borough Council Housing Needs Supplementary Planning Document, 2012

Rugby Borough Council Revised Affordable Housing Viability Assessment, 2010

Rugby Borough Council Planning Obligations Supplementary Planning Document, 2012

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

Rugby Borough Council Annual Monitoring Report, December 2012

#### West Midlands Regional Spatial Strategy:

- UR2 Towns & cities outside Major Urban Areas
- CF2 Housing beyond the Major Urban Areas
- CF3 Levels and distribution of housing development
- CF4 The reuse of land and buildings for housing
- CF5 Delivering affordable housing & mixed communities
- QE1 Conserving & enhancing the environment
- QE3 Creating a high quality built environment for all
- QE4 Greenery, urban greenspace & public spaces
- QE6 The conservation, enhancement & restoration of the Region's landscape
- QE7 Protecting, managing and enhancing the Region's biodiversity and nature conservation resources
- QE9 The water environment
- T2 Reducing the need to travel

The Government intends to abolish the West Midlands Regional Spatial Strategy (RSS) shortly and this is a material consideration in the assessment of this planning application. However, at this moment in time, the RSS is still a relevant document although the weight that can be apportioned to it is limited.

National Planning Policy Framework, 2012

#### **Assessment of Proposals:**

##### General Principles

The National Planning Policy Framework (NPPF) refers to Local Planning Authorities significantly boosting the supply of housing and Para 49 of the NPPF states housing applications should be considered in the context of the presumption in favour of sustainable development. The application site lies within the urban area of Rugby which as detailed in Policy CS1 is the primary focus for meeting strategic growth targets in the terms of new residential and employment development. The proposal is therefore considered to accord with the principle of this policy.

Although concerns have been raised that the inclusion of the site in the Strategic Housing Land Availability Assessment is an error owing to its designation as an area of open space, the site is contained within the housing trajectory as appended to the adopted Core Strategy 2011 and as such it forms part of the housing supply to meet the housing target over the plan period (2006-2026). The Council's Development Strategy Team already accept that the site is a necessary part of housing land supply over this period, which has become more pertinent following the recent publication of the Rugby Borough Council Annual Monitoring Report, December 2012. This document concludes that this Council only has a 4.03 years land supply for residential dwellings rather than 5 years which equates to a current shortfall of 881 dwellings (when incorporating a 10% non-delivery figure).

Owing to changes regarding housing land supply brought about by the NPPF, the Ballast Pits is now excluded from the land supply calculations because at the time the Annual Monitoring Report was compiled the site did not benefit from planning permission. However, the site is retained in the Updated Housing Trajectory which forms part of that Report as being a site that can deliver up to 76 dwellings within the time frame of 2006-2026. It is therefore accepted that the site is a necessary part of the housing land supply based on the Council's inability to demonstrate an adequate supply and this issue is a significant material consideration in the assessment of this proposal.

### Land Ownership

Several of the local residents have raised concerns regarding loss of parking spaces in front of the former Railway Cottages and that they have an established right to park in them. These concerns have been supported by references to previous case law in relation to such matters. The Local Planning Authority has acquired the land registry titles for the application site and whilst they indicate that various owners of the former Railway Cottages have a right of access to pass over the land to the front of the cottages they do not state that they are the freehold owners of the land in front of the cottages.

When submitting a planning application, the applicant is required to complete a certificate of ownership and serve notice on any landowners if they are not the outright owner themselves. This has been done and would seem to accord with the details received from the Land Registry.

Whilst it may be correct that the owners of the former Railway Cottages have parked on the aforementioned land for many years, the continued right to park on the land which would not appear to be in their ownership is a private matter between the landowner and the occupants of the cottages. The case law referred to would appear to relate to land law rather than planning law and in planning terms the correct process regarding the completion of the certificates of ownership would appear to have been followed.

Notwithstanding this, the applicants are proposing the formation of six parking spaces to the east of the cottages between 30 metres to 70 metres away. Whilst this may not be ideal for the residents, there is no specific planning requirement for the developer to provide these spaces and the Highway Authority has raised no objection to their provision.

### Design & Visual Impact

Matters relating to the design and appearance of the resulting buildings, together with their siting, scale and layout, will be addressed at the reserved matters stage. However, in accordance with DCLG Circular 01/2006 on outline applications details of the development parameters in relation to the areas of built development have been submitted. These indicate that the eaves heights of the dwellings will be between 4.7 metres to 5.2 metres above ground level and ridge heights between 7.5 metres to 9 metres above ground level.

Views of the site from public vantage points are limited owing primarily to existing housing, the railway embankment and that the majority of the site is lower than the surrounding land. The retention of the belt of protected trees on the embankment around the periphery of part of the site will assist in helping to keep this key feature of the area and retain the overall character and appearance of the area.

The submitted Design & Access Statement makes reference to a meandering spine road through the site with landmark buildings being used at its mid-point to create interest. Roads running off from the spine road are intended to be designed in a more informal fashion to reduce the amount of hardsurfacing. Ultimately these more detailed matters will be addressed at the reserved matters phase but at this stage it is considered that the proposal would accord with policy CS16.

### Green Infrastructure, Trees & Landscaping

Whilst landscaping is a reserved matter, a Landscape Appraisal was submitted as part of the application. This document makes reference to the presence of the outline planning application for the Sustainable Urban Extension at Rugby Radio

Station and the impact it will have on the overall area. However, it does consider that the site is visually contained and screened from view and would not encroach on the wider countryside surrounding the urban edge or on the setting of the conservation area at Hillmorton Locks and the listed structures.

The appraisal refers to the protection of the existing woodland cover on the embankment running around most of the site and that it will be enhanced as part of the proposals. It also considers that open space provision can be successfully integrated into the site and provide a much needed accessible open space corridor along its length linking the currently disconnected open spaces either side of the site. Actual open space provision is covered in more detail below.

An arboricultural assessment has also been submitted. This acknowledges that the site is unusual owing to the creation of a dense vegetation mass across the site which is not normally associated with former industrial land. A certain level of tree removal would be required to facilitate the development, however, many of the trees surrounding the site will be retained keeping a buffer between the proposed and existing housing.

The Council's Arboricultural Officer is content for the removal of dense woody vegetation located on the floor of the former Ballast Pits as he considers that they are of variable quality with a number of fallen/damaged trees in evidence and that they are of a low cycle with limited life expectancy and have limited amenity value. Whilst he accepts that the woodland around the site is protected by a tree preservation order, no management of those trees appears to have occurred. Therefore, on this basis a Woodland Management Plan should be submitted which addresses how the trees will be maintained with an emphasis on the habitat and amenity enhancement whilst also addressing potential safety issues.

The Council's Arboricultural Officer has stated that whilst it is accepted that the illustrative plan shows how roads and gardens could provide an appropriate separation and buffer zones between the existing protected trees and the intended dwellings so they can co-exist, any development in the south-eastern corner of the site needs to be far enough away from the embankment and tree canopies in order to maximise the amount of sunlight which can penetrate those dwellings and gardens and reduce any future pressure to remove large tracts of tree cover. This would be a matter that would be addressed at the reserved matters stage, but owing to its importance a note to applicant would be added to the decision.

The site does form part of the Strategic Green Infrastructure Network. Policy CS14 refers to enhancing the Green Infrastructure Network and where appropriate new developments must provide suitable Green Infrastructure linkages throughout the development and link into adjacent strategic and local Green Infrastructure networks or assets, where present.

The Design & Access Statement refers to the further planting of suitable species of native trees within the housing development particularly along the spine road and the woodland habitat will be enhanced with species rich grassland fringes. This statement as refers to the wildlife reserve/corridor containing a mixture of habitats to reflect the existing site but enhanced to provide a richer and more attractive area for flora and fauna, including water bodies suitable for reptiles. Further details of the ecological mitigation provided for the site which will provide a key Green Infrastructure link to surrounding areas, is detailed below.

The Local Planning Authority is considering the potential for the Community Infrastructure Levy to create a fund for the enhancement of Strategic Green Infrastructure in the future. This matter is ongoing and to date nothing has been finalised.

Overall it is considered that the proposal complies with policy CS14, saved policy GP2 as well as policies QE4 & QE6 (RSS).

### Ecology

An extended phase 1 habitat survey, reptile survey, invertebrate assessment and ecological mitigation strategy was submitted as part of the application. The habitat survey considered that whilst bats had been recorded in the surrounding area no roosting potential has been identified on the site. No records of Great Crested Newts were recorded within 1km of the site and the survey recommended further assessment of reptiles and invertebrates was done. These additional surveys have been completed and a grass snake was identified along with a total of 236 invertebrate species. Of the invertebrates identified two species of wasp that are nationally scarce were recorded together with a Cinnabar Moth which is included on the priority species list of the UK Biodiversity Action Plan. The invertebrate assessment considered that the presence of these species indicates that the site may be considered of District significance for invertebrates and that should the development proceed it is recommended that at least part of the ruderal (waste land) habitat be retained which would most beneficially be near to the railway line.

Ecological Mitigation Strategy outlines that 52% of the site will be retained as either the woodland on the slopes or to be developed into a wildlife reserve, however, it is acknowledged that the development would result in the permanent loss of some wildlife habitats. The existing woodland will be subject to a management plan and 15 bat boxes and 20 nesting boxes for birds will be installed. If feasible, public access will be provided to part of the woodland. Approximately a 25m wide wildlife corridor will be provided adjacent to the railway which will be a mixture of habitats to reflect the existing site but will be enhanced to provide a richer and more attractive area for flora and fauna. It will be laid out with small ponds suitable for the use by reptiles and incorporate swales and soakaway ponds for the disposal of storm water from the development

The entire application site is designated as a Local Wildlife Site which comprises of 3 principle habitat types, woodland, grassland and scrub. It is acknowledged that the site has not been managed and has been subject to fly-tipping but there is potential to increase the ecological value of the site.

Warwickshire County Council (WCC) Ecology Unit has stated that as the site forms part of the Strategic Green Infrastructure Network which contains locally important species and habitats that make it a Local Wildlife Site. On that basis they are objecting to the development, however, they have stated that should the application be approved it will be necessary to secure the functionality of the site in the local context and ensure that there is not net biodiversity loss which maintains connectivity for species survival and movement in order to accord with the principles of the NPPF. WCC Ecology accepts that the latest plans would conform to this, but would still result in a biodiversity loss.

This biodiversity loss has been evaluated through the emerging Biodiversity Offsetting metrics WCC Ecology are piloting with Defra and Natural England on behalf of the Coventry, Solihull and Warwickshire Planning Authorities. This

approach is also promoted within Policy CS14, but offsetting is only to be offered should the application be seen to comply with planning policies.

Using a modelling process, WCC Ecology considers that the development would result in an equivalent loss of 0.28ha of species rich grassland and that in this specific case the loss could be mitigated for through offsite provision. Should this be pursued then an offsite provision of 1.44ha of indicative species rich grassland, after the application of the appropriate multipliers, would be requested. The most appropriate way to secure this off-site provision is via a financial contribution which would be negotiated through a Section 106 legal agreement which the applicant is willing to do.

Warwickshire Wildlife Trust (WWT) has also stated they oppose any development which will result in the loss or degradation of a Local Wildlife Site. They consider such sites are recognised for making a significant contribution towards achieving national and local biodiversity targets and for cumulatively underpinning Borough and County wide ecological networks. They consider this Council must uphold the county importance status of the Local Wildlife Site and the contribution it makes to ecological networks against the perceived merits of fulfilling the Borough's shortfall in its five year housing supply.

WWT are of the opinion that the levels of mitigation and compensation proposed does not take full account of the habitats that would be lost and fails to take account of long-term management. In addition they are of the view that as a site has not been selected for the required off-set, the off-site credit score calculated for bio-diversity off-setting cannot be finalised at this stage and they are concerned that the off-setting will not be sufficient to prevent a net loss of biodiversity on the site. They are also of the view that a single off-site financial contribution would be unfavourable because any figure will be dependent on factors not known yet, such as offset location, creation and maintenance costs, as they will vary depending on location and quality of site and such a contribution cannot guarantee the offset would be delivered in a meaningful timeframe from when the development commences.

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

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

On the basis of the ecological planning policies governing this aspect of the proposal and the history of the site, including its reference in the Strategic Housing Land Availability Assessment, it is considered that on balance an exceptional last resort case can be made for bio-diversity offsetting.

#### Highways

The existing access to the site is via a narrow lane which is currently set at an oblique angle to Lower Street and Moors Lane. Before the road goes under the railway, Moors Lane is approximately 3 metres lower than the narrow lane into the site and the former Railway Cottages but then rises to join up with the access point

and Lower Street. Detailed cross-sectional plans have been provided so illustrate how the access will be remodelled and the priority changed between Lower Street and Moors Lane. These changes will result in Lower Street running directly into the site with narrow chicanes either side of these Cottages to slow traffic down and two separate T-junctions will be formed off the new road to provide access to Moors Lane and the Network Rail compound.

The alterations to the existing access road would also result in the level being lowered in front of the former Railway Cottages by approximately 1.4 metres and the provision of a retaining wall of between 0.75-1.6 metres in height being created. A 5.5 metre carriageway will be provided with a 2-3 metre wide footpath in front of the former Railway Cottages with a pedestrian guardrail.

The Highway Authority have reviewed the submitted documents and plans, including the Transport Assessment and Residential Travel Plan, and following further clarification of the details raise no objection subject to conditions. Nevertheless, they have stipulated that the submitted illustrative layout would require further minor alterations to meet their standards, but acknowledge that this could be addressed via future reserved matters submissions.

Based on the provision of a new footway linking Lower Street to the site, the Highway Authority does not consider that further footpaths are required down to the bridge on Moors Lane. Whilst they accept that Moors Lane is used by pedestrians, they consider that the existing embankments and changes in ground levels would prevent such provision, especially along the north-western side by Lowry Court. They do consider that by changing the priority of Moors Lane vehicles are likely to slow down near the bridge because of the T-junction and this could result in a betterment to pedestrians.

It is understood that as part of the Mast Site planning application access along Moors Lane through to Hillmorton will be restricted. However, these details have yet to be finalised so Moors Lane at this stage has to be assessed in its current form.

Refuse/recycling collection is a key service that directly affects each and every household and it is important that the requirements of this service are considered at the planning stage. Private roads and drives can cause potential problems for refuse collection in terms of size and construction. Where such roads are not suitable for refuse vehicles to access collection points at the edge of the highway are required. The illustrative plan shows the main route in to the site which is acceptable to the Council's Works Services Unit, however some of the smaller roads could cause problems. As the proposal is for up to 76 dwellings and the plan submitted is purely illustrative, the layout could be altered at the reserved matters stage to the satisfaction of the Council's Waste Services Unit.

Based on the mix of houses shown on the illustrative plan a total of 206 car parking spaces would be required in accordance with the Council's parking standards. Discounting those parking spaces for the former Railway Cottages, 149 car parking spaces are depicted on the illustrative plan. Although this figure is below the Council's parking standards, the application is only in an outline format for up to 76 dwellings and this matter would be addressed as part of a reserved matters application.

A residential travel plan was submitted as part of the application. This contains various measures and initiatives including improvements to bus shelters and bus stop provision on Lower Street and Crick Road, new footways from the development

to Lower Street and Lennon Close, travel plans and packs, and free 3-month bus passes on occupation.

The closest bus service to the site is the 11 which operates along Lower Street and Constable Road five times a day Mondays to Saturdays and the 3/3A which operates along Lower Street and Watts Lane virtually every 30 minutes on Mondays to Saturdays between 7am to 7.30pm and virtually every 30 minutes on Sundays and Public Holidays between 9.30am to 5.30pm. The level of service provided is considered to be regular and could be utilised by some occupiers of the site.

Overall the proposal is considered to accord with saved policy T5, T2 (RSS) and policy CS11 and the NPPF.

#### Affordable Housing & Viability

Policy CS19 states that on sites greater than 1 hectare or capable of accommodating more than 30 dwellings a target affordable housing provision of 40% will be sought. These affordable homes will be required to be provided in a range of different sizes, types and tenures. However, in circumstances where the provision of the targets stated in the policy is likely to threaten the financial viability of a development scheme, the Council will consider a reduced target.

The applicant has supplied a financial viability assessment, but they do not use the approach advocated in the Housing Needs Supplementary Planning Document (SPD) and the Affordable Housing Viability Appraisal. The results of the modeling show that the development cannot provide onsite affordable provision as required by CS19 and the Housing Needs SPD. Instead it shows that the site can provide a commuted sum. As required by para 9.11 of the Core Strategy and the Housing Needs SPD, where an applicant has employed a different method to that of the Affordable Housing Viability Appraisal, the Council will have that submitted appraisal independently assessed. Coventry City Council were engaged to undertake the assessment and consider the robustness of the applicant's viability work.

Following a series of revisions and points of clarity, it is accepted that the viability of the scheme would be threatened if 40% of the dwellings on site were affordable housing especially when combined with requests for other financial contributions. The applicants have now demonstrated that 10 shared ownership affordable dwellings, 13.1% of the total scheme, could be provided on site without adversely affecting the viability of the proposed development.

Whilst this level is significantly below the 40% target the Local Planning Authority would ordinarily seek and would be provided purely on the basis of shared ownership, rather than a preferred split between rented and shared ownership, para 173 of the NPPF states that pursuing sustainable development requires careful attention to viability and that development sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

Overall it has been adequately demonstrated that 40% affordable housing cannot be provided on site and that the provision of 13.1% in this instance is considered acceptable and would accord with policies CS19 and CF5 (RSS).

#### Open Space & Indoor Sports Facilities

The site is allocated as open space in the adopted Core Strategy. Saved policy LR4 refers to safeguarding open space and states planning permission for non-sport and recreation uses will be granted provided the open space is no longer needed or of

value for its current or other open space use now and in the foreseeable future. The explanatory text associated with this policy considers that the safeguarding of existing and proposed open space is important in order to ensure that appropriate facilities are available to meet the needs of the whole area. It goes on to state that development which involves the loss or reduction in such facilities will only be acceptable where it is clearly demonstrated that the existing use, or any potential open space use, is not required. It also refers to when determining such proposals having regard to the findings of the Open Space Audit and Open Space Strategy.

The explanatory text states there is an overall deficiency of open space within the urban area, but it is accepted that this is not evenly distributed. Although open spaces that are poorly managed and maintained and which consequently become unattractive and underused clearly do not serve the public interest, however, poor use of a facility should be taken as necessarily indicating an absence of need in the area.

In 2003 the Rugby Borough Open Space Audit identified the site as having a mix of habitat types including dense/continuous scrub unimproved/semi natural grassland and broad-leaved semi-natural woodland and was evaluated as being very good in ecological terms. In the 2008 Open Space Audit no updated evaluation was possible as it was recorded that the site was fenced and the gates locked.

The Hillmorton area currently has a deficit of open space provision, apart from Outdoor Sports Facilities, however, despite the site being designated as open space it has no public access and is in private ownership. Informal access to the site appears to be evident and a trodden path up and around a section of palisade fencing exists. On this basis, the value the open space has in serving the local area is limited and the formal opening up of the site to enable partial development of the site would also allow the public to benefit from the area, although it is acknowledged that the majority of the woodland on the existing slopes could not be directly accessed.

Ordinarily a development of this scale would require approximately 0.6 hectares of Amenity Greenspace and Natural & Semi-Natural open space to be provided on site. Based on the indicative plans approximately 2.6 hectares of the site will be retained as this form of open space, including a wildlife reserve/corridor of approximately 0.85 hectares. However, despite the retention of natural and semi-natural green spaces within the site, the applicant has agreed to make an additional off-site financial contribution towards natural and semi-natural open space, amenity greenspace and young children. Owing to the site's designation as public open space, despite no public access, this additional off-site contribution is considered justified, especially owing to an overall deficit of such types of open space in the Hillmorton Area and a partial loss of the existing designated public open space area, which would increase the deficit. A substantial part of this financial contribution would go towards the upgrading of the children's play area at Lennon Close. Based on schemes the Council's Parks Section is currently working on and the availability of other forms of open space in the area, these forms of contribution are acceptable.

On this basis the proposal is considered, on balance, to accord with saved policies LR1, LR3 & LR4 and policy QE4 (RSS).

#### Planning Obligations

Policy CS10 and the Planning Obligations Supplementary Planning Document (PO SPD) states that financial contributions may be sought to mitigate against the impacts of a development. Guidance contained within Circular 5/05 Planning

Obligations and the Community Infrastructure Levy Regulations state that in order for obligations to be taken into account they must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Both the Primary Care Trust of Coventry & Warwickshire (National Health Service) & Warwickshire Police both consider that the proposed development would impact upon their existing services. In the case of Health Service they have stated that individuals residing in affordable homes tend to have a greater health care need. If 30 affordable homes were provided as part of the development they consider that a further 820 patient consultations per year would result based on an overall development population of 182 persons. On this basis the Health Service are seeking a contribution towards the costs of expanding White Hall Medical Centre.

The Police consider a financial contribution would be sought based on the proportional increase in house numbers within the County in relation to existing police infrastructure and will be used to address the increased need for police vehicles and equipment and help to extend communication and data handling infrastructures.

Whilst it is acknowledged that the Council's Planning Obligations Supplementary Planning Document, March 2012 does not specify all forms of planning obligation that may be necessary to mitigate the impacts of the development, neither Police or Health Care provision is specified within it. However, the Council's Development Strategy Team has queried some of the calculations and assumptions reached in formulating the contributions sought. This has culminated in matters relating to Police and Health Care contributions to be considered further under the Council's implementation of the Community Infrastructure Levy and a subsequent charging schedule in due course. Therefore, at this stage it is considered unreasonable to seek financial contributions for both Police and Health Care provision as part of this particular development.

Warwickshire County Council were notified of the application but no request has been made for an education contribution.

#### Noise, Air Quality & Amenity

Based on the illustrative layout the closest residential property to existing dwellings on Lennon Close would be approximately 33 metres away, Leys Road 35 metres away, Eastwood Grove 69 metres away, Browning Road 49 metres away, Myers Road 50 metres away and the former Railway Cottages on Lower Street 95 metres away. However, in the case of all those roads apart from the former Railway Cottages they are all significantly higher than the application site by between approximately 6 metres to 13 metres. Although the layout is purely illustrative, owing to these distances and changes in ground levels the positioning of any dwellings would not adversely affect the residential amenity of existing properties adjacent to the site.

The amenity of future occupiers of the dwellings is also a consideration. A noise and vibration assessment was submitted as part of the application, particularly owing to the site being next to a busy railway line. This assessment concluded that with the wildlife buffer zone, a 2 metre high acoustic fence along the northern boundary of the site and higher specification windows and vents on certain properties internal noise levels will be acceptable. Vibration tests monitored on site have concluded the building vibration levels are well below acceptable levels in all proposed dwellings.

Environmental Services have assessed these reports and concluded that subject to conditions, the noise and vibration impact on future residents would be acceptable.

The presence of existing protected trees along the embankment and their associated tree canopies will have an impact on the outlook of certain dwellings. This will be exacerbated by some of the properties being located adjacent to the former face of the quarry. However, this application is for up to 76 dwellings and the layout is not for consideration at this stage. Whilst individuals purchasing properties will be well aware of these features surrounding the houses, the layout could be altered at the reserved matters stage to limit the impact of the quarry face and the canopies of the trees on the proposed outlook from the dwellings.

The construction of the access road and lowering the ground levels in front of the former Railway Cottages will have an impact on the occupants of those dwellings, particularly during the construction process. As this will be the main access into the site for up to 76 dwellings the number of vehicles travelling past the cottages will be significantly greater than at present although the access to the Network Rail compound will remain. A 2-3 metre wide footpath will be provided in front of the cottages before the ground level drops by up to 1.4 metres and a supporting wall with hand guard above is installed. This separation distance and reduction in road level will assist in reducing the impact on passing vehicles on the occupants of the former Railway Cottages and that vehicle speeds should be kept to a minimum owing to the presence of the T-junction of Lower Road and Moors Lane opposite the cottages and that they will lie within the middle of a traffic calming chicane. In addition to these points, the existing mainline railway track lies approximately 30 metres to the north of the cottages and is elevated above their ground floor level by approximately two metres. On balance, it is considered that the impact of the development on the former Railway Cottages will not be to such an extent to warrant a reason for refusal on this basis.

An air quality assessment for additional traffic generated by the development will be required and the assessment will need to consider the impact of the development on the local surrounding road network and sensitive residential receptors, particularly along Lower Street, Watts Lane and Crick Road. Topography re-profiling, preparatory works and construction works are likely to result in dust and therefore potential dust impacts and nuisance to surrounding residential properties will also need to be assessed. Environmental Services have confirmed that both matters can be addressed via planning conditions.

On the basis of the above, the proposal is considered to accord with policies CS11 & CS16, QE4 (RSS) and the NPPF.

#### Drainage, Flood Risk & Hydrology

A flood risk assessment was submitted with the application and identifies the site as having a less than 1 in 1000 annual probability of fluvial flooding in any year. As the development would result in an increase in the impermeable area proposed for the development, the assessment considers attenuation should be provided on site to avoid increasing the flood risk to the wider area. This could be achieved by above or below ground storage and the illustrative layout indicates that a series of ponds could be provided within the wildlife reserve/corridor. The report considers that subject to numerous mitigation measures the development would not be a risk from significant flooding and nor would the wider catchment area due to suitable management of surface water.

The Environment Agency accepts the content of the flood risk assessment subject to conditions in relation to compensatory flood storage, surface water drainage details, finished floor levels and overland flows from buildings. Severn Trent Water also raises no objection to the proposal subject to the imposition of a condition in relation to surface water and foul drainage.

Overall the proposal is considered to accord with policy CS16 and policy QE9 (RSS) and the NPPF.

#### Ground Contamination & Stability

Para 120 of the NPPF states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. However, it goes on to state that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

A site investigation report was submitted with the application. Owing to dense vegetation coverage of part of the site the central and south-eastern parts were not able to be fully investigated without extensive site clearance of the land and areas of made up ground removed in order to assess the area for potentially historical uses and contamination. Based on this further works will need to be undertaken across the site including intrusive investigation and ground gas monitoring with chemical testing of any soil to be removed from site or re-used on site. Following the completion of the additional investigations a remedial strategy will need to be produced. The Council's Environmental Services Section is content for these matters to be dealt with by conditions

The Environment Agency have stated that none of the soil and groundwater samples tested revealed any significant concentrations of pollutants that could impact off-site Controlled Waters and that they consider the investigation conducted to date has been adequate with sufficient spread of sampling locations and analysis suites. On this basis they agree with the report's conclusions and they do not require any conditions in relation to contaminated land or the protection of Controlled Waters.

The Council's Building Control Section consider that as the development would be placed on bored piles, which result in limited vibration and excavation as recommended by the site investigation report, that there is no clearing of vegetation on the embankment and there is no excavation carried on and immediately adjacent to the embankment, there would be no need for a slope stability assessment. From their initial inspections they consider that the embankment is made up of good sand and gravel and is stable. They accept there are signs that there may have been some movement over 20 years ago but based on the embankment being heavily covered in vegetation, its subjection to vibration from the main line railway and that there has been a lot of concentrated wet weather recently, the bank shows no sign of movement.

However, as this is an outline application and the layout is purely illustrative, there are no guarantees that the envisaged design would remain. In addition, if further site investigation work, as identified above, reveals that the ground conditions require the long term stability of the slope, it is considered that overall a slope stability assessment should form part of any planning conditions.

The Council's Building Control Section has also provided advice on the excavations that would be required in front of the former Railway Cottages in order to facilitate the provision of an access road into the site following concerns by local residents about

the future stability of their properties should such works occur. Building Control consider that there is no reason why the ground level cannot be reduced and the remaining ground safely retained adjacent to the former Station Cottages. They have also confirmed that there are many ways this work could be carried out.

Overall the proposal is considered to accord with policy QE9 (RSS) and the NPPF.

#### Sustainable Design & Construction

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

Policy CS16 states that sustainable drainage systems (SUDs) should be used and development should meet specified water conservation levels. Opportunities for utilising SUDs are also referred to in saved policy GP2. The submitted Flood Risk Assessment refers to the site comprising of permeable land with no formal off-site drainage connections. Owing to the topography of the surrounding area it is not considered feasible to discharge surface water to nearby sewers. Detailed calculations have been provided to allow for a soakaway basin to be provided on site of an appropriate scale which will adequately deal with the disposal of storm water from the development. This form of SUDs is acceptable to the Environment Agency who has requested conditions in relation to attenuation volumes.

This policy also states that all new residential development should meet the water conservation standards in Level 4 of the Code for Sustainable Homes. However, it goes on to state that the actual provision will be determined through negotiation, taking account of individual site characteristics and issues relating to the viability of development.

Policy CS17 states that development must comply with the Building Regulations relevant at the time of construction and that as a minimum all new development of 10 dwellings or more shall incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%.

This policy also goes on to state that the actual provision will be determined through negotiation, taking account of individual site characteristics and issues relating to the viability of development.

As with affordable housing policy, the applicant refers to their financial viability assessment. It is accepted that there are several constraints to delivery on the site which will impede the ability of the developer to make the development proposal viable. Notwithstanding this, it is still a requirement to demonstrate through the submission of a viability assessment that the provision of the requirements of CS16 and CS17 are not viable as part of this scheme.

As this application is in an outline format it is considered that both these matters could be addressed by condition and should it be demonstrated at a later date that various elements cannot be provided owing to viability this could be addressed as part of the submitted details associated with those conditions.

## Other Matters

Warwickshire County Council Fire & Rescue have raised no objection to the proposal subject to the imposition of a condition in relation to adequate water supplies and fire hydrants for fire fighting purposes.

### **Recommendation:**

Overall based on the aforementioned assessment it is considered that on balance the proposal would accord with the Development Plan and national planning guidance subject to the completion of a legal agreement, conditions and informatives.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R11/0476

### **DATE VALID**

24/01/2012

### **ADDRESS OF DEVELOPMENT**

FORMER BALLAST PITS AND  
RAILWAY SIDINGS  
LOWER STREET  
HILLMORTON  
RUGBY

### **APPLICANT/AGENT**

Michael Jones, Strategic Land Director  
Richborough Estates Limited  
Waterloo House  
20 Waterloo Street  
Birmingham  
B2 5TB

### **APPLICATION DESCRIPTION**

Outline planning application for up to 76 dwellings together with associated access, roads and infrastructure.

### **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 before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout;
- b - Scale;
- c - Appearance; and
- d - Landscaping (hard & soft).

**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:

10-206-1B June 2011 'Land Survey';  
Arboricultural Implications Assessment 28th November 2011 ref MF/5578 by Midland Forestry;  
Ecological Mitigation Strategy V.3 Final November 2011 by Just Ecology Limited;  
Extended Phase 1 Habitat Survey June 2010 by Just Ecology Limited;  
Flood Risk & Water Environment Assessment ref BMW/449/FRA Rev B (18/11/2011) by BWB Consulting Limited;  
Invertebrate Assessment August 2010 by Just Ecology Limited;  
Landscape Appraisal ref P0220-C05(-)18-11-11 by One Creative Environments Limited;  
Noise & Vibration Assessment ref DMA6958 ENV B 9th December 2011 by RPS;  
Reptile Survey August 2010 by Just Ecology Limited;  
Residential Travel Plan ref T10507 TP Rev A by PTB Transport Planning Limited;  
Site Investigation Report ref 076-10-087-09 May 2011 by ASL Environmental;  
Soakage Testing ref 076-10-087.1009 28th June 2011 by ASL Environmental; &  
Transport Assessment T10507 Rev B 10th November 2011 by PTB Transport Planning Limited;  
all of the above received by the Local Planning Authority on 12th December 2011;

Letter from PTB Transport Planning Limited ref JP/T10507-RE03.let dated 17th February 2012 to the applicant;

11-0549 100 Rev B 'General Arrangement & Sections Plan' received by the Local Planning Authority on 7th March 2012;

Email sent from Pete Wilton of ASL Environmental to the applicant dated 29th March 2012 [16:40], together with the ASL proposed supplementary trial pit locations plan; &

T10507 SBP Rev A 'Site Boundary Plan' received by the Local Planning Authority on 25th April 2012.

**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 of this permission shall have full regard to the principles set out in the Design & Access Statement by FB Architecture Limited ref 1080-11 received by the Local Planning Authority on 12th December 2011 and the Illustrative Site Layout ref 1080-10 Rev A received by the Local Planning Authority on 6th December 2012 and shall include the provision of the Wildlife Reserve/Corridor, footpath link to Lennon Close and off-road parking for 170-178 Lower Street.

**REASON:**

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

**CONDITION 6:**

No development shall commence on any building or structure unless and until full details of the colour, finish and texture of the materials to be used on all external surfaces, together with samples of the facing materials, for that building or structure have been submitted to and approved in writing by the Local Planning Authority. The development of that building or structure 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 7:**

No development shall commence on site unless and until details, including elevations, of all proposed walls, fences, railings and gates, including supporting walls and railings at 170-178 Lower Street and those for each plot as well as the boundaries around the site, 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 and no dwelling shall be first occupied until the boundary treatments associated with that dwelling have been installed, together with those around the perimeter of the site, unless otherwise agreed in writing with the Local Planning Authority.

**REASON:**

In the interests of visual and residential amenity.

**CONDITION 8:**

In conjunction with Condition 13 of this permission, no development shall commence until full details of finished floor levels of all buildings, as well as ground levels of all access roads, parking areas and footways 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 the proper development of the site.

**CONDITION 9:**

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 10:**

Prior to the first occupation of any dwelling, details of water efficiency measures to be incorporated into the design of all dwellings to meet the standards below in accordance with Policy CS16 shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall then be incorporated in to the design of each dwelling prior to their first occupation and then retained in perpetuity. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall be equivalent to Code Level 4 of the Code for Sustainable Homes.

**REASON:**

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

**CONDITION 11:**

Prior to the first occupation of any dwelling, details of the equipment and technology to be incorporated into the design of all dwellings to achieve carbon emission reductions shall be submitted to the Local Planning Authority in writing and include the submission of an Energy Performance Certificate. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be implemented in accordance with this approval and shall be retained in working order in perpetuity.

**REASON:**

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

**CONDITION 12:**

No development shall commence on site until a surface water drainage scheme and a foul drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The schemes shall be implemented in accordance with the approved details prior to the first occupation of any dwelling on site.

**REASON:**

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

**CONDITION 13:**

In accordance with Condition 4 of this permission, the development shall only be carried out in accordance with the Flood Risk & Water Environment Assessment ref BMW/449/FRA Rev B (18/11/2011) by BWB Consulting Limited received by the Local Planning Authority on 12th December 2011 together with the following mitigation measures:

- 1) provision of compensatory flood storage on the site of no less than 2077m<sup>3</sup> total;
- 2) finished floor levels are set above surrounding ground levels in accordance with best building practice; and
- 3) external levels are arranged to direct any overland flows away from buildings.

**REASON:**

To reduce the risk of creating or exacerbating a flooding problem.

**CONDITION 14:**

No development shall commence on site 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 first occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

**REASON:**

In the interests of fire safety.

**CONDITION 15:**

In accordance with Condition 4 of this permission, the mitigation measures and strategies outlined within the Noise & Vibration Assessment ref DMA6958 ENV B 9th December 2011 by RPS received by the Local Planning Authority on 12th December 2011 shall be implemented and the additional details shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority:

- 1) provision of a landscape buffer zone of approximately 25 metres in width together with a 2 metre high close boarded acoustic fence shall be provided along the north eastern boundary of the site;
- 2) all dwellings within 30 metres of the 2 metre high acoustic fence along the north eastern boundary shall have glazing of Rtra of 37 dB and acoustic trickle ventilation of Dn,e,w of 37dB;

The above measures shall be implemented prior to the first occupation of that dwelling.

**REASON:**

In the interests of residential amenity.

**CONDITION 16:**

No development shall commence on site unless and until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of the impact of the development on the local surrounding road network, such as Lower Street, Watts Lane & Crick Road and residential sensitive receptors. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interests of health and safety and residential amenity.

**CONDITION 17:**

No development shall commence on site unless and until details of Dust Mitigation Measures, including all construction and site preparatory works and topographical re-profiling, 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 interests of health and safety and residential amenity.

**CONDITION 18:**

No development shall commence on site unless and until a method statement for Waste Acceptance Criteria testing, including details of any soils removed off site and those reused on site together with information on the density of the Waste Acceptance Criteria/soil testing, 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 interests of health and safety.

**CONDITION 19:**

No development shall commence on site unless and until a Slope Stability Assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. The Slope Stability Statement shall be submitted in conjunction with Condition 3 of this permission and the development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interests of health and safety.

**CONDITION 20:**

Unless otherwise agreed in writing with the Local Planning Authority and in accordance with the email from ASL Environmental to the applicant dated 29th March 2012 [16:40] and the associated ASL proposed supplementary trial pit locations plan, 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.

**CONDITION 21:**

No development shall commence on site unless and until a scheme detailing improved bus stop provision at sites on Lower Street and Crick Road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The improved bus stops shall then be implemented in full prior to the first occupation of the site.

**REASON:**

In the interests of sustainability.

**CONDITION 22:**

In conjunction with Condition 5 of this permission, no development shall commence on site until full details of a pedestrian footway link between the site and Lennon Close has been submitted to and approved in writing by the Local Planning Authority. The pedestrian footway link shall be provided prior to the first occupation of any dwelling on the site.

**REASON:**

In the interests of improving connectivity with the surrounding local community and access to facilities.

**CONDITION 23:**

No development shall commence on site unless and until, 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 24:**

No development shall commence on site unless and until, a Woodland Management Plan for the entire site has been submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall be implemented in accordance with the approved details.

**REASON:**

In the interests of visual amenity and to protect the health of any retained trees.

**CONDITION 25:**

No development shall commence on site unless and until, an Environment Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The Environment Protection Plan shall be implemented in accordance with the approved details.

**REASON:**

To protect features of recognised nature conservation and/or landscape importance.

**CONDITION 26:**

No development shall commence on site unless and until, full details of a Habitat Creation/Restoration Scheme has been submitted to and approved in writing by the Local Planning Authority. The Habitat Creation/Restoration Scheme shall be implemented in accordance with the approved details.

**REASON:**

To protect features of recognised nature conservation and/or landscape importance.

**CONDITION 27:**

No development shall commence on site unless and until, a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall be implemented in accordance with the approved details.

**REASON:**

To protect features of recognised nature conservation and/or landscape importance.

**CONDITION 28:**

Prior to the installation of any external lighting in public/communal areas, full details of the design and appearance of the lighting columns, fixtures and fittings, together with their associated angle, fall, spread and intensity, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed and operated in accordance with the approved details.

**REASON:**

To prevent unnecessary light pollution and in the interests of the amenities of the area.

**CONDITION 29:**

The hard and soft landscaping scheme submitted in relation to Condition 3 of this permission, shall be implemented in accordance with that approved scheme, the Woodland Management Plan and the Habitat Creation, Restoration and Management Schemes. 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 otherwise agreed in writing with the Local Planning Authority.

**REASON:**

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

**REASON FOR APPROVAL:**

The proposed development lies within the Rugby Urban Area a primary focus for meeting strategic growth targets in terms of new development and is included in the Strategic Housing Land Availability Assessment and Housing Trajectory for 2006-2026. On this basis the proposal will accord with policy CS1 of the Rugby Borough Core Strategy 2011. Although the application is purely in outline format with only the access to be considered at this stage, the general details provided in relation to design and visual amenity are acceptable and therefore the proposal accords with policy CS16 of the Rugby Borough Core Strategy 2011 and the NPPF. The entire site is designated as a Local Wildlife Site and its partial development will result in the loss of existing wildlife habitats, however, it is considered that with appropriate levels of mitigation and compensation, including a financial contribution towards biodiversity off-setting, the proposed scheme on balance is acceptable. The existing woodland on the embankment will remain and be subsequently managed and a wildlife reserve/corridor will be provided on site to maintain existing Green Infrastructure linkages to the surrounding area. Based on the submission of Woodland Management Plan, Habitat Creation/Restoration Plan and Habitat Management Plan, on balance, the proposal would accord with saved policies GP2 & E6 of the Rugby Borough Local Plan 2006, policy CS14 of the Rugby Borough Core Strategy 2011 and policies QE4 & QE6 of the RSS. Following alterations to the existing access and including improvements to existing bus stops and provision of a footpath to Lennon Close from the site, together with various conditions, the proposal would accord with saved policy T5 of the Rugby Borough Local Plan 2006, policy CS11 of the Rugby Borough Core Strategy 2011, policy T2 of the RSS and the NPPF. The applicant has demonstrated through the submission of a viability assessment that a reduced level of financial contributions and on-site affordable housing provision is acceptable and therefore would accord with policies CS10 & CS19 of the Rugby Borough Core Strategy 2011 and policy CF5 of the RSS. The site is also designated as open space and there is currently a deficit of most types of open space provision in the area. However, the site has no public access and is in private ownership and therefore is considered to have limited value. The opening up of the site and retention of a proportion of existing natural and semi-natural areas on site, together with a link to Lennon Close, is judged to be beneficial and on balance would accord with saved policies LR1, LR3 & LR4 of the Rugby Borough Local Plan 2006 and policy QE4 of the RSS. The formation of the new access road will impact upon the residential amenity of neighbouring properties, however, based on the lowering of the road, provision of a footpath alongside it, the formation of a chicane and the presence of the existing mainline railway track, on balance, the impact on neighbouring residential properties is acceptable. Owing to the majority of the site being significantly below the ground level of surrounding properties, the relationship between existing and future dwellings will be acceptable and based on the submission of a noise and vibration assessment the amenity of future residents from the railway line is also judged to be acceptable. Overall the proposal will accord with policies CS11 & CS16 of the Rugby Borough Core Strategy 2011, policy QE4 of the RSS and the NPPF. It has also been demonstrated that drainage, flood risk, hydrology, ground contamination, stability and sustainable design and construction matters have been adequately addressed and would accord with policies CS16 & CS17 of the Rugby Borough Core Strategy 2011, policy QE9 of the RSS and the NPPF.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Saved Policies of the Rugby Borough Local Plan 2006 - GP2, E6, LR1, LR3, LR4, H11 & T5;

Policies of the Rugby Borough Core Strategy 2011 - CS1, CS10, CS11, CS14, CS16, CS17 & CS19;

Rugby Borough Council Housing Needs Supplementary Planning Document, 2012;

Rugby Borough Council Revised Affordable Housing Viability Assessment, 2010;

Rugby Borough Council Planning Obligations Supplementary Planning Document, 2012;

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

Rugby Borough Council Annual Monitoring Report, December 2012;

Policies of the West Midlands Regional Spatial Strategy - UR2, CF2, CF3, CF4, CF5, QE1, QE3, QE4, QE6, QE7, QE9 & T2; and

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.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

This development is subject to a Section 106 legal agreement.

**INFORMATIVE 2:**

The applicant/developer's attention is drawn to the Site Waste Management Plans Regulations, 2008 which may be applicable. Further information can be obtained from the Council's Environmental Services Section on 01788 533857.

**INFORMATIVE 3:**

Notwithstanding the submitted illustrative layout plan ref 1080 10 Rev A received by the Local Planning Authority on 6th December 2012, the Council's Arboricultural Officer has concerns regarding the proximity of intended dwellings to the canopies and root protection areas of existing trees in the south-eastern corner of the site and the limited residential amenity that future occupants of those dwellings may experience. In addition, the Council's Work Services Unit has concerns as the indicative layout depicts too few roads that are to adoptable highway standards and would prevent satisfactory access for refuse collection vehicles. Furthermore, an insufficient level of off-street car parking is shown across the site for 76 dwellings and any provision should accord with Appendix 2 'Parking Standards' of the Planning Obligations Supplementary Planning Document. The applicant/developer should address these aforementioned points as part of any subsequent reserved matters application in connection with Condition 3 of this permission.

**INFORMATIVE 4:**

Network Rail advise that the applicant/developer shall abide by the conditions of the Demarcation Agreement (DA2146/RT), including ensuring Network Rail access is possible at all times around the clock (24/7 hours, 365/366 days a year), including access for emergency vehicles both during construction works and after completion of works on site. In addition, Network Rail advise that any soakaways/ponds should

be a minimum of 10 metres away from the Network Rail /operational railway freehold boundary.

#### INFORMATIVE 5:

In connection with Condition 25 of this permission, the Environment Protection Plan for Construction shall include the following details:

- a) An appropriate scale plan showing the Environment Protection Zones where any construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of any surveys needed to be carried out to inform construction activities in accordance with best practice guidance and legislation.
- c) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- d) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed;
- e) Persons responsible for:
  - i) Compliance with legal consents relating to nature conservation;
  - ii) Compliance with planning conditions relating to nature conservation;
  - iii) Installation of physical protection measures during construction;
  - iv) Implementation of sensitive working practices during construction;
  - v) Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction; &
  - vi) Provision of training and information about the importance of Environment Protection Zones to all construction personnel on site.

#### INFORMATIVE 6:

In connection with Condition 26 of this permission, the Habitat Restoration/Creation Scheme shall include the following details:

- i) Purpose, aims and objectives for the scheme;
- ii) A review of the site's ecological potential and any constraints;
- iii) Description of target habitats and range of species appropriate to the site;
- iv) Selection of appropriate strategies for creating/restoring target habitats or introducing/encouraging target species;
- v) Selection of specific techniques and practices for establishing vegetation;
- vi) Sources of habitat materials (e.g. plant stock) or species individuals;
- vii) Method statement for site preparation and establishment of target features;
- viii) Extent and location of proposed works;
- ix) Aftercare and long term management;
- x) The personnel responsible for the work;
- xi) Timing of works;
- xii) Monitoring; &
- xiii) Disposal of wastes arising from the works.

#### INFORMATIVE 7:

In connection with Condition 27 of this permission, the Habitat Management Plan shall include the following details:

- i) Description and evaluation of the features to be managed;
- ii) Ecological trends and / or constraints on site that may influence management;
- iii) Aims and objectives of management;
- iv) Appropriate management options for achieving aims and objectives;
- v) Prescriptions for management actions;
- vi) Preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually;
- vii) Personnel responsible for the implementation of the plan; &
- viii) Monitoring and remedial/contingencies measures triggered by monitoring.

**INFORMATIVE 8:**

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 inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE 9:**

The approved plans require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

**INFORMATIVE 10:**

The applicant / developer is required to contribute £50 per dwelling for sustainable welcome packs and to help promote sustainable travel in the local area.

**INFORMATIVE 11:**

Warwickshire Police recommend that the development is built to 'Secured by Design' standards.

**INFORMATIVE 12:**

In connection with Condition 12 of this permission, the surface water drainage scheme shall also include:

- 1) attenuation volumes of no less than 2077m<sup>3</sup> as detailed in the Flood Risk & Water Environment Assessment ref BMW/449/FRA Rev B (18/11/2011) by BWB Consulting Limited received by the Local Planning Authority on 12th December 2011; and
- 2) details of how the scheme shall be maintained and managed after completion.

**INFORMATIVE 13:**

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

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

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

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

**INFORMATIVE 14:**

In connection with Condition 20 of this permission, any additional survey work should also account for the potential presence of hospital waste based on anecdotal evidence provided to the Council's Environmental Services Section.

**AGENDA MANAGEMENT SHEET**

<b><i>Name of Meeting</i></b>	Planning Committee
<b><i>Date of Meeting</i></b>	13 March 2012
<b><i>Report Title</i></b>	Diversion of part of footpath R110 Coton Park, Rugby
<b><i>Portfolio</i></b>	N/A
<b><i>Ward Relevance</i></b>	Brownsover
<b><i>Prior Consultation</i></b>	
<b><i>Contact Officer</i></b>	Marian Allen Tel 3556
<b><i>Report Subject to Call-in</i></b>	N/A
<b><i>Report En-Bloc</i></b>	N/A
<b><i>Forward Plan</i></b>	N/A
<b><i>Corporate Priorities</i></b>	This report relates to the following priorities Environment
<b><i>Statutory/Policy Background</i></b>	Highways Act 1980
<b><i>Summary</i></b>	Confirmation of public path diversion
<b><i>Risk Management Implications</i></b>	N/A
<b><i>Financial Implications</i></b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

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

***Options*** Confirm unopposed Diversion Order

***Recommendation*** The Borough of Rugby (Part of Footpath R110 Coton Park) Public Path Diversion Order 2013 be confirmed.

***Reasons for Recommendation*** No objections

**Planning Committee – 13<sup>th</sup> March 2013**

**Diversion of part of footpath R110 Coton Park, Rugby**

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

**Recommendation**

Confirmation of Borough of Rugby (Part of Footpath R110 Coton Park) Public Path Diversion Order 2013

In 1995 Committee approved the application for use of land amongst other things for residential purposes. Since which time several reserved matters and amended permissions have been granted . The original permission was granted on 17 March 2000 together with the reserved matters approval granted on 21 August 2002 and subsequent revisions of that scheme. Part of the development necessitated the diversion of footpath R110.

This major development commenced in 2002 and is nearing completion. The site of the diverted footpath has only recently been directly affected by development, which has now taken place.

On 16 January 2013 an Order under the provisions of Section 119 of the Highways Act 1980 was made and advertised. The effect of the Order is to divert the existing footpath as shown on the attached plan.

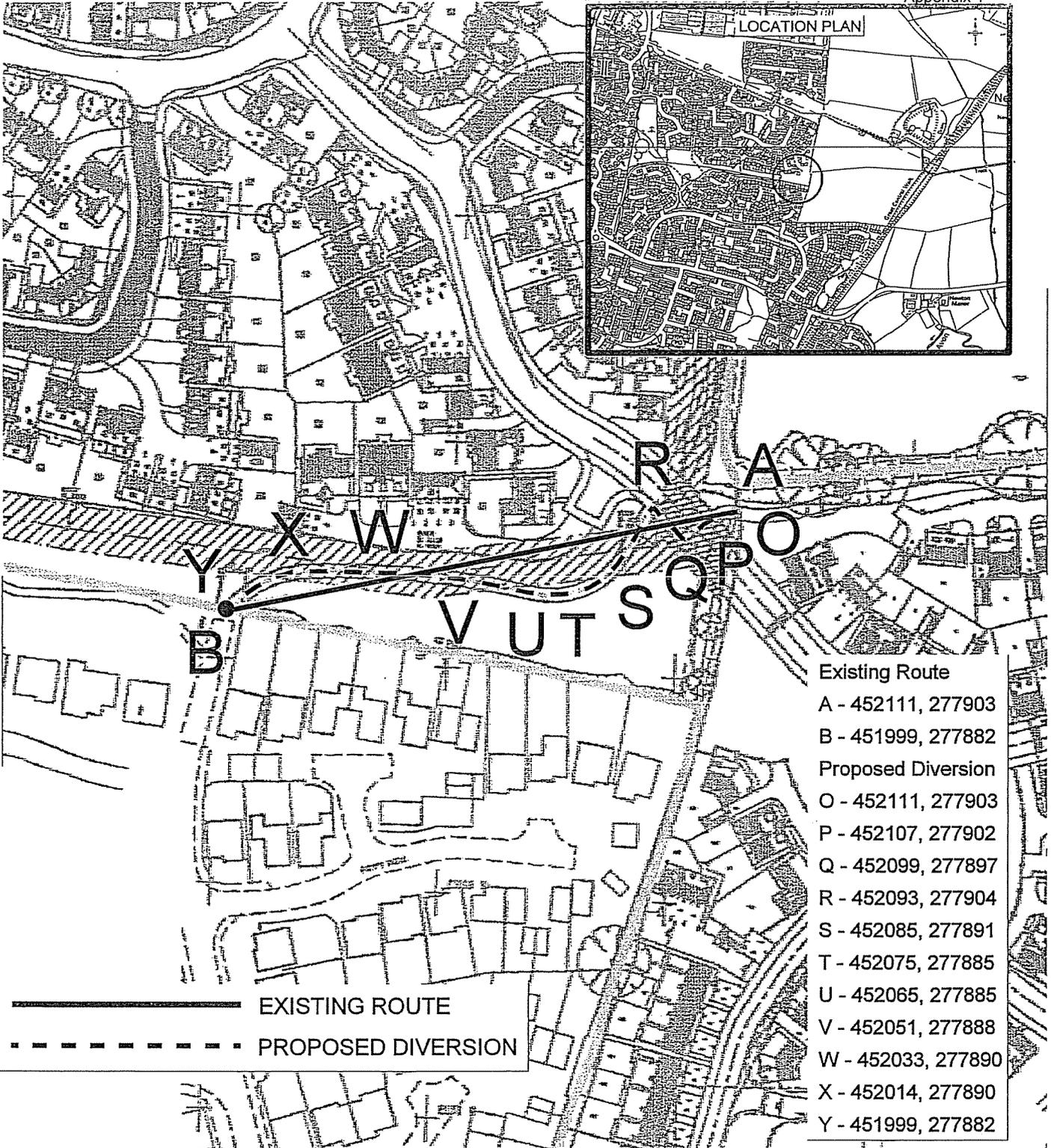
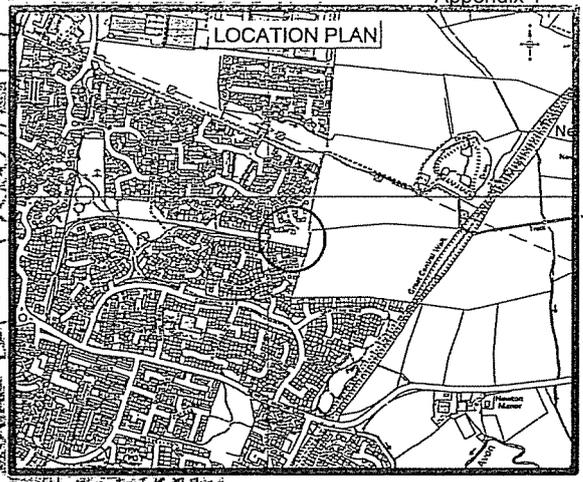
No objections were received. The Committee is therefore asked to confirm the Public Path Diversion Order unopposed.

Name of Meeting: Planning Committee  
Date Of Meeting: 13 March 2013  
Subject Matter: Diversion of footpath R110 Coton Park, Rugby  
Originating Department: Democratic and Legal Services

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

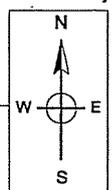
(\*Delete if not applicable)



- Existing Route**
- A - 452111, 277903
  - B - 451999, 277882
- Proposed Diversion**
- O - 452111, 277903
  - P - 452107, 277902
  - Q - 452099, 277897
  - R - 452093, 277904
  - S - 452085, 277891
  - T - 452075, 277885
  - U - 452065, 277885
  - V - 452051, 277888
  - W - 452033, 277890
  - X - 452014, 277890
  - Y - 451999, 277882

————— EXISTING ROUTE  
 - - - - - PROPOSED DIVERSION

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**PLANNING AND CULTURE SERVICES**

Town Hall, Rugby. CV21 2RR.  
 Tel. No. (01788) 533533 Fax. No. (01788) 533778

**DIVERSION OF FOOTPATH 110  
 COTON PARK, RUGBY**



Grid. Ref. SP520 778	Date 22/12/2011	Scale 1:1250
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 Ordnance Survey 100019417



**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	13.03.2013
<b>Report Title</b>	Delegated Decisions – 08.02.2013 to 28.02.2013
<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 Head of Planning and Culture 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 – 13.03.2013**

**Delegated Decisions – From 08.02.2013 To 28.02.2013**

**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: 13.03.2013  
Subject Matter: Delegated Decisions – 08.02.2013 to 28.02.2013  
Originating Department: Planning and Culture

### LIST OF BACKGROUND PAPERS

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

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

\* Exempt information is contained in the following documents:

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

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER  
DELEGATED POWERS FROM 08.02.2013 TO 28.02.2013

**A. APPLICATIONS – DELEGATED**

**Applications  
Refused**

<i>R12/1654 Refused 15.02.2013</i>	Land adjacent to the Cottage Wolston Grange Coalpit Lane Wolston	Erection of a dwelling to provide ancillary accommodation in association with the existing cattery business.
<i>R12/1829 Refused 19.02.2013</i>	Land to North of Baileys Lane Baileys Lane Long Lawford	Erection of detached dwelling.
<i>R12/2064 Refused 19.02.2013</i>	Fosse Cottage Farm Rugby Road Street Ashton	Erection of timber clad building and use as office (Use Class B1).

**Applications  
Approved**

<i>R12/0536 Approved 07.02.2013</i>	23 Crick Road Hillmorton	Two storey and single storey extensions to rear, alterations to roof including raising ridge line to provide accommodation within the roof space.
<i>R11/1873 Approved 07.02.2013</i>	26 David Road Bilton	Proposed single storey extensions to front and rear and insertion of five rooflights and small dormer window in roof slope
<i>R13/0095 Approved 08.02.2013</i>	Arbury Farm Bungalow Withybrook Road Bulkington	Retrospective application for the retention of a container currently utilised as a snack bar/café (Class A3)
<i>R13/0093 Approved 08.02.2013</i>	High House The Green Broadwell	Erection of single storey extension to front and two/single storey extension to rear.
<i>R12/2314 Approved 11.02.2013</i>	10 Brookside Stretton on Dunsmore	Erection of a timber framed double garage and greenhouse

<i>R12/2060 Approved 13.02.2013</i>	Draycote Water Sailing Club Ltd Draycote Water	Conversion of existing roof space with associated insertion of a dormer window, infill extensions to rear at ground floor and first floor levels, erection of a deck balcony along the rear elevation, erection of disabled access ramp, insertion of photovoltaic panels and minor changes to elevations
<i>R13/0044 Approved 13.02.2013</i>	Draycote Water Visitors Centre Draycote Water	Erection of new ice cream kiosk and alterations to visitor centre to include rearranging window/door positions, relocating existing light and creating ramp to serve new emergency exit door on south elevation
<i>R12/1935 Approved 13.02.2013</i>	34 St Leonards Walk Coventry	Erection of single storey front extension (part-retrospective)
<i>R12/2193 Approved 13.02.2013</i>	Land Rear of 250 Bilton Road Bilton	Erection of a 2 storey building comprising 2no. 2 bed apartments and associated works
<i>R12/1293 Approved 14.02.2013</i>	16A Gas Street Rugby	Change of Use of building from former social club annex to residential dwelling (C3)
<i>R12/2123 Approved 14.02.2013</i>	10 Clement Way Cawston	Conversion of garage and external alterations to provide additional living space
<i>R12/2212 Approved 14.02.2013</i>	The Beeches 47 Main Street Wolston	Listed Building Consent application for replacement floorboards, joist strengthening and repairs
<i>R12/2303 Approved 14.02.2013</i>	6 Louisa Ward Close Rugby	Demolition of the existing rear conservatory and part side extension and erection of a single storey flat roofed side/rear extension.
<i>R13/0107 Approved 15.02.2013</i>	Jasmine Court 239 Lower Hillmorton Road Rugby	Retrospective application for the enclosure of existing courtyard storage area to rear with roof and timber gates
<i>R12/1798 Approved 15.02.2013</i>	Draycote Water Visitors Centre Draycote Water Rugby	Erection of play equipment, picnic tables, benches, timber shelters and associated fencing
<i>R13/0136</i>	65 Lutterworth Road	Proposed erection of a replacement rear

<i>Approved</i> 18.02.2013	Brinklow	conservatory
<i>R13/0053</i> <i>Approved</i> 18.02.2013	1 Meadow Road Wolston	Erection of a single storey wraparound front and side extension with a front canopy porch.
<i>R11/2409</i> <i>Approved</i> 18.02.2013	Land to the Rear of the Red Lion Inn 23 Main Street Coventry	Erection of a barn style mews comprising 4 two-bed dwellings and 4 one-bed flats with associated parking and landscaping.
<i>R13/0133</i> <i>Approved</i> 18.02.2013	Lower Street Garage Rugby Ltd 33 Lower Street Hillmorton	Erection of a single storey extension and provision of a new roof over the existing extension.
<i>R12/2169</i> <i>Approved</i> 18.02.2013	15 Grindal Place Cawston	Erection of two storey front extension
<i>R13/0024</i> <i>Approved</i> 19.02.2013	Manor House Oxford Road Princethorpe	Erection of garage, stable block and leisure building.
<i>R12/2201</i> <i>Approved</i> 20.02.2013	102 Newton Road Rugby	Erection of detached double garage
<i>R13/0155</i> <i>Approved</i> 20.02.2013	1 Highgrove Bawnmore Road Bilton	Proposed erection of a replacement rear conservatory
<i>R13/0151</i> <i>Approved</i> 20.02.2013	11 Hampden Way Rugby	Erection of a single storey rear extension.
<i>R12/2263</i> <i>Approved</i> 21.02.2013	Wrens Nest Coventry Road Cawston	Two storey extension to rear, single storey extension (linking existing house with rear outbuildings), alteration to roof of existing sunlounge.
<i>R13/0089</i> <i>Approved</i> 21.02.2013	Ryton Mill London Road Ryton on Dunsmore	Retention and modification of detached double garage including reduction in height (resubmission of planning reference number R11/1424).
<i>R13/0142</i>	34 Rugby Road	Provision of a pitched roof over an existing flat

<i>Approved</i> 21.02.2013	Dunchurch	roof, and erection of a single storey rear extension.
<i>R13/0111</i> <i>Approved</i> 22.02.2013	53 Ambleside Brownsover	Two storey side extension and erection of wall to side boundary (part-retrospective)
<i>R13/0182</i> <i>Approved</i> 25.02.2013	19 Winfield Street Rugby	Erection of single-storey rear extension (formal amendment to planning permission R12/0808 to increase width of extension)
<i>R12/2301</i> <i>Approved</i> 25.02.2013	31 Coventry Road Pailton	2-storey rear extension to dwelling.
<i>R12/2209</i> <i>Approved</i> 26.02.2013	72 Craven Road Rugby	Subdivision of existing terraced dwelling house to form 2no. 1 bed studio flats and 1no. 1 bed flat.
<i>R13/0051</i> <i>Approved</i> 26.02.2013	Toft Monks Southam Road Dunchurch	Erection of a single storey rear extension incorporating a balcony to the first floor
<i>R11/1995</i> <i>Approved</i> 26.02.2013	Garage Courts South of No.34 Nelson Way Bilton	Demolition of the existing garages and erection of 8 No. 2 bed dwellings and 6 No. 3 bed dwellings and associated parking.
<i>R13/0202</i> <i>Approved</i> 26.02.2013	Horseshoe Cottage 9 Smeaton Lane Stretton under Fosse	Replacement and relocation of an existing equestrian ménage.
<i>R13/0214</i> <i>Approved</i> 27.02.2013	92 Clifton Road Rugby	Proposed erection of a single storey side and rear extension
<i>R12/1962</i> <i>Approved</i> 27.02.2013	233 Rugby Road Binley Woods	Erection of roof extension to side incorporating first floor extension to rear. Erection of single-storey rear extensions.
<i>R12/2200</i> <i>Approved</i> 27.02.2013	6 King Georges Court Long Lawford	Erection of detached garden room
<i>R13/0119</i> <i>Approved</i> 27.02.2013	Lemon Groundwork Supplies Unit 1 and 2 Hunters Lane Rugby	Variation of condition 6 of R10/0949 granted 12th January 2011 to marginally enlarge the workshop area. (Demolition of various structures, erection of a workshop, overcladding and extension of the existing

gantry crane (Re-submission and amendmend of a previously approved planning permisiion Ref. No. R05/1502/6877/PLN granted 3rd April 2006))

R13/0061  
Approved  
27.02.2013

3 Oval Road  
Rugby

Erection of part two storey and part single storey rear extension

### **Listed Building Consents**

R13/0035  
Listed Building  
Consent  
08.02.2013

Deerhurst  
The Green  
Dunchurch

Proposed works to strip and replace roof tiles in addition to minor repairs

R13/0054  
Listed Building  
Consent  
26.02.2013

The Rose Inn  
Main Street  
Willoughby

Listed Building Consent application for external alterations to building including repainting, repairs to windows and doors and provision of anti-slip grit strips to external staircase.

### **Conservation Area Consents**

R12/2104  
Conservation Area  
Consent  
11.02.2013

Land at 10 Brookside  
Stretton on Dunsmore

Conservation area consent for demolition of detached garage/store building

### **Advertisement Consents**

R12/2011  
Advertisement Split  
Decision  
08.02.2013

Severn Trent Water  
Draycote Water Visitors  
Centre  
Draycote Water  
Rugby

Display of 2no. freestanding entrance signs, 2no. freestanding information point signs, 3no. pole mounted banner signs and 1no.wall mounted fascia sign

R12/2298  
Advertisement  
Consent  
08.02.2013

Technology Drive  
Rugby

Display of advertisements comprising 4 no. free standing flag poles and flags, 1 no. free standing sign, 1 no. free standing v-board and 5 no. different adverts repeated on the hoarding which screens the site.

R12/1741  
Advertisement Split  
Decision  
20.02.2013

Karpet Kingdom  
Unit A  
213 Bilton Road  
Bilton

Retention of 2 illuminated fascia signs, 3 non-illuminated window signs and 3 non-illuminated panel signs.

R13/0030

Brownsover Community

Application for advertisement consent to erect

<i>Advertisement Consent</i> 20.02.2013	Centre Hollowell Way Brownsover	1 no. non-illuminated entrance sign to front of the building and 1 no. non illuminated sign on North elevation at first floor level.
<i>R12/2302 Advertisement Consent</i> 22.02.2013	Hinckley and Rugby Building Society 34 North Street Rugby	Replacement of main fascia sign and hanging sign.
<b>Certificate of Lawful Use or Development</b>		
<i>R13/0306 Certificate of Lawful Use or Development</i> 21.02.2013	40 High Street Ryton on Dunsmore	Certificate of Lawfulness for proposed development for the conversion of existing loft, alterations to existing roof to include hip to gable extension and insertion of a flat dormer window.
<i>R13/0139 Certificate of Lawful Use or Development</i> 26.02.2013	Annex, Bottom Close Heath Lane Brinklow	Certificate of lawfulness for extension of former garage, conversion into two bedroom bungalow and use as an independent dwelling, with associated curtilage.
<b>Telecommunications Determinations</b>		
<i>R13/0144 Prior Approval not required</i> 07.02.2013	PCP021 Southam Road SP 448400 271137 Southam Road Toft	Determination as to whether prior approval is required for installation of an OpenReach broadband cabinet and associated works.
<b>Approval of Details/ Materials</b>		
<i>R12/0452 Approval of non-material changes</i> 08.02.2013	Sainsbury's Unit's 1 & 2 Ansty Park Draken Drive Ansty	Erection of two storey building and use as a Product Development Centre, multi-storey car park, a glazed link between the existing business premises and related ancillary development comprising an energy centre and associated landscaping and drainage provisions.
<i>R12/1255 Approval of Details</i> 08.02.2013	The Motte Ell Lane Rugby	Erection of a detached dwelling house and the provision of a double garage for the existing dwelling house
<i>R04/1118/2137/D Approval of non-material changes</i> 12.02.2013	Area R Off Whitefriars Drive Cawston Grange Cawston	Erection of 205 dwellings, garages and associated works (submission of details pursuant to outline planning permission reference R95/0313/21371/OP dated 17 <sup>th</sup> November 1998).

<i>R10/1281 Approval of details 12.02.2013</i>	Rugby Gateway Phase R1 Leicester Road Rugby	Erection of 244 dwellings with associated open space, infrastructure and ancillary works; alteration to Brownsover Lane and junction with existing roundabout.
<i>R11/2394 Approval of Details 14.02.2013</i>	Wolvey Garage 3 Coventry Road Wolvey	Erection of 7 detached dwellings with associated access.
<i>R11/0514 Approval of Details 15.02.2013</i>	7-15 Hillmorton Road Rugby	Erection of Railings and Gates to the front of the dwellings
<i>R11/0995 Approval of non-material changes 18.02.2013</i>	41 Stanley Road Rugby	Demolition of Existing Garage and Erection of Annexe
<i>R12/1530 Approval of Details 18.02.2013</i>	Cherry Tree Bungalow Frankton Lane Stretton on Dunsmore	Conversion of single storey stable and outbuilding to a residential bungalow and demolition of outbuildings.
<i>R11/0926 Approval of non-material changes 20.02.2013</i>	Land East of Calvestone Road Calvestone Road Cawston	Erection of 129 dwellings (Approval of Reserved Matters in relation to planning permission R09/0972/MAJP.)
<i>R11/0519 Approval of Details 22.02.2013</i>	Lannys Lagoon Fosse Way Stretton-under-Fosse	Extension to existing building to provide residential lodge accommodation for site warden.
<i>R11/1633 Approval of Details 26.02.2013</i>	Magpie Lodge Farm Lilbourne Road Clifton upon Dunsmore	Change of use of agricultural land to allow extension of residential curtilage. Retention and completion of a detached outbuilding and use for ancillary residential purposes.
<i>R12/0445 Approval of Details 26.02.2013</i>	Rugby High School Longrood Road Bilton	Erection of a three storey extension to provide permanent teaching and sixth form facilities, extension of the existing indoor sports accommodation, and associated landscaping and works.
<b><i>Withdrawn/ De-registered</i></b>		
<i>R12/2268 Withdrawn 03.02.2013</i>	Elm Farmhouse The Dingles Rugby	Erection of two storey and single storey side extensions.

***Disposed of  
Applications***

*R11/1190  
Disposed of  
15.02.2013*

Brandon Marsh Nature  
Centre  
Brandon Lane  
Coventry

Erection of a 11.5 metre high wind pump