

15th April 2013

PLANNING COMMITTEE - 24TH APRIL 2013

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 24th April 2013 in the Council Chamber, Town Hall, Rugby.

Site visit

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

3.30pm Hillcrest Farm, Clayhill Lane, Long Lawford, Rugby.

Andrew Gabbitas
Executive Director

Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 3rd April 2013.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 22nd March – 11th April 2013.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2012/13 – 16) are attached.

Membership of the Committee:-

Councillors Butlin (Chairman), Mrs Avis, G Francis, M Francis, Mrs New, Pacey-Day, Ms Robbins, Sandison, Srivastava and Helen Walton (plus two vacancies).

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

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

**RUGBY BOROUGH COUNCIL
PLANNING COMMITTEE – 24TH APRIL 2013
REPORT OF THE HEAD OF PLANNING AND CULTURE
APPLICATIONS FOR CONSIDERATION**

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

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

RECOMMENDATION

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for Refusal

Item	Application Ref Number	Location Site and Description	Page number
1	R13/0512	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 (resubmission of planning reference R12/1654, dated 15 February 2013).	4

Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
2	R12/0101	DIRFT II Zone 3 Expansion Site, Daventry International Rail Freight Terminal, Crick, Daventry. Construction of a rail linked Use Class B8 (Storage and Distribution) Unit with associated rail embankment, construction of a bridge over the A428, rail lines, intermodal transfer area, ancillary offices, car and HGV parking, drainage ponds and channels, landscaping to include a landscape bund and vehicular access (straddling the administrative boundaries of Rugby Borough Council and Daventry District Council).	9
3	R13/0317	Hall Farm, Brownsover Lane, Rugby Use of land for the storage of motor vehicles, together with valeting and sales (by appointment only) (retrospective).	30
4	R12/0916	Sheaf and Sickle, Coventry Road, Long Lawford, Rugby Change of use of Public House (use class A4) to Residential (use class C3) to create a single detached dwelling house.	38
5	R13/0577	Benn Hall, Newbold Road, Rugby, CV21 2LN Installation of illuminated and non-illuminated signage to front (western) elevation (including digital poster display unit).	46

6	R13/0233	The Old Granary, Biggin Hall Lane, Thurlaston Erection of replacement outbuilding to be used as ancillary workshop and artist studio.	51
7	R13/0436	17 Orchard Way, Bilton, Rugby Certificate of Lawfulness for erection of single storey extension and associated external decking .	57
8	R13/0070	Hillcrest Farm, Clayhill Lane, Long Lawford, CV23 9BG Erection of extensions to agricultural building.	61

Reference number: R13/0512

Site address: Land adjacent to The Cottage, Wolston Grange, Coalpit Lane, Wolston.

Case Officer: Chris Davies 01788 533627

Description: Erection of a dwelling to provide ancillary accommodation in association with the existing cattery business (resubmission of planning reference R12/1654, dated 15 February 2013).

History:

R06/1940/PLN Change of use of land for the erection of 2no. buildings for use as a boarding cattery. Approved 08/01/11
NB – The above permission related to the cattery referred to in this application.

R12/1654 Erection of a dwelling to provide ancillary accommodation in association with the existing cattery business. Refused 15/02/13

Proposal:

The applicant seeks planning permission to erect a detached bungalow on land adjacent to The Cottage and the existing Grange Cattery. The cattery is the applicant's business, and the applicant's justification for the proposal relate to its operation.

A similar scheme with the same house type in the same location was recently refused under delegated powers due to conflict with local and national policy.

Relevant Information:

The application is brought before the Committee for consideration at the request of Councillor Sally Bragg.

The proposal site is on a disused paddock area in front of the existing Grange Cattery. Access is via a private access road which terminates at The Cottage and the adjacent neighbouring dwelling (North Lodge Farm). This access road branches off Coalpit Lane. The site cannot be seen from Coalpit Lane.

The land is bounded by a 2.5m+ high Victorian red brick wall adjacent to the access drive. Natural mixed species hedgerow and a mixture of trees provide screening along the rear and right hand boundaries of the site, with post and rail fencing running adjacent to the access road from the proposed point of access (at the end of the wall).

The closest neighbouring properties are The Cottage (which is within sight of both the cattery and the proposal site and is currently the applicant's place of residence) and North Lodge Farm (which is obscured from within the site by the wall and some tall trees).

There is presently a static caravan on the site, which the applicant does not use for accommodation.

Technical Consultation Responses:

- Planning Strategy - Conflicts with Policy CS1 and part 9 of the NPPF. No need for dwelling in planning terms so should be refused. Additional information included with this application does not overcome the in principle objection on policy grounds.
- Environmental Health - Informative re hours of development required. As the agent/applicant have not submitted details of the septic tank arrangement a condition requiring submission of these details is also required.
- WCC Archaeology - Pre-commencement condition required re submission of a programme of archaeological works.
- WCC Ecology - As per their comments for the previous application (R12/1654), notes required re Great Crested Newts and indigenous planting.
- WCC Highways - No comments received as of 11 April 2013.
- Environment Agency - No comment.

NB – The consultation period for this application does not expire until 18 April 2013. Any additional consultation responses received after publication of this agenda report will be reported verbally to members as part of the Officer's presentation.

Parish/Ward Responses:

- Parish - No objections. Although the site is in the Green Belt it is felt that the proposal is necessary.
- Ward - Telephone conversation with, and subsequent email from, Councillor Bragg. Councillor Bragg called for the application to be brought before the Planning Committee but did not feel that a Committee site visit was necessary and so did not request one.

NB – The consultation period for this application does not expire until 18 April 2013. Any additional consultation responses received after publication of this agenda report will be reported verbally to members as part of the Officer's presentation.

Neighbour Responses:

No comments received as of 11 April 2013.

NB – The consultation period for this application does not expire until 18 April 2013. Any consultation responses received after publication of this agenda report will be reported verbally to members as part of the Officer's presentation.

Planning Policy:

National Planning Policy Framework March 2012 Conflicts

Rugby Borough Core Strategy:

- | | |
|-------------------------------|-----------|
| CS1: Development Strategy | Conflicts |
| CS2: Parish Plans | Complies |
| CS16: Sustainable Development | Complies |

Rugby Borough Local Plan 2006

Saved Policy E6: Biodiversity Complies

Considerations:

The key consideration in determining this application is the impact of erecting a detached dwelling on a) the openness and character of the Green Belt, b) the character and appearance of the locality, c) neighbouring residential amenity, and d) biodiversity.

Green Belt

The NPPF makes it clear that development in the Green Belt will in most cases be considered inappropriate and therefore harmful.

Part 9 paragraph 89 of the NPPF states that *“a local planning authority should regard the construction of a new building as inappropriate in the Green Belt.”*

After careful consideration, the RBC Development Strategy team confirmed that in planning terms the proposed dwelling was still inappropriate development in the Green Belt due to the presence of the existing dwelling (The Cottage) and a lack of evidence to support special exceptional circumstances as set out in Part 9 of the NPPF.

Whilst the applicant states that her personal situation makes continued occupation of the property unsuitable, this is not a material planning consideration and therefore cannot be used as a basis to justify the erection of a dwelling in the face of a strong presumption against development in this kind of location.

The Wolston Parish Plan recognises the diversity of businesses within the Parish, but also identified a limited demand for additional housing. In any case, as in this situation the justification is due to the specific individual circumstances of the applicant, housing needs and preferences are not necessarily as relevant. Compliance with policy CS2: Parish Plans is therefore primarily by default.

Although the justification given for the proposed dwelling is that it will enable the existing cattery business to continue to operate, supporting a rural business is not a sufficient planning argument to set against the protection and preservation of Green Belt land.

Compliance with Part 3 of the NPPF does not therefore overcome clear conflict with Part 9 of the NPPF and policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011.

Character and Appearance

The design of the property with the low level single storey structure, coupled with the existing screening available, meant that the proposed dwelling would have minimal visual impact on the character of the locality; the curtain wall, trees and hedgerows would mostly screen the property from the access drive and surrounding land, and it would not be seen from the nearest highway (Coal Pit Lane).

The materials are sympathetic in concept, and a requirement for submission of samples could be conditioned to allow further assessment of their suitability on site prior to use, should members be minded to approve the application.

In keeping with the pattern of the built environment in the locality the house would be set away from neighbouring dwellings, with a reasonably generous garden area and open land (the remainder of the paddock) separating it from other buildings (the closest being the cattery itself and North Lodge Farm).

Overall the proposed dwelling would have minimal impact on the visual character of the locality, and as such complies with the elements of policy CS16: Sustainable Development of the Rugby Borough Core Strategy 2011 that relate to character and appearance.

Residential Amenity

The curtain wall would screen the property from view from the closest neighbouring dwelling (North Lodge Farm).

The nearest dwelling after that would be the applicant's present residence, The Cottage. This property is located at the other end of the paddock, some 125m away.

Given the screening and proximity, it is considered that the proposed dwelling would have no material impact on the amenities of neighbouring residents, and as such would comply with the elements of Policy CS16: Sustainable Development of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

Biodiversity

WCC Ecology Unit has no objections to the development, and has not requested any restrictive or compensatory conditions relating to habitat protection or regeneration.

They have recommended advisory notes to guide the applicants, which would need to be included in the decision should members be minded to approve the development.

The development therefore complies with Saved Policy E6 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats.

Recommendation:

Refusal due to conflict with Policy CS1 and part 9 of the NPPF.

DRAFT DECISION

APPLICATION NUMBER

R13/0512

DATE VALID

22/03/2013

ADDRESS OF DEVELOPMENT

Land adjacent to The Cottage
Wolston Grange
Coalpit Lane
Wolston
Rugby
CV23 9HJ

APPLICANT/AGENT

Mr James R Sorrell
The Old School
7 Watling Street
Kilsby
Rugby
Warwickshire
CV23 8YE
On behalf of Mrs Claire Marshall

APPLICATION DESCRIPTION

Erection of a dwelling to provide ancillary accommodation in association with the existing cattery business (resubmission of planning reference R12/1654, dated 15 February 2013).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL:

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to the NPPF not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing buildings and for limited infill in specified villages.

It is considered that the proposed dwelling does not fall within the above circumstances. Therefore the proposed dwelling constitutes inappropriate development which is, by definition, harmful to the Green Belt.

In the opinion of the Local Planning Authority, there are no special circumstances which would justify the granting of planning permission for a dwelling in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policy CS1 of the Rugby Borough Core Strategy 2011 and the NPPF.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

The National Planning Policy Framework March 2012

Policies CS1: Development Strategy, CS2: Parish Plans and CS16: Sustainable Development of the Rugby Borough Core Strategy 2011

Saved policy E6 of the Rugby Borough Local Plan 2006

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

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. Unfortunately, despite the efforts of all parties, it was not possible in this instance to achieve an approval.

Reference number: R12/0101

Site address: DIRFT II Zone 3 Expansion Site, Daventry International Rail Freight Terminal, Crick, Daventry.

Description : Construction of a rail linked Use Class B8 (Storage and Distribution) Unit with associated rail embankment, construction of a bridge over the A428, rail lines, intermodal transfer area, ancillary offices, car and HGV parking, drainage ponds and channels, landscaping to include a landscape bund and vehicular access (straddling the administrative boundaries of Rugby Borough Council and Daventry District Council)

Case Officer Name & Number: Steve Parkes 01788 533633

Introduction

This full application has been submitted to both Rugby Borough Council and to Daventry District Council for consideration and determination as the site, amounting to some 32.7ha, straddles the administrative boundaries of both local authorities. The majority of the site comprising 23.99ha is located within Daventry District with 8.71ha falling within Rugby Borough. The area within Daventry District forms part of the larger 54ha DIRFT II expansion site. That within Rugby Borough is located at the south-eastern end of the proposed Rugby Radio Station Sustainable Urban Extension (SUE).

Both local planning authorities have authority to approve or refuse planning permission only in respect of those elements of the proposals which fall within their respective administrative areas. In order for the scheme to progress, therefore, the Planning Committees of both authorities would need to approve the proposals or resolve that they are minded to grant planning permission for that part of the overall development in their area. Though the local planning authority can only determine those elements of the proposals in its administrative area over which it has control, the scheme also needs to be considered as a whole.

Authorised Use

That part of the site within Rugby Borough
- agricultural

That part of the site within Daventry District
- Class B8 storage and distribution (part of Daventry International Rail Freight Terminal)

Relevant Decisions

Rugby Borough

R11/0699 Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail(A1), up to 3,500sq.m financial services (A2) and restaurants (A3-A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8) and ancillary facilities. Application under consideration.

Daventry District

DA/2002/1365	Outline application for expansion of DIRFT to provide 180,741 sqm of warehouse and distribution and manufacturing buildings, extension of private rail sidings, construction and extension of bridges, highway realignment, parking, landscaping and demolition of 6 dwellings.
Approved	
DA/2007/1328	Reserved Matters application for the siting, external appearance, design, landscaping and means of access on Zone 1. Approved
DA/2007/1329	Reserved Matters application for the siting, external appearance, design, landscaping and means of access on Zone 2. Approved
DA/2007/1330	Reserved Matters application for rail line, infrastructure (including bridges) structural landscaping and landscaping. Approved
DA/2008/0021	Reserved matters approval for rail linked B8 warehouse on Zone 3 Plot A and Zone 3 Plot B. Approved

Technical Consultations

Warks CC – Highways	no objection	comment that the applicant has adequately demonstrated that the traffic generation of the proposed building is comparable to the development that has outline planning permission
Northants CC – Highways	no objection	comment that a footpath meandering through a grassed area adjacent to the A428 should be located against the carriageway for adoption purposes; contributions will be required from the developer towards providing a bus service between the site and Daventry town centre together with associated bus stops and shelters, and, the proposed bridge though agreed in principle must be subject to checking by a structural engineer prior to the commencement of any development on the site
Highways Agency	no objection	comment that the proposed development is not expected to have a material impact on the closest strategic route the A5
Warks CC (Archaeology)	no objection	subject to a condition covering the implementation of a programme of archaeological work
Northants CC (Archaeology)	no objection	subject to a condition covering the implementation of a programme of archaeological work - comment that evaluation already undertaken demonstrates that archaeological activity identified does not represent an over-riding constraint on the development subject to investigation and recording of any remains that are affected.

Environmental Services (Rugby BC) Env.Health Officer (Daventry DC)	comments	no adverse impact on air quality; further information in respect of the noise environment required in order to consider the imposition of suitable conditions including limits for construction noise and operational noise on completion of the development and requirements for the maintenance of the rail embankment/noise barrier; more information on the materials to be used in the construction of the embankment required
Environment Agency	no objection	subject to conditions covering the implementation of measures to mitigate flood risk including the provision of flood plain compensatory storage prior to the construction of the embankment or any buildings on the site, a method statement for all works to the Clifton Brook, full details of SUDs, further details of the remediation of contamination and landscape management plan
Natural England	no objection	comment that development is unlikely to affect European protected species though in accordance with standing advice any impact on local habitat/species should be considered together with biodiversity enhancement
Warks CC – Ecology	no objection	subject to conditions covering the submission of Construction and Environmental Management and Ecological Enhancement and Management Plans, tree and hedgerow protection, details of external lighting and badger mitigation measures, and, informatives covering protected species and the use of indigenous trees and shrubs
Warks Wildlife Trust	no comments received	
Landscape and Tree Officers (RBC)	no objection	comment that the landscape design proposals are comprehensive and that the bund should create an adequate screen and contribute significantly to habitat provision
Northants Police CPDA	no objection	comment that a secure weld mesh fence is normally recommended as opposed to the 2.4m palisade fencing proposed; recommends that the staff and visitor car park is fenced to prevent casual unauthorised access and that it is appropriately lit, monitored and controlled
Network Rail	comments	relating to safeguarding the interests of Network Rail's operations

Third Party Consultations

Daventry District Council	observations awaited
Clifton Upon Dunsmore PC	comments when operational the development will add considerably to traffic on roads which are already very busy in the vicinity of Clifton Upon Dunsmore whilst a considerable amount of construction traffic will also be generated – if supported, the Borough Council should support the early implementation of traffic calming measures both through the village and on its feeder roads; concern about potential flooding on the Clifton Brook downstream
Barby PC	comments in view of increased HGV traffic associated with the development and noise nuisance arising from the raised train line request screening, sound barriers and funding to offset the loss of rural life including some S106 funding to make access to the sports field safer
Crick PC	comments concerns about the increase in traffic on the A428 from the Half Way House junction towards Hillmorton; wish to see cycle lanes in both directions from Half Way House at least to the Nortoft Lane junction and beyond
Kilsby PC	comments concerns about potential noise impacting on surrounding and neighbouring properties and reflecting back towards the village; the bridge height should be adequate for all HGV traffic using the A428 in and out of Rugby; HGV traffic on the A361 and along the Ridgeway and Longdown Way a major concern/should be a combined approach of all interested highway authorities to resolving issues of HGV traffic affecting the village; should be improved pedestrian and cycle links to Rugby along the A428 and improved public transport links to Daventry from DIRFT via Kilsby
Lilbourne PC	no observations received
Cllrs. J.Roodhouse & R.Dodd	comments should ensure that cycle and pedestrian access is made along the A428 and that the bridge is made bigger to allow HGV movements

Cllr.L.Hunt	comments	concerns about increased traffic and land drainage
Neighbours	objection (1 letter)	noise from trains and increased lorry and car traffic on the A428
	concerns (1 letter)	location of staff access off roundabout serving existing distribution warehouse and which will also serve the urban expansion area to the north; transport assessment not up to date/new survey should be produced to more accurately predict future situation taking account of all proposed or planned developments and their impact on the road network

Other Relevant Information

The proposals were considered by Daventry District Council's Planning Committee on 3rd April 2013 when it was resolved that subject to the Environmental Health Officer's comments on noise being resolved, the application be approved subject to appropriate conditions.

Planning History

The planning history of the application site, particularly in respect of the development of the DIRFT II expansion site in Daventry District and also that part of the site in Rugby Borough is relevant as background information to the current proposal.

Outline planning permission was granted in January 2005 for the expansion of DIRFT to provide 180,741sq.m of warehouse and distribution and manufacturing buildings together with the extension of private rail sidings (ref. DA/2002/1365). Fundamental to the agreement of the expansion of DIRFT was the securing of rail connectivity to the national rail network as part of a national strategy to secure an increase in rail freight.

A condition attached to the outline planning permission together with an obligation in a legal agreement requires the rail infrastructure linking to the West Coast Mainline to be in place and operational before the occupation of buildings on any part of the site. A further condition attached to the outline planning permission requires that the finished heights of buildings/structures within development zone 3, which covers the current application site, should not exceed 132.25 AOD. A DIRFT Expansion Site Design Guide, also a requirement by condition, was adopted by Daventry District Council in December 2005 to provide a framework for the future development of land to the west of the A5 and north and south of the A428.

Reserved matters in respect of the development of zone 3 comprising two new warehouse buildings (Zone 3 Plot A and Zone 3 Plot B) with associated landscaping, access arrangements and parking were approved in January 2009 (ref. DA/2008/0021).

The building approved on Plot A comprised a 35,840sqm unit with a detached two storey office building of 1,114sqm and a two storey attached hub office providing 464.5 sqm floorspace. In addition, a total of 312 car parking spaces and 70 HGV trailer parking spaces were to be provided. The warehouse building measured approximately 140m wide by 250m long with a

canopy to the south west elevation providing level access to a service yard/rail siding area at the south west corner of the site. The overall height of the approved building was 15m. which would have been built on a platform at 104.380 AOD giving it a height of 120.00m, well within the height restriction applied at the outline stage as referred to above. A detached office building was to be erected in the south eastern corner of the site in the area immediately to the rear of the Halfway Public House car park.

The approved building on Plot B comprised a 24,200sqm unit with a detached two storey office building of 836sqm and a two storey attached hub office providing 464.5 sqm floorspace. In addition, a total of 213 car parking spaces and 36 HGV trailer parking spaces were to be provided to the east side of the building. The warehouse building measured approximately 110m wide by 210m long with a canopy to the west elevation providing level access to a rail siding area immediately west of the building. The overall height of the building was 15m. The building was to be built on a platform at 101.540AOD giving it a height of 117.00m AOD, which again is well within the height restriction applied at the outline stage. A detached two storey office building was to be erected in the south eastern corner of the site in the area close to the site frontage with the A5.

An outline planning application for the development of the SUE in Rugby Borough to the north and west of the DIRFT expansion site was submitted in April 2011. Consultation on the proposals together with Officer's consideration of the information contained in the application gave rise to a series of issues which the applicants are continuing to address. It is anticipated that a revised package of documents and drawings will be submitted in early summer and will be subject to further public consultation. It is intended that the revised proposals will take account of, and accommodate the scheme the subject of this application.

The original submission contains a framework plan showing the broad distribution of proposed land uses in the SUE. The strip of land comprised in the current application which runs along the south-eastern boundary of the SUE is identified for employment development separated from DIRFT by a bund with woodland planting. A strategic footpath connection running north-south is also proposed in this location as part of the access and movement proposals.

The Application Site

The application site is bounded by the A5 to the north and east, by the A428 to the south and by agricultural land and the former Rugby Radio Station to the west. The northern part of the site is largely flat and mainly comprises bare ground. The central area was formerly occupied by an Eddie Stobart HGV depot including areas of hardstanding which is currently in the process of being demolished and cleared. The southern part comprises a mix of soft landscaping, soil storage mounds and recently planted landscaped banks. The derelict Halfway House Public House is located in the south-east corner of the site though it too is soon to be demolished and the site cleared. To the north the site is bordered by the Clifton Brook watercourse and an undeveloped vegetated area with ponds created in 2005 as a receptor for Great Crested Newts.

The Proposed Development

The application seeks full planning permission for the construction of a rail connected B8 warehouse with associated car parking, HGV parking, landscaping and rail infrastructure including a landscaped embankment along the western side of the site and rail bridge over the

A428 providing access to the West Coast Mainline. In addition the proposal includes an intermodal area for the unloading/loading of trains sited alongside the embankment.

In summary the proposals comprise:

- Warehouse building (high bay 49,428sq.m and low bay 37,459sq.m)
- Three 2 storey office hubs (1680sq.m)
- Ground floor B1(a) offices (1084sq.m)
- Two storey mezzanine B1(a) offices (2,734sq.m)
- Surface car park providing 789 spaces (including 40 disabled and 40 shared access), 96 covered cycle spaces and 32 motor-cycle spaces
- 260 HGV trailer parking spaces together with 125 spaces at loading dock doors
- Intermodal/goods handling area
- Rail access including construction of landscaped bund along western side of the site
- Rail bridge over the A428
- Drainage works including flood compensation area

Those elements of the scheme falling within Rugby Borough Council's administrative boundary comprise the embankment/bund supporting railway lines and intermodal transfer area/rail sidings for container handling, part of an extensive adjoining service yard, flood compensation area and associated drainage and landscaping.

The proposed building, totaling some 92,385sq.m floor space, will be located entirely within the approved DIRFT II site and will comprise part high bay warehousing (26.95m high to haunch) to the northern part and part low bay warehousing (15.0m high to haunch) to the southern part together with ancillary offices. The building measures approximately 528m long by 181m wide to the high bay and 151m wide to the low bay. It will be finished principally in a mix of colour-coated profiled vertical and horizontally laid composite cladding.

Car and HGV access will be separate with all HGV access from an existing roundabout access to the site from the A5. Car access will be via an existing roundabout on the A428 which also serves an existing Tesco distribution unit on zone 1 of the DIRFT expansion site. The surface car park is located on the south side of the building and will also contain a bus stop. The HGV trailer parking spaces are located on the north, south and west sides of the building.

The proposed intermodal transfer area will be located on the west side of the building and includes a new 400m long railway siding which will run at a higher level than the adjoining 50m wide service yard accessed by ramps to the north and south. The railway siding will link back through the DIRFT Railport to the West Coast Mainline facilitated by a new railway bridge carrying two tracks over the A428. The bridge will be of steel plate construction with re-inforced concrete walls with a headroom clearance from the highway carriageway of 5.3m.

The proposed bund along the western edge of the development is designed to both accommodate the railway infrastructure and to screen the development from the proposed SUE to the north and west. At its highest point the bund, topped with a 3.5m high acoustic fence, will be approximately 14m above ground levels to the west and 5m higher than the slab level of the intermodal transfer area. The bund is also designed to accommodate a rail link to serve the proposed DIRFT III development. A drainage ditch incorporating small ponds and shallows will run along the foot of the bund together with a footpath/cycleway designed to facilitate links from

DIRFT II to the SUE and to the wider public footpath network to the north and west. The western slope of the bund will be planted with a native woodland and shrub mix with larger trees planted towards the top of the mound and along the footpath/cycleway with a view to providing a greater initial impact.

Existing balancing ponds to the south of the site are to be remodeled and together with the drainage ditch will be seeded with native grass and wildflower seed mixes with aquatic and marginal plants introduced at the water's edge. Existing mature vegetation is to be retained as far as possible and reinforced along the southern boundary with the A428. A footpath/cycleway is to be provided behind the vegetation linking to that running along the bottom of the bund. Existing vegetation along the eastern boundary with the A5 is also to be retained and reinforced where necessary with new native planting.

In addition to the remodeling of drainage infrastructure, the proposals include a flood compensation scheme to deal with the potential loss of floodplain storage in the north-west corner of the site as a result of raising existing ground levels. The floodplain compensation is provided by way of minor ground lowering measures in an area on the north-east side of the Clifton Brook immediately north-west of the site.

Surface water drainage will be collected in below ground attenuation tanks prior to discharge at a controlled rate to two outfalls to the Clifton Brook. Foul drainage from the site is to be discharged to the existing central DIRFT pumping station located on the opposite side of the A5 beyond the eastern boundary of the site.

The application is accompanied by a number of supporting statements and technical reports as outlined below:

- Planning Statement
- Design and Access Statement
- Landscape and Visual Impact Assessment
- Noise and Vibration Assessment
- Air Quality Assessment
- Transport Assessment
- Interim Travel Plan
- Flood Risk Assessment
- Drainage Strategy Report
- Preliminary Interpretive Report (Ground Conditions)
- Ecology Statement
- Sustainability Strategy
- Heritage Statement
- Economic Statement
- Pre-Development Tree Strategy

The proposed development will be occupied by, and is designed to meet the operational needs of Sainsbury's Supermarkets Ltd as a national distribution depot for its general merchandise. It is anticipated that the development will result in up to 1350 permanent jobs being created and an estimated 1620 additional jobs in the local area. In the event that planning permission is forthcoming, the main contract works are scheduled to commence in July 2013 with the development being operational by December 2014.

Environmental Impact Assessment Regulations 2011

The application for the DIRFT II expansion site (DA/2002/1365) was accompanied by an Environmental Impact Assessment pursuant to the 1999 EIA Regulations. Since that time much work has been undertaken in respect of DIRFT II. Zone 1 is developed and occupied by an operational rail connected warehouse facility. Zone 2 has been levelled and cleared in readiness for construction and zone 3 has been the subject of some structural landscape treatment and is being used for the storage of risings from both zone 1 and zone 2. In addition, the A428 has been slightly realigned and roundabouts constructed to provide access to zone 1 and zone 3 (all in accordance with previous reserved matters approvals).

The current application falls within the thresholds identified in Schedule 2 of the EIA Regulations. As a result the applicant's agents sought a screening opinion prior to submission of the application from both Rugby Borough Council and Daventry District Council to ascertain whether the development proposal would require an EIA. Officers of both local planning authorities advised that the proposal would not generate the need for an EIA. As referred to above, however, the application is accompanied by a series of documents covering the main environmental issues.

Relevant Planning Policies

Local Development Framework Core Strategy, June 2011

CS4	conforms	Rugby Radio Station Sustainable Urban Extension
CS11	conforms	Transport and New Development
CS15	conforms	Green Infrastructure Allocation
CS16	conforms	Sustainable Design
CS18	conforms	Portfolio of Employment Land

Rugby Borough Local Plan, July 2006 saved policies

GP2	conforms	Landscaping
E6	conforms	Biodiversity

National Planning Policy Framework, March 2012

Sustainable development (paras.7, 14 and 17); Part 1 – building a strong, competitive economy (paras. 18, 19 and 21); Part 4 – promoting sustainable transport (paras.30, 31, 32, 34 and 36); Part 7 – requiring good design (paras 59-61); Part 10 – meeting the challenge of climate change and flooding (paras 96, 100 and 103); Part 11 – conserving and enhancing the natural environment (paras 109, 118 and 123); Part 12 – conserving and enhancing the historic environment (paras. 128-129); decision taking/determining applications (paras.186, 187, 196 and 197)

Determining Considerations

Only the planning merits of those limited elements of the proposal that fall within Rugby Borough can be considered against relevant planning policies relating to the Council's administrative area though these also need to be considered in the context of the proposed development as a whole. Relevant development plan policies are principally contained in the Local Development Framework Core Strategy, June 2011, together with saved policies from the Rugby Borough Local Plan, July 2006. National planning policy contained in the National Planning Policy Framework, March 2012, is particularly relevant.

The Regional Strategy for the West Midlands, 2008, remains part of the development plan though is to be rescinded as a consequence of the Localism Act 2011. In view of its imminent abolition, less weight can be accorded to its provisions and it is therefore not discussed any further in the policy considerations relating to the development.

The main considerations relate to the principle of development and more detailed issues in respect of the design and layout of development, landscaping, transport, noise and air quality, flood risk and drainage, ecology and heritage.

Principle of development

That part of the site within Rugby Borough is allocated for development as part of the proposed Rugby Sustainable Urban Extension (SUE) under policy CS4 of the Core Strategy. The principle of development on the site in policy terms is therefore already established.

The impact of the proposed development on the delivery of the SUE is nonetheless a material consideration. Policy CS4 requires the delivery, amongst other things, of between 5000 and 6200 homes and together with policy CS18, a target of 31ha of employment land. In the current application for the SUE, the land is identified for employment use and as a landscaped buffer between DIRFT and the urban extension. The area proposed for flood compensation is identified as retained grassland forming part of a larger area of informal public open space. Documents submitted by the applicants for the SUE have demonstrated that even with the loss of 8.7ha of land to the DIRFT scheme the targets referred to above can still be met. It is considered unlikely, therefore, that the proposal will be seriously prejudicial to the delivery of the SUE in accordance with the requirements of policy CS4.

The development will itself make a significant contribution to employment generation and economic growth. Government policy contained in the NPPF seeks to ensure that the planning system does everything that it can to support such growth and that it should be given significant weight (para.19) whilst it is also stressed that planning policies should be flexible enough to accommodate needs not anticipated in the development plan (para.21). Local authorities are also encouraged to work together to support sustainable development including large scale facilities such as rail freight interchanges (para.31). The bund with the railway siding and intermodal transfer area is fundamental to the scheme to provide a major rail linked distribution facility.

The planning history of that part of the site in Daventry District and relevant development plan policies controlling development in that area demonstrate that the principle of development is well established.

Design, siting, layout and landscape treatment

The landscaped embankment carrying the rail lines and supporting the intermodal transfer area will be a significant element of the development in view of its height and scale running along the entire western boundary of the site. It will be of sustainable design being constructed out of material excavated from the development site. The railway link to the West Coast Mainline essentially dictates its location and its height and design. It will form a strong visual barrier to the development as a whole and to other elements of the DIRFT railport when viewed from the proposed SUE.

The proposed landscaping of the embankment will soften its impact and assist in assimilating the development into the local environment such that it will not cause any material harm to the quality, character and amenity of the area. The proposal therefore meets the requirements of Core Strategy policy CS16 and paragraphs 59-61 of the NPPF which encourage high quality, sustainable design, and saved Local Plan Policy GP2 which seeks to ensure that landscaping is considered as an integral part of development.

With regard to the bulk of the development within Daventry District, the proposals accord with the DIRFT Expansion Guide adopted by the District Council in 2005 to provide a framework for the future development of DIRFT II ranging from building design, heights, materials and landscape treatment. The development has had full regard to the incorporation of secure by design principles and will ensure accessibility for all is achieved, including those with impaired mobility. The Sustainability Strategy submitted with the application demonstrates that energy demand is minimised through the details of the design and construction of the building with measures incorporated to ensure it meets the BREEAM very good standard.

External lighting details have been submitted which have been the subject of consultation with Daventry District Council's lighting consultant to ensure that they meet the requirements of the Expansion Guide and thereby minimise any potential light pollution. In terms of the impact on the wider landscape, whilst the Landscape and Visual Assessment submitted with the application acknowledges that the development will impact significantly on its immediate surroundings, it will still be seen in the context of the DIRFT railport as a whole. The scheme as a whole is therefore considered to represent an acceptable form of development appropriate to its context and location.

Highways and Transportation

The application is supported by a Transport Assessment and Interim Travel Plan in accordance with the requirements of the NPPF (paras. 30 and 36). The Travel Plan sets out a framework to encourage and manage measures to facilitate travel by sustainable modes of transport other than the private car. The scheme includes footpath/cycleway links along the site frontage to the A428 and along the bottom of the railway embankment which will facilitate future links to the proposed SUE.

The Transport Assessment includes consideration of the cumulative impact of the scheme with both the proposed SUE and the proposed DIRFT III. It demonstrates that the development on its own and cumulatively will not have an adverse impact on the local and strategic highway network in terms of traffic generation and highway safety and that the proposals provide safe access to and from the site. No objections have been raised to the development by the Highways Agency and the local Highway Authorities.

The proposals accord with the NPPF which encourages solutions which reduce greenhouse gas emissions and congestion and supports patterns of development which facilitate the use of sustainable modes of transport (para.30). Transportation of freight by rail is itself a more sustainable mode of transport than by road haulage. The NPPF also makes it clear that development should only be prevented on transport grounds where the cumulative impacts of development are severe (para.32).

Noise, Air Quality and Ground Conditions

The impact of operational noise on the amenities of sensitive receptors is a material consideration. Core Strategy policy CS16, amongst other things, seeks to ensure that the

amenities of existing and future neighbouring occupiers are safeguarded. The landscaped embankment along the western boundary of the site will not only screen the development from the SUE but will have the added benefit of providing noise attenuation.

Paragraph 109 of the NPPF seeks to ensure that existing and proposed development is not adversely affected by unacceptable levels of soil, air or noise pollution whilst paragraph 123 advises that decisions should aim to avoid noise giving rise to significant adverse impacts on the quality of life. The noise, air quality and ground investigation reports submitted with the application have been the subject of consideration and discussions between the Borough Council's Environmental Protection Officers and Daventry District Council's Environmental Health Officer. Whilst at the time of writing it is understood that there are no objections in terms of any potential impact on air quality, discussions with regard to noise are on-going, the outcome of which will be reported verbally at the Committee meeting. It is understood, however, that any mitigation required is likely to be capable of resolution by way of condition.

The need for the further submission of details of the remediation of contamination, including materials to be used in the construction of the embankment, have been raised by the Environmental Protection/Health officers of both local authorities and by the Environment Agency, which can be covered by condition.

Ecology

Saved Local Plan policy E6 aims to ensure that biodiversity interests are safeguarded and reflects the NPPF which states that the impact on biodiversity should be minimised (para.109) and that in determining planning applications, local planning authorities should aim to conserve and enhance biodiversity (para 118).

The Ecology Statement accompanying the application includes a number of surveys which confirm that there are no ecological constraints to the development, that adequate mitigation can be secured by condition and that the proposed new planting around the site, including the rail embankment together with the creation of new ponds and drainage features, will result in biodiversity enhancement. No objections have been raised to the proposals by Warwickshire Ecology or Natural England. The objectives of policy E6 and of the NPPF are therefore satisfied.

Flood Risk and Surface Drainage

The flood compensation area is located in an area of the SUE which is constrained from development by virtue of its location in the floodplain. The works required are minimal, will have all the appearance of a natural landform and will not be prejudicial to the proposed use as informal open space. The area within which the flood compensation is located is a green infrastructure allocation under Core Strategy policy CS15 where public access to grassland habitat will be balanced with protection and enhancement of the green infrastructure asset. The flood compensation proposals do not conflict with the requirements of CS15.

The application is supported by a Flood Risk Assessment and Drainage Strategy which includes detailed hydraulic modelling of the impact on the Clifton Brook. The NPPF (paras 100-103) and related technical guidance seek to ensure that development will not increase floodrisk elsewhere. In addition to the proposed flood compensation works, the development includes the provision of sustainable urban drainage systems (SUDs) which will ensure no increase in surface water run-off from the site and thereby address concerns about flooding on site and

potential for flooding elsewhere. The proposals therefore accord with Core Strategy policy CS16 which seek to ensure that SUDs are incorporated in all new scales of development.

The Environment Agency has raised no objection to the proposals subject to appropriate conditions covering the implementation of measures to mitigate flood risk. It is therefore considered that the scheme as a whole will meet the requirements of the NPPF.

Heritage

The Heritage Report supporting the application concludes that the proposed development will not result in substantial harm to or loss of any designated or non-designated heritage assets. Geophysical surveys of the site and test pits have been carried out in full discussion with both Northamptonshire and Warwickshire County Council Archaeological Services who have raised no objections subject to further archaeological investigation and recording in parallel with construction works which can be covered by condition. The proposed development therefore accords with national guidance contained in the NPPF (paras. 128-129) and Core Strategy policy CS16 in respect of the consideration of the impact on heritage assets.

Other

The proposals as a whole constitute sustainable development as promoted in the NPPF (paras. 7 and 8) and will perform positive economic, social and environmental roles which are inter-dependent.

The improvement of economic performance is a key government objective with one of the core principles underpinning planning decisions stated to be the need to pro-actively drive and support sustainable economic development and to take a positive approach to wider opportunities for economic growth and job creation (para.17). The success of the local economy is dependent in part in attracting new enterprises/businesses such as this to the area. The attraction of Sainsbury's reflects the success of the DIRFT Railport located at the heart of the motorway and rail network. The proposals will accommodate the operational requirements of a known end user as a national distribution centre and will provide significant, and a variety, of employment opportunities. The economic impacts should therefore be accorded significant weight in considering the merits of the overall proposals.

In view of the cross-boundary nature of the application, at the time of writing co-ordination of a number of conditions to be attached to any grant of planning permission remains to be agreed between officers of the Borough Council and Daventry District Council and is reflected in the recommendation.

Conclusions

The elements of the proposals comprised within the administrative boundary of Rugby Borough Council are an essential component of the overall scheme to provide a rail linked national distribution depot. The development will not be prejudicial to the aspirations of the Council in respect of the proposed sustainable urban extension on the neighbouring former Rugby Radio Station site. There are no technical constraints to the development which will be of significant economic benefit.

Though the majority of the application site lies within the administrative area of Daventry District Council, the applicants have demonstrated that, subject to resolving noise issues, the

proposals will result in an acceptable and sustainable form of development. The development complies with relevant policies controlling development contained in the Borough Council's Local Development Framework Core Strategy and with policy guidance contained in the NPPF.

Having regard to the provisions of the NPPF, and in particular paragraph 14 which sets out a presumption in favour of sustainable development, the proposed development accords with the development plan and should therefore be approved without delay.

Recommendation: Subject to noise issues being resolved, officers be granted delegated powers to approve the application subject to the following conditions and any additional conditions or alterations to conditions arising from discussions with officers of Daventry District Council.

DRAFT DECISION

APPLICATION NUMBER

R12/0101

DATE VALID

10/01/2013

ADDRESS OF DEVELOPMENT

DIRFT II Zone 3 Expansion Site
Daventry International Rail Freight Terminal
Crick
Daventry
NN6 7ES

APPLICANT/AGENT

Miss Caroline Simpson
Nathaniel Lichfield & Partners
Floor 3
One St.James's Square
Manchester
M2 6DN
On behalf of , Prologis UK Limited

APPLICATION DESCRIPTION

Construction of a rail linked Use Class B8 (Storage and Distribution) Unit with associated rail embankment, construction of a bridge over the A428, rail lines, intermodal transfer area, ancillary offices, car and HGV parking, drainage ponds and channels, landscaping to include a landscape bund and vehicular access (straddling the administrative boundaries of Rugby Borough Council and Daventry District Council).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Drawings:

F070-P001 Rev E Zone 3 Plot A Existing Site Plan
F070-P010 Rev D Zone 3 Plot A Master Plan
F070-P011 Rev D Zone 3 Plot A Site Plan
F070-P021 Rev D Zone 3 Plot A Site Areas Plan
07 Rev B Soft Landscape Concept
17 Rev B Bund Detail and Section
18 Rev A Bund Landscape Concept
D20908/PY/B Sheet 1 of 1 Kingfisher Exterior Lighting
D20908/PY/B Sheet 2 of 2 Kingfisher Exterior Lighting

Documents:

Planning Statement, 8 January 2013 (ref:02984/16/JG/Csi)
Design and Access Statement, January 2013 (Stephen George & Partners LLP)
Landscape and Visual Impact Assessment (including Lighting Assessment), Rev B, January 2013 (FPCR)
Noise and Vibration Assessment, Rev 3, December 2012 (AECOM Environment)
Air Quality Assessment, Rev 3, January 2013 (AECOM Environment)
Transport Assessment, 07 January 2013, ref:9X1161/R004/304087/Birm (Royal Haskoning DHV)
Interim Travel Plan, 07 January 2013, ref:9X1161/R005/304089/Birm (Royal Haskoning DHV)
Flood Risk Assessment, January 2013, ref:26185/001 (Peter Brett Associates)
Drainage Strategy Report, Rev B, 21 November 2012, ref:015669 (RPS)
Preliminary Interpretive Report, January 2013, ref:03117748 (URS)
Phase 1 Geo-environmental Desk Study, Issue 1, December 2012 (URS)
Ecology Statement (including Preliminary Bat Roost Assessment and Badger Survey Report, January 2013, ref:4875R 121217LMBCSU Ecology Statement (RPS)
Sustainability Strategy inc Sustainability Checklist, January 2013, ref:PROQ2036 (Turley Associates)
Heritage Statement, December 2012, ref:EHE2255 (RPS)
Economic Statement, 8 January 2013, ref:02984/16/JG/CR (Nathaniel Lichfield and Partners)
Pre-Development Tree Survey, November 2012, ref:RP01A (Midland Tree Surgeons)

REASON:

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

CONDITION: 3

The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated January 2013, reference: 26185/001, prepared by Peter Brett and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site - Sections 4.0, 5.0 and Appendix 5.
2. Finished floor levels are set no lower than 101.09m above Ordnance Datum (AOD)- Section 4.1.
3. Provision of a minimum of 300m³ of compensatory flood plain storage - Section 4.2.
4. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven - Section 4.3.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided; to ensure safe access and egress from and to the site and, to reduce the risk of flooding to the proposed development and future occupants.

CONDITION: 4

The development hereby permitted shall not be commenced until such time as a scheme to provide a minimum of 300m³ of compensatory flood plain storage, as shown on drawing no. 26185/001/003, has been submitted to and approved in writing by the Local Planning Authority. In order to prevent an increase in flood risk the scheme shall be implemented at the ground works phase of development, prior to the construction of any embankment or building on the site above existing ground levels. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON:

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future users.

CONDITION: 5

No development shall take place until a construction working method statement to cover all channel/bank works to the Clifton Brook has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved method statement and any subsequent amendments shall be agreed in writing with the Local Planning Authority. Such a scheme shall include details of the following:

1. The timing of the works
2. The methods used for all channel, bankside water margin works
3. The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution
4. The materials to be used
5. The machinery to be used (location and storage of plant, materials and fuel, access routes, access to banks etc)
6. Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking

REASON:

To prevent diffuse pollution of the water environment arising from ground works in accordance with the National Planning Policy Framework (paragraphs 109 and 120) and to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with National Planning Policy Framework (paragraphs 109 and 118), Article 10 of the Habitats Directive and Environment Agency Pollution Prevention Guidelines 5 and 6.

CONDITION: 6

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 20% (for climate change) critical rain storm will not exceed the run-off from the pre-developed 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 include:

1. Limiting the discharge rate to 4l/s/ha and storing the surface water run-off generated by all rainfall events up to the 100 year plus 20% (for climate change) critical rain storm so that it will not exceed the run-off from the pre-developed site and not increase the risk of flooding off-site;
2. Provision of surface water run-off attenuation storage to accommodate the difference between the allowable discharge rate(s) and all rainfall events up to the 100 year plus 20% (for climate change) critical rain storm;
3. Detailed design (plans, cross and long sections and calculations) in support of any surface water drainage scheme, including details of any attenuation system and the outfall arrangements;
4. Details of how the onsite surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term operation to design parameters;
5. Detailed design for the proposed relocation of the existing attenuation pond serving DIRFT II, Zones 1 and 2, and proposals to include the highway drainage on the A428;
6. Detailed design for the proposed relocation of the existing ditch along the western boundary of the site, to include the removal of the two proposed footpath crossings of this ditch (which are un-necessary and require culverting of the watercourse) as shown on Barry Chinn drawing no 18 Rev A, and RPS drawing no. 15669_SK0310 Rev E.

REASON:

To manage appropriately the risks associated with surface water flooding both on and off site by ensuring the satisfactory storage and disposal of surface water from the site.

CONDITION: 7

No development hereby permitted shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme based on 1. to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

3. The results of the site investigation and the detailed risk assessment referred to in 2. And, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3. are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components shall require the written consent of the Local Planning Authority and the scheme shall be implemented as approved.

REASON:

To protect and prevent the pollution of controlled waters (particularly inland freshwaters, secondary aquifers, principal aquifer, EU water framework drinking water protected areas, private abstractions) from potential pollutants associated with current and previous land uses in line with the National Planning Policy Framework (paragraphs 109, 120 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (2013).

CONDITION: 8

No development shall take place before a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- detail extent and type of new planting (details already exist for terrestrial aspects but needs to be extended to include any planting of aquatic and marginal vegetation around the SUDs)
- details of maintenance regimes
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities

REASON:

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework (paragraphs 109 and 118)

CONDITION: 9

The development hereby permitted shall not commence until a Construction and Environmental Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. Such plan shall include:

- appointment of an ecological clerk of works to oversee all ecological protection measures
- protection of the Clifton Brook by a no-disturbance 8m buffer zone
- appropriate working practices and safeguards for nesting birds, reptiles, riparian mammals, amphibians, badgers and bats that are to be employed whilst works are taking place on site

The approved Construction and Environmental Management Plan shall thereafter be implemented in full.

REASON:

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

CONDITION: 10

The development hereby permitted, including site clearance, shall not commence until an Ecological Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority in consultation with Warwickshire County Council Ecological Services. The scheme shall include all aspects of biodiversity enhancement referred to in Section 5 of the 2013 Ecology Statement produced by RPS and should include habitat enhancements for great crested newts, reptiles, badgers, breeding birds and riparian mammals. The scheme shall also include all aspects of habitat management over a period of at least 25 years from completion of development works. The approved scheme shall be fully implemented before/during development of the site as appropriate.

REASON:

In accordance with the provisions of the National Planning Policy Framework

CONDITION: 11

The development hereby permitted shall not be commenced, nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the local planning authority and thereafter fully implemented. The scheme shall include details of the erection of protective fencing and shall be in accordance with BS5873:2005 Trees in Relation to Construction. Nothing shall be stored or placed in the fenced areas nor shall the ground levels be altered or any excavation take place without the prior permission in writing of the local planning authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

REASON:

To protect trees and other features on site during construction.

CONDITION: 12

The development hereby permitted shall not be commenced until a detailed schedule of badger mitigation measures (to include the relevant measures included within Section 5 of the 2013 Ecology Statement prepared by RPS, including further survey work, timing of works, protection measures and monitoring) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full.

REASON:

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

CONDITION: 13

The landscaping scheme, as detailed on the approved plans, together with any additional landscaping and planting approved in accordance with condition nos. 8 and 10 above, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation(s).

REASON:

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

CONDITION: 14

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.

CONDITION: 15

Before the development hereby permitted is commenced full details of all boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved before it is first brought into use.

REASON:

In the interests of visual amenity

CONDITION: 16

All external lighting on the site shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be implemented strictly in accordance with the approved details before the development is first brought into use and shall be maintained in accordance with these approved details whilst the site is in use. No additional external lighting shall be installed or erected on the site without the prior approval in writing of the Local Planning Authority.

REASON:

In the interests of visual amenity.

CONDITION: 17

Before any development commences on site, full details for securing the site during construction and the operational life of the site shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include proposed boundary treatment, security lighting and CCTV installations.

REASON:

In the interests of the visual amenity of the area and to minimise light spillage from the site.

CONDITION: 18

The rail infrastructure, including the rail embankment, rail lines, sidings and intermodal transfer area shall be completed in accordance with the approved details before the development hereby permitted is first brought into use.

REASON:

To secure modal shift to rail freight.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Local Development Framework Core Strategy, June 2011, policies CS4, CS11, CS15, CS16 and CS18.

Rugby Borough Local Plan, July 2006, saved policies GP2 and E6

National Planning Policy Framework, March 2012 - sustainable development (paras.7, 14 and 17); part 1 - building a strong, competitive economy (paras. 18, 19 and 21); part 4 - promoting sustainable transport (paras. 30, 31, 32, 34 and 36); part 7 - requiring good design (paras. 59-61); part 10 - meeting the challenge of climate change and flooding (paras. 96, 100 and 103); part 11- conserving and

enhancing the natural environment (paras 109, 118 and 123); part 12 - conserving and enhancing the historic environment (paras. 128-129); decision taking/determining applications (paras. 186, 187, 196 and 197).

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

REASONS FOR APPROVAL:

Those elements comprised in the scheme falling within Rugby Borough Council's administrative boundary are essential to the delivery of a major development for purposes of rail-linked warehousing and distribution. The site is allocated for development as part of the proposed Rugby Sustainable Urban Extension (SUE) under Local Development Framework Core Strategy, June 2011, policies CS4 and CS18. The principle of development of the site is therefore already established and it is not considered that the proposed scheme will be prejudicial to the delivery of the SUE.

The embankment supporting the railway infrastructure including the sidings and intermodal transfer area is of sustainable design and construction and thereby meets the requirements of Core Strategy policy CS16 and paragraphs 59-61 of the National Planning Policy Framework, March 2012 (NPPF) and "saved" Rugby Borough Local plan, July 2006, policy GP2 which seeks to ensure that landscaping is considered as an integral part of the development.

There will be no significant adverse impact on air quality, noise and ground conditions in compliance with Core Strategy policy CS16 and paragraphs 109 and 123 of the NPPF. Ecological and biodiversity interests will be safeguarded in accordance with Local Plan saved policy E6 and paragraph 118 of the NPPF and there will be no substantial harm to, or loss of heritage assets in accordance with Core Strategy policy CS16 and paragraphs 128-129 of the NPPF. The scheme will also ensure that the risk of flooding will not be increased elsewhere as a result of the development and appropriate SUDs drainage will be incorporated in the scheme in accordance with Core strategy policy CS15 and paragraphs 100-103 of the NPPF.

The proposals constitute sustainable development as promoted in paragraphs 7 and 8 of the NPPF and will make a significant contribution to employment generation and economic growth.

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 Environment Agency advise that the SUDs area should have planting which maximises its value for biodiversity particularly in the aquatic elements. Aquatic and marginal planting should be of native species of local provenance and their management incorporated into a site wide landscape management plan. Lighting onsite should ensure that spill is kept to a minimum and directed away from any watercourses and hedgerows.

INFORMATIVE: 2

If mature trees with potential roosting features are likely to be affected by the development (e.g by felling or lopping work) it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their roost sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protected Species. It is a criminal offence to disturb or destroy a bat roost, even if the roost is only occasionally used.

INFORMATIVE: 3

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife

and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible.
N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

Reference number: R13/0317

Site address: Hall Farm, Brownsover Lane, Rugby

Description: Use of land for the storage of motor vehicles, together with valeting and sales (by appointment only) (retrospective)

Case Officer Name & Number: Nathan Lowde 01788 533725

Description of proposal

The application has been submitted retrospectively following enforcement action and seeks the use of land for the storage of motor vehicles, together with valeting and sales (by appointment only). The business is based on the collection of vehicles from various places and stored within the gated and enclosed courtyard. The vehicles are washed and polished prior to being delivered to trade garages for sale or advertised on the internet for sale. No mechanical work takes place within the application site. Members of the general public that wish to view the cars, can only do so on an appointment basis. The average turnover of the business is 5 vehicles per week via the internet.

The application is to be determined by members of the planning committee at the request of Cllr Claire Edwards and Cllr Andy Coles.

Description of site

It site is located within the Old Brownsover Conservation Area, within the Rugby Urban Area. Access to the application site is off the Brownsover Lane. Ground levels fall gradually to the front (east) towards Brownsover Lane. Hall Farm is, a whitewashed brick building which has Georgian origins, which was at some point a farmhouse. Attached to the dwelling house to the rear are redundant farm outbuildings for which permission has been granted for their conversion for residential purposes. The arrangement of the outbuildings and existing dwelling house is such that it has created a courtyard area within which the storage of motor vehicle for which this application relates to, is being undertaken.

To the immediate south of the application site is an area of land currently being developed to create 5 detached dwelling houses with associated landscaping and highways works (ref R10/1306). To the north of the site is a parcel of land, historically associated with Hall Farm, is now a separate parcel of land for which permission has been granted for the erection of a single dwelling house.

Relevant Planning History

R11/2244	Erection of a new dwelling on land north of Hall Farm following approved application reference R/09/0779/PACA	Approved 1.02.2012
R10/0302	Conversion of existing redundant farm outbuildings into residential dwelling and creation of new detached garage building (renewal of planning permission R05/0282/04008/P dated 11/05/2005)	Approved 26.08.2010

Interested parties

Neighbour Observations (1)

- If the Council is mindful to grant permission, this should be on a temporary basis and reviewed regularly so as to maintain the predominately residential nature of the site, general residential surrounding area and to comply with the Council policies for this area of Rugby.

Neighbour Objections (17)

- The proposed relates to the storage, cleaning, polishing and sale of cars which in themselves both individually and collectively will adversely affect the amenity of residents in the locality.
- The activities will inevitably result in increased noise and disturbance due to the increased vehicular activity and the cleaning and polishing of motor vehicles.
- There will be increased odours from the constant starting, revving and stopping of engines, and use of certain chemicals and compounds and small amounts of paint to “touch up” cars prior to polishing.
- Potential for contaminated water entering the drains.
- The scale of operation, with a large amount of cars, will create noise and general disturbance for future local residents.
- The proposal will adversely impact on future occupiers of Peveril Home Ltd.
- A more inappropriate place to conduct a second hand car dealership would be hard to find in Rugby.
- It would be wrong to allow this type of business to operate in a Conservation Area
- Not an appropriate place for this type of business within a residential area
- A business that has a stock of 20 vehicles ought to be able to rent appropriate premises and should not be situated within a residential area regardless of whether it is a conservation area or not
- Need for a petrol interceptor
- Increase in traffic and noise
- Existing and proposed developments with access onto Brownsover Lane will increase traffic.
- Increase security implications

Cllr Claire Edwards and Cllr Andy Cole

- object on the grounds of detrimental impact on the amenity to local residents in a conservation area, that excess car movements are already causing damage to Brownsover Lane, that there is no on-street parking whatsoever and that additional car movements will make, what is essentially a single track, worse. This conservation area is not designed to run any commercial businesses from within it.

Technical responses

Development Strategy

The economic benefits of the proposal are acknowledged. Given the developments compliance with Policy CS1 of the Core Strategy and its contribution towards achieving the economic objectives of the NPPF, the planning application, subject to other material considerations, should be approved.

WCC Highways	No objection subject to conditions restricting the size of delivery vehicles and ensures that the loading and unloading of vehicles is undertaken within the curtilage of the site, and no vehicles are stored or parking on the highway.
Environmental Services	No objection subject to conditions restricting the permission to a temporary three year period, personal condition, restrictive condition permitting only private vehicle sales onsite, no MOT testing, serving or vehicles repairs to be conducted on site, and a condition restricting trading hours.

Relevant planning policies/guidance

RBC Local Development Framework

Policy CS1 complies

Policy CS16 complies

Saved Local Plan Policies (Post Core Strategy Adoption) June 2011

T5 Parking Facilities

Assessment of proposal

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference. CS1 states “It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy.” Policy CS1: Development Strategy of the Rugby Borough Council Core strategy (2011) provides a clear sequential approach to directing proposals for employment generating uses towards the most sustainable locations in the Borough, principally the urban area of Rugby. Given the sites location within the urban area of Rugby to the north of the town centre the development is clearly compliant with this approach.

The Government, through the National Planning Policy Framework (NPPF), seeks to proactively drive and support sustainable economic development and ensure that the planning system does everything it can to secure this.

It is therefore considered that the development compliance with Policy CS1 of the Core Strategy and its contribution towards achieving the economic objectives of the NPPF.

Policy CS16 of the Core Strategy states that 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 amenities of the areas in which they are situated. It is recognised that Hall Farm offers an important link to the past with farmhouse attached to agricultural buildings. It is considered that the continued use of the courtyard as proposed does not erode the important link to the past that the application site conveys. In respect to visual amenity and impact upon the character and appearance of the Conservation Area, the use is undertaken within an enclosed courtyard will not be visible outside of the courtyard area. The concealment of the use within the courtyard ensures that views of motor vehicles being store can not be gained outside of the enclosed courtyard. When viewed from the highway, any reasonable onlooker would not notice from a visual perspective that such a use in being undertaken. It is therefore considered that the continued use of the courtyard

area for the storage of motor vehicles would not impact upon the character and appearance of the area and the Conservation Area in which the application site is situated within.

In terms of residential amenity, policy CS16 seeks to ensure that development does not have a materially harmful impact upon the amenities of neighbouring properties. Following consultation with Environmental Service it is considered that subject to conditions restricting the hours of operation, restricting the permission to a temporary nature and personal to the applicant, together with restricting the operations being undertaken, it is not considered that the continued use of the site would have an adverse impact upon the amenities of neighbouring properties. Following concerns raised by third parties conditions will also be proposed to restrict the hours of use of jet washers in connection with the valeting of motor vehicles stored on site and to prohibit vehicle repair spray painting operations being undertaken. It is acknowledged that permission for the conversion of the outbuildings has not expired and as such could be implemented (following submission of details required prior to works commencing). A condition is therefore proposed to ensure that if within the period of this temporary permission, the existing outbuildings are converted for residential purposes the use of the courtyard for the storage of motor vehicles, together with valeting and sales shall cease. It is therefore considered, that the continued use of the site as proposed would not have an adverse impact upon the amenities of existing and future neighbouring properties in accordance with policy CS16.

Following consultation with Warwickshire County Council Highways, it is considered subject to conditions that the use would not have a detrimental impact upon the highway network. It is considered that sufficient car parking spaces for customers is provided within the curtilage of the application site, to ensure that vehicles calling at the site would not be parking on the highway (Brownsover Lane) in accordance with saved Local Plan policy T5.

Recommendation

Approval subject to conditions

DRAFT DECISION

APPLICATION NUMBER

R13/0317

DATE VALID

27/02/2013

ADDRESS OF DEVELOPMENT

HALL FARM
BROWNSOVER LANE
BROWNSOVER
RUGBY
CV21 1HY

APPLICANT/AGENT

Rachel Collinge & David Matthews
Hall Farm
Brownsover Lane
Brownsover
Rugby
Warwickshire
CV21 1HY

APPLICATION DESCRIPTION

Use of land for the storage of motor vehicles, together with valeting and sales (by appointment only) (retrospective)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

This permission shall be deemed to have taken effect on 24th April 2013.

REASON:

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

CONDITION: 2

The planning permission hereby granted shall be for a period of 3 years from the date of this decision notice, on or before which date the use hereby permitted shall be discontinued and all fixtures, fittings and equipment installed or used in connection with the use shall be removed and the land and building reinstated to enable its former use to be resumed unless the further permission of the Local Planning Authority has been obtained to continue the use.

REASON:

The proposal could be detrimental to the amenities of the locality and the Local Planning Authority wishes to have the opportunity to reassess the proposal in the light of operational experience.

CONDITION: 3

This permission shall be personal to the applicant's Miss Rachel Collinge and Mr David Matthews and shall not enure for the benefit of the land. Should the business cease to operate from the site within the two year period all equipment, fittings and fixtures associated with this business shall be removed.

REASON

It is considered that the use of this site as proposed is only acceptable given the specific operations of the existing business.

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:

- Application Forms dated 20/02/2013
- Site Location Plan
- General usage Diagram

REASON:

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

CONDITION: 5

If within three years from the date of this permission, the existing outbuildings to which permission has been granted for conversion for residential purposes (ref R10/0302 dated 26/08/2010) are converted and occupied, the use hereby permitted shall be discontinued and all fixtures, fittings and equipment installed or used in connection with the use shall be removed and the land and building reinstated to enable its former use to be resumed unless the further permission of the Local Planning Authority has been obtained to continue the use.

REASON

In the interest of residential amenity.

CONDITION: 6

The permitted trading hours onsite for private vehicle sales shall only be permitted between the hours of 09:00am to 20:00pm Mondays to Fridays; and 09:30am to 17:00pm on Saturdays; and 10:00am to 17:00pm on Sundays and Bank Holidays.

REASON:

In the interests of the amenities of the locality.

CONDITION 7:

No MOT testing, servicing or vehicle repairs shall be conducted on site.

REASON

In the interest of residential amenity.

CONDITION 8:

Only private vehicles sales are permitted on site.

REASON:

In the interest of residential amenity.

CONDITION 9:

Vehicles to be stored within the site shall not exceed 20 vehicles and shall be confined to the courtyard area shaded brown and the General Usage Diagram.

REASON

In the interest of visual and residential amenity and Highway Safety.

CONDITION: 10

Delivery vehicles associated with this use hereby approved shall not exceed a gross vehicle weight of 7.5 tonnes.

REASON:

In the interests of public and highway safety.

CONDITION: 11

No loading or unloading of vehicles either calling at the premises or being in the control of the occupiers of the site shall be carried out other than within the curtilage of the site. No vehicles which have been left with or are in the control of the occupier or their employees, shall be stored or parked on the highway (Brownsover Lane - D3059).

REASON:

In the interest of highway safety.

CONDITION 12:

Jet washers used in connection with the valeting of motor vehicles stored on site shall only be permitted between the hours of 09:00am to 17:00pm Mondays to Fridays; and 09:30am to 17:00pm on Saturdays; and 10:00am to 16:00pm on Sundays and Bank Holidays.

REASON

In the interest of residential amenity.

CONDITION 13

No vehicle repair spray painting operations shall be undertaken.

REASON

In the interest of residential amenity.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

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

REASON FOR APPROVAL:

The use of the application site as proposed would provide an employment generating use within the Rugby Urban Area without causing significant harm to the amenities of neighbouring properties or the character of the area by virtue of the imposed conditions. It is therefore considered that the proposed development would comply with policies CS1 and CS16 as contained within the Rugby Borough Council LDF Core Strategy 2012 and guidance contained within the National Planning Policy Framework. The use of the application site for the proposed use would not have a detrimental impact upon the highway safety. It is considered that sufficient parking is provided within the application site and as such accords with 'saved' Local Plan policy T5 and the RBC LDF Planning Obligation SPD 2012 which seeks to ensure that satisfactory provision of parking is taken into consideration.

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.

Reference number: R12/0916

Site address: Sheaf and Sickle, Coventry Road, Long Lawford, Rugby

Description: Change of use of Public House (use class A4) to Residential (use class C3) to create a single detached dwelling house

Case Officer Name & Number: Owain Williams – 01788 533789

This application has been brought forward to committee due to the significant community interest in the application

Site Description

The Sheaf and Sickle is a public house located just outside of the main rural settlement boundary of Long Lawford and sited within the Green Belt.

The pub is located on the cross road junction of Coventry Road, Bilton Lane and Back Lane. The building fronts Coventry Road to the north and also has an active elevation to Bilton Lane to the east.

Vehicular access to the pub is gained from Coventry Road. There is a modest car park to the rear which can hold approximately 40 cars.

The pub adjoins the grounds of Oakfield Cricket Club to the south and agricultural land to the west. There is a public right of way which crosses the western part of the application site.

The pub is no longer in use.

Proposal Description

This proposal is for the conversion of the public house to one single dwelling house. The conversion will see little material change to the exterior of the building with new windows and patio doors added to the eastern elevation and the removal of the signage which referred to its previous use as a public house.

The proposals will include new landscaping planted to the side of the public house which will enclose the car park area from the highway Coventry Road. The area of car park has been indicated that it will be landscaped into a private garden and parking area but in the short term will be utilised for parking.

Relevant Planning History

R02/0297/8445/P – Use of first floor as bed and breakfast accommodation – Approved 30/5/02

Technical Consultation Responses

Environmental Services – No objections subject to conditions

WCC Highways – No objection subject to conditions

WCC Rights of Way Officer – No objections subject to condition and informative

WCC Archaeology – No objections

Third Party Responses

Neighbours (8 Letters and 108 Signatures on Petition) – Objection

- This is the only pub in the village which has been serving food. There is no restaurant, coffee shop etc elsewhere in the village.
- The car park is an essential part of the cricket ground and walkers using the footpath when cleared.
- Removal of both the restaurant and car park facilities contravenes CS13 of the Core Strategy
- This will affect the good work the cricket club does for the community.
- Village is expanding and needs to retain social meeting points and facilities.
- With the ever increasing amount of houses nearby it would be a shambles to get rid of a public house.
- Watching cricket with a drink there on a warm summer's eve you can't beat it.
- The nearest food pub is in Church Lawford
- More play areas are required not less
- Great shame to change the Sheaf and Sickle as it is a unique name with no other pub in the country having this name.
- No community meeting place for new residents

Parish Council – No comments received

Relevant Planning Policies and Guidance

Core Strategy

CS1 – Development Strategy
CS13 – Local Services and Community Facilities
CS16 – Sustainable Design

Saved Local Plan Policies

E6 - Biodiversity
T5 – Parking Facilities

National Guidance

National Planning Policy Framework

Assessment of Proposals

The determining issues to take into account are the principle of the change of use and the provision of a dwelling in this Green Belt location, the impact on the character and appearance of the area, the impact on neighbouring amenities and highway safety.

Principle of the Change of Use

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. Where Green Belt is concerned the policy states that new development will be resisted and only where national policy on Green Belt allows will development be permitted. Section 6 of the National Planning Policy Framework (NPPF) provides information upon delivering a wide choice of high quality homes. Paragraph 55 within this section states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. Section 9 of the NPPF specifically concentrates on protecting Green Belt land. It also indicates in paragraph 89 that new dwellings within its boundary are inappropriate unless it involves the extension or alteration of a building that does not result in disproportionate additions over and above the size of the original building. The proposed conversion of the public house will be re-using the existing building which is now disused and through the conversion there will be no extensions or alterations to the building. The combination of paragraphs 55 and 89 of the NPPF can be used to demonstrate that the conversion of the property to a dwelling within this Green Belt location would be acceptable and in accordance with the NPPF.

Although the conversion of the public house may be acceptable in terms of its location within the Green Belt, the proposed change of use will result in the loss of a local service/community facility. The NPPF refers to the role of the planning system in providing strong communities with accessible local facilities. This goes on to state that authorities should promote the retention of local services and community facilities, making specific reference to public houses, and that authorities should guard against the unnecessary loss of valued facilities and services particularly if this would reduce the communities ability to meet day to day needs.

Policy CS13 also refers to community facilities and states these should be retained unless it can be demonstrated that:

- there is no realistic prospect of the existing use continuing,
- the site has been actively marketed of a similar or alternative type of community use, and
- the service can be provided in a different manner or on a different site in the area

The applicant has provided a viability report and commercial appraisal of the public house which concludes that the Sheaf and Sickle has no future as a public house.

The financial information submitted by the applicant included details and comparisons which emphasizes the deficit this business was running at particularly from 2001 onwards. The Fair Maintainable Trade calculation indicated the fashion in which the business should have been run and the resultant profitable business, a situation which was not evident at the Sickle & Sheaf in recent years.

It is considered that this, and the marketing information explored below, demonstrates that there is no realistic prospect of the use continuing for commercial reasons in accordance with the first criterion of policy CS13.

The supporting text to policy CS13 states that the applicant will be expected to demonstrate that the property has been marketed for a period of 12 months before the Council will consider a change of use and that the valuation should reflect the current use.

The applicant has advised that the property has been marketed since was placed on the market with Colliers by Punch Partnerships Ltd in January 2012 at an asking price of £275,000. There was little response and in mid 2012 the price was reduced to £250,000. It has been specified that the property remained on the market with Colliers up until and including January 2013. Information given by the applicants indicated that the marketing agents informed them that there was little interest from pub operators and most viewings were by developers and builders but no-one was able to either provide the necessary funding or arrive at a level of bid agreeable to the vendor

Other facts that have been exposed to demonstrate the opinion that the Sheaf and Sickle has no future is include, five tenants have been made bankrupt through the business, the property has not received any funding for maintenance for a decade and that there are another two successful pubs within the main rural settlement. This last point indicates that there are other community facilities within the village and that the community is not completely reliant on this pub which would to a certain extent comply with the last criteria of the policy above.

After assessing this information it is considered that proposed change of use would comply with the criteria set out in policy CS13 of the Core Strategy 2011.

Impact on the 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 proposed conversion will not significantly alter the appearance and character of the building. The changes to the eastern elevation would not be visible from the public domain due to the existing hedgerow and new hedgerow proposed along the boundary to the site. The reuse of the building will lead to the maintenance of the building and will inevitably improve its appearance. The addition of further landscaping to the boundary with Coventry Road will remove the open car park from view providing a softer boundary which would be more in keeping with its Green Belt location. Taking the above into account is considered that the proposed conversion of the public house to a dwelling would comply with policy CS16 of the Core Strategy 2011.

Impact on neighbouring amenities

Policy CS16 continues to state that development ensure that the amenities of existing and future neighbouring occupiers are safeguarded. The pub is located in an isolated position on the corner of the cross roads with the closest neighbouring resident located across the busy road. The change of use of the pub to a residential dwelling will have no impact on the neighbouring amenities.

Highway Safety

The new dwelling will utilise the existing access used by the public to enter and access the car park. The change of use would dramatically reduce the number of cars using the property therefore will have no impact on the highway safety.

Other considerations

Public footpath R125 crosses the western part of the application site. The applicant has shown that the current alignment will be kept and has indicated that the footpath will be tidied up and made clear for walkers. The County Council Rights of Way

Officer has assessed the proposals and is happy as long as the new vegetation proposed is planted at least 2 metres away from the edge of the public footpath to help ensure that mature growth will not encroach onto the public footpath.

With reference to the Cricket Club and the parking arrangements the plan shows that the car park will be retained in the short term. This is to allow the Cricket Club to continue using the car park for their purposes whilst they sought an alternative elsewhere. It is seen that this short term solution would be of benefit to the Cricket Club and would avoid unnecessary parking upon the highway until a solution is found.

Recommendation

Grant permission subject to conditions

DRAFT DECISION

APPLICATION NUMBER

R12/0916

DATE VALID

07/03/2013

ADDRESS OF DEVELOPMENT

SHEAF AND SICKLE
COVENTRY ROAD
LONG LAWFORD
RUGBY
CV23 9DT

APPLICANT/AGENT

Ian Ashworth
2 Pine Crescent
Oswaldtwistle
Lancashire
BB5 3TF

APPLICATION DESCRIPTION

Change of use of Public House (use class A4) to Residential (use class C3) to create a single detached dwelling house

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Application Form received by the Local Planning Authority on 7th March 2013

Proposed Plans received by the Local Planning Authority on 7th March 2013

REASON:

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

CONDITION: 3

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

REASON:

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

CONDITION: 4

No development shall commence unless and until details of all proposed walls, fences and gates have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of visual amenity.

CONDITION: 5

The development hereby permitted shall not be occupied until the vehicular access has been constructed to include the following requirements all of which are specified in 'Transport and Roads for Developments. The Warwickshire Guide 2001 (published by Warwickshire County Council).

a) A minimum width of 3.0 metres with a gradient not steeper than 1 in 10, and hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway footway/carriageway.

b) Gates and barriers opening into the site and not being placed within the vehicular access any closer than 5.5 metres from the near edge of the highway carriageway.

REASON:

In the interests of Highway Safety

CONDITION: 6

The site shall not be used for the purposes hereby permitted unless adequate vehicular turning space is provided and maintained within the site so that vehicles are able to enter and leave the highway in a forward gear.

REASON:

In the interests of highway safety

CONDITION: 7

During the construction period, no vehicles calling at the site or being in the control of the developer/occupier or Contractors employed by the developer/occupier shall be loaded, unloaded or parked on the highway (Coventry Road - A428). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

REASON:

In the interests of highway safety

CONDITION: 8

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 Classes A, B, C, D, E, F and G of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Policies CS1, CS13 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 or at the Council Offices.

REASON FOR APPROVAL:

The proposed conversion will be re-using a disused building and will not be extended or altered therefore would be acceptable in this Green Belt location complying with policies CS1 and CS13 of the Core Strategy 2011. The conversion will improve the appearance of the building and will not adversely affect the neighbouring amenities complying 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

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

Public footpath R125 must remain open and available for public use at all times, so must not be obstructed by parked vehicles or by materials during construction

INFORMATIVE: 4

If it is necessary to close public footpath R125 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way team should be contacted well in advance to arrange this

INFORMATIVE: 5

Any disturbance or alteration to the surface of public footpath R125 requires the prior authorisation of Warwickshire County Council's Rights of Way team

INFORMATIVE: 6

The applicant is advised that all glazing to the property should adhere to building regulation standards to reduce external noise in habitable areas and to increase energy efficiency.

Reference number:

R13/0577

Site address:

Benn Hall, Newbold Road, Rugby, CV21 2LN

Description :

Installation of illuminated and non-illuminated signage to front (western) elevation (including digital poster display unit)

Case Officer Name & Number:

Richard Holt 01788 533687

Description of Site:

The application site is located within the town centre boundary of Rugby. Buildings associated with Rugby Borough Council lie to the south, north and east of the site with a large roundabout forming the junction of the A426 (Newbold Road/Corporation Street) & B5414 (Evreux Way) lying to the west of the site. Immediately to the front (west) of the building is a car park serving both Benn Hall and the Town Hall. Newbold Road, the roundabout and the car park are all externally illuminated by an array of different lighting columns.

To the immediate north of the site is a three-storey building known as The Retreat which is currently vacant and is a Grade II listed building. Both this building, Benn Hall and the Town Hall are very visible from the surrounding road network.

Description of Proposals:

This application is being reported to Planning Committee as it is a Borough Council submission.

This application is to replace the existing brushed aluminium 'Benn Hall' sign with a new powder coated aluminium 'The Benn Hall' sign with individual letters of black and grey, together with a series of coloured caricatures/logos. The entire sign area will measure approximately 6.8 metres in length and 2 metres in height and be approximately 6.1 metres off the ground in a similar location to the existing sign. The new sign will be illuminated by a trough upright approximately 5 metres in length located on the existing flat roof behind the parapet wall.

The existing poster box signs either side of the entrance to Benn Hall will also be removed. Two new non-illuminated signs will be installed either side of the entrance measuring approximately 1.1 metres wide and 2.7 metres high and will be finished predominately in grey and white. They will be made from an aluminium composite panel known as dibond, which comprises of thin aluminium sheeting with a solid polythene core. The sign on the right hand side will also have the same coloured caricatures as the other sign, whilst the sign on the left hand side will also incorporate an illuminated digital poster display unit to advertise forthcoming events. The digital poster display unit will be located approximately 0.8 metres above ground level and measure approximately 0.75 metres wide and 1.4 metres high and will be finished in matt black. It will periodically change its image throughout the day whilst operational but the actual image displayed will remain static and it will use internal light emitting diodes (LEDs) to illuminate the image.

Relevant Planning History:

None relevant.

Technical Consultations:

None received to date.

Third Party Comments:

Neighbours No comments received to date.

Relevant Planning Policies & Guidance:

CS16 Sustainable Design

National Planning Policy Framework, 2012

Circular 03/2007 & Control of Advertisements Regulations, 2007

Assessment of Proposals:

The Advertisement Regulations and the National Planning Policy Framework (NPPF) state that the only issues to be considered in the determination of advertisement applications are amenity or public safety.

The proposed signs will be located at the main entrance of Benn Hall facing Newbold Road. The signs will be viewed in context with Benn Hall itself and the adjacent Town Hall. Other large buildings, such as The Retreat and the Cemex tower block are also nearby which cumulatively create a distinctively built up urban environment.

The car park to the front of Benn Hall, the adjacent roundabout and Newbold Road are all illuminated by a variety of lighting columns. In addition, there are two ornate lanterns on columns either side of the entrance to Benn Hall and a pelican crossing on Newbold Road near the entrance into the Benn Hall/Town Hall car park.

The NPPF acknowledges that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. However, based on the urban location of the site, in an area already subject to a variety of external illumination sources, it is not considered that the principle of the provision of illuminated signage at the front of Benn Hall would adversely affect the character and appearance of the area.

The Retreat to the immediate north of the site is a Grade II listed building. That building dates from the mid-nineteenth century which comprises of stone and stucco walls and slate roof. The architectural style of The Retreat is in complete contrast to the more modern angular brick block shape of the Benn Hall.

The Benn Hall sign itself is considered to be sympathetically designed with its individual letters and owing to the levels of illumination already present in the area, it is not considered that the lighting of this sign would have a detrimental impact on the building, immediate area or the setting of the adjacent listed building. The applicants have stated that there is an existing light fitting on the roof below the existing Benn Hall sign. The new trough upright sign will be installed in its place, but will be hidden behind the existing parapet wall around the flat roof section of building when viewed from ground level.

The digital poster display unit will be located under the existing projecting canopy of the main entrance into Benn Hall. The applicant has stated that whilst the illuminated images will change within the unit, potentially during the day whilst in operation, they will remain static. For instance there would be no flashing, scrolling or moving images displayed. There are 5 existing down lights in the underside of the projecting entrance canopy. These together with the existing illumination referred to above, will reduce the impact the digital poster display unit would have on the locality. However, it is acknowledged that such display units can be quite bright and there would be

concern if it was on throughout the night; therefore, the applicant has agreed to an hours restriction by condition associated with the operation of the display unit. With the imposition of such a condition it is judged that the amenity of the area, including the heritage asset referred to above, would not be adversely affected.

The non-illuminated signs either side of the entrance into Benn Hall will be below the existing projecting canopy. Although large they will fit neatly between the top of the canopy and the ground as well as the entrance into the building, covering up the existing white painted concrete panels. This is considered acceptable on visual amenity grounds.

Although the signs are visible from the highway they do not possess moving features or flashing lights and are set back approximately 25 metres from Newbold Road and therefore it is considered that they would not jeopardise highway safety.

Overall the proposed signs are considered to accord with Policy CS16 and the NPPF.

Recommendation:

Approval, subject to conditions.

DRAFT DECISION

APPLICATION NUMBER

R13/0577

DATE VALID

02/04/2013

ADDRESS OF DEVELOPMENT

BENN HALL
NEWBOLD ROAD
RUGBY
CV21 2LN

APPLICANT/AGENT

Matthew Deaves
Rugby Borough Council
Town Hall
Evreux Way
Rugby
Warwickshire
CV21 2RR

APPLICATION DESCRIPTION

Installation of illuminated and non-illuminated signage to front (western) elevation (including digital poster display unit)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

CONDITION 2:

No advertisement shall be sited or displayed so as to:-

a - endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military),

- b - obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air, or
- c - hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

CONDITION 3:

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

CONDITION 4:

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

CONDITION 5:

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASONS: 1 - 5

In the interests of public and highway safety.

CONDITION 6:

The development shall not be carried out other than in accordance with the application form and plans ref:

Site Location Plan (size A4);

Location of Signs Plan (size A4);

Proposed Signage Photomontage with Advertisement 1, 2 & 3 labels (size A4);

Digital Poster Display Unit Plan PDS-47-W-P-SCH001 (size A4); and

The Benn Hall sign (size A3);

all received by the Local Planning Authority on 2nd April 2013.

Emails received from the applicant to the Local Planning Authority on 02/04/2013 [11:58] & 03/04/2013 [16:40].

REASON:

For the avoidance of doubt.

CONDITION 7:

Unless otherwise agreed in writing the digital poster display unit shall not be switched on or emit any form of illumination outside the hours of 08:00 to 23:00, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

In the interests of the amenities of the locality.

REASON FOR APPROVAL:

The proposed signage is judged not to adversely affect the visual amenity of the area or be detrimental to highway safety. Therefore, the scheme will be in accordance with policy CS16 of the Rugby Borough Core Strategy 2011 and the National Planning Policy Framework (NPPF) 2012.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Council Core Strategy 2011 Policy CS16;

National Planning Policy Framework, 2012; and

Circular 03/2007 & Control of Advertisements Regulations, 2007.

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

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.

Reference number: R13/0233

Site address: The Old Granary, Biggin Hall Lane, Thurlaston

Description: Erection of replacement outbuilding to be used as ancillary workshop and artist studio

Case Officer Name & Number: Alice Cosnett – 01788 533489

Site Description

The Old Granary is a residential dwelling which is formed of a converted agricultural barn which is located outside the Thurlaston Village Boundary within the open countryside. It forms one of a cluster of three dwellings which are residential conversions of agricultural buildings. The domestic curtilage associated with the application dwelling extends up in a northerly direction. Two outbuildings are sited within the curtilage of the dwelling – one which is used as a garage, and the other as a workshop for use ancillary to the main dwelling.

Proposal Description

It is proposed that the existing flat roofed timber outbuilding which is used as an ancillary workshop be replaced with a brick built outbuilding with a pitched roof. The proposed outbuilding will have a slightly larger footprint than that of the existing structure, being 50m² in comparison to the floor area of the existing building which is 43.7m². The proposed building will have a pitched roof which will have a height to the ridge of 4m. The proposed outbuilding is intended to be used as a workshop, in line within the current use of the existing outbuilding, as well as an artist studio for the sole use of the applicant.

Relevant Planning History

R88/2206/10333/P	Conversion of barns to two dwellings	Approved 15.12.1989
R90/0622/10333/P	Conversion of existing barn to provide two storey dwelling and construction of access	Approved 3.10.1990
R93/0697/20458/P	Erection of garage and conservatory	Refused 20.10.1993
R94/0546/20458/P	Erection of detached double garage	Refused 19.10.1994
R94/0952/20458/P	Erection of double garage	Refused 25.1.1995 Dismissed at appeal
R05/0931/20458/P	Alterations to the existing building to include a balcony to the first floor, additional windows to the roof and erection of a double garage	Approved 28.10.2005

Technical Consultation Responses

WCC Ecology – no objection subject to bat and nesting bird informatives

Third Party Responses

Councillor Roberts – Objects to the application for the following reasons:

- Called in to be determined at Planning Committee due to the controversial nature of this development locally
- It represents development that exceeds what would be acceptable in an essential needs settlement
- It also represents development in the Green Belt which is in contravention to Policy CS1 and Part 9 of the NPPF
- The details submitted with the application are insufficient to be able to make an assessment of it

Thurlaston Parish Council – Objects to the application for the following reasons:

- The proposed outbuilding has a larger footprint than the existing outbuilding
- The building has services which would enable it to be used as future living accommodation or holiday let
- Thurlaston is an essential needs settlement – the new structure could be used as a precedent to breach the Rugby plan designation and as such should be refused
- The structure is outside the village boundary and as such appears to be a major case of ‘Development Creep’
- Parish Councillor B. Bemand has had no input into the Parish Council comments as he is a neighbour of the application and as such has declared an interest in it

Neighbours – Three letters of objection have been received from two households which raise the following points:

- The temporary building will be replaced with one of a much more permanent construction
- The proposed building is larger in footprint than the existing outbuilding
- The pitched roof will result in the building being visible from neighbouring properties, Biggin Hall Lane and Draycote Water
- The building is within 2m of the drive and over 2.5m in height contravening Planning Portal guidance
- The size of the proposed wc is commensurate with that which would be installed in living accommodation
- The building could be used for living accommodation in the future – whether for holiday/short term lets or for permanent residence
- Thurlaston is an essential needs settlement and the 2010 Housing Needs Survey identified that there is no need for local housing in Thurlaston – allowing the conversion of the shed to permanent living accommodation would set a precedent in allowing future building in the area
- The building is outside the village boundary – similar applications have been refused in the past
- The area is graded as being of special recreational usage within the Rugby Plan so should be considered as designated land
- Earlier appeal decisions at the site have stated that conversions and adaptations of agricultural buildings should not alter the form, bulk and general design of the building to an unacceptable degree, nor should they detract from the architectural appearance and its contribution to the character of the rural area
- The building has the appearance of a small domestic bungalow not in keeping with the locality and would not represent a visual improvement

- The development will have an impact on the rural landscape and alter the character of the surrounding area
- No objection would be raised if they were proposing to replace the shed like-for-like
A letter of observation was also received from a neighbouring property raising the following points:
- The pitched roof of the outbuilding will impede the view of the reservoir from the balcony on their property – the pitch of the roof should therefore be reduced

Relevant Planning Policies and Guidance

Core Strategy

CS16	Sustainable Design	Complies
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Saved Local Plan Policies

E6	Biodiversity	Complies
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Other Documents

Residential Extension Design Guide	Complies
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National Policy

National Planning Policy Framework (NPPF) Part 7 – Requiring good design	Complies
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Assessment of Proposals

In the assessment of this application, the determining factors are the principle of the proposed development, its impact on the qualities, character and amenity of the area, amenity of neighbouring properties and impact on protected species.

Principle of development

The application site is located outside the Thurlaston Village Boundary and as such is sited within the open countryside. Policy CS1 of the Rugby Core Strategy outlines countryside locations as the second least preferable location for new development, being only preferable to development in the Green Belt. However, as the application seeks permission for the erection of an outbuilding to be used in association with the existing domestic use of the site and ancillary to the dwelling known as The Old Granary, it is not considered that the proposal contravenes the intentions of this policy. The applicant has stated that the building will be used as an ancillary workshop and studio and as such, subject to the condition to ensure that it remains ancillary to the main dwelling, it is not considered that the development is inappropriate in this location. Whilst representations have been received from both neighbouring properties and Thurlaston Parish Council which raise concerns that the building will be used as a separate residential unit, this condition will restrict its use as being only ancillary to the main dwelling known as The Old Granary. Subject to this condition, the principle of the proposed development is therefore acceptable complying with the contents of Policy CS1 of the Core Strategy.

Impact on the qualities, character and amenity of the area

Part 7 of the NPPF emphasises the importance of good design and Policy CS16 of the Core Strategy states that 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. In addition, the Residential Extension Design Guide within the Sustainable Design and Construction SPD provides guidance in relation to outbuildings stating that buildings may not be acceptable in prominent locations. The proposed building will be sited toward the east of the vehicular access to the converted barns from Biggin Hall Lane. Whilst sited in a relatively prominent location, due to thick hedging along either side of the approach to the barns, along with vegetation along Biggin Hall Lane, views to the proposed building will be relatively restricted. Whilst the pitched roof will be visible from Biggin Hall Lane its design is such that will be in keeping with the surrounding buildings (the converted barn itself and detached garage having roofs of the same pitch and material finish). In addition, it is sited some 30m away from the converted barn which is considered appropriate to minimise its impact upon the character and setting of the former agricultural building. Furthermore, the proposal will facilitate the replacement of the existing flat roofed timber outbuilding which is of poor quality and design. It is therefore considered that its replacement will represent an aesthetic improvement to the visual amenity of the site and wider area. The development therefore complies with the contents of Part 7 of the NPPF and Policy CS16 of the Core Strategy.

Impact upon the amenity of neighbouring properties

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded. The nearest residential property (The Stables) is sited in excess of 30m from the proposed outbuilding – a distance which is considered to be sufficient to ensure that no significant loss of amenity will arise to this, or other neighbouring properties. Whilst the curtilage boundary of both The Stables and Meadowcroft are within closer proximity to the proposed outbuilding (approximately 20m), it is not considered that it will cause a significant loss of amenity to the garden areas associated with these neighbouring properties. It is therefore considered that the proposed development will not have a significant impact upon the amenity of neighbouring properties in accordance with the relevant section of Policy CS16.

Impact on protected species

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. The County Ecologist has assessed the application and has concluded that the proposal is unlikely to have a significant impact on protected species or sites. It is considered that roosting opportunities within the existing building are low, having limited potential for bats and as such the County Ecologist has raised no objection to the proposal subject to the attachment of bat and nesting bird informatives. It is therefore not considered that the proposed development will have an adverse impact upon features of ecological or geological importance, therefore complying with the contents of Saved Local Plan Policy E6.

Recommendation:

Approve subject to appropriate conditions

DRAFT DECISION

APPLICATION NUMBER

R13/0233

DATE VALID

13/02/2013

ADDRESS OF DEVELOPMENT

THE OLD GRANARY
BIGGIN HALL LANE
THURLASTON
RUGBY
CV23 9LD

APPLICANT/AGENT

Mr Stephen Lewington
The Old Granary
Biggin Hall Lane
Thurlaston
Rugby
Warwickshire
CV23 9LD

APPLICATION DESCRIPTION

Erection of replacement outbuilding to be used as ancillary workshop and artist studio

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION 1:

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

REASON:

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

CONDITION 2:

Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below: application form, document entitled 'Planning Application for Replacement Building' and site location plan received by the Local Planning Authority on 13 February 2013 and plans entitled 'Replacement Workshop/Store/Studio' and 'Existing Workshop/Store' received by the Local Planning Authority on 11 April 2013.

REASON:

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

CONDITION 3:

The facing materials to be used in the construction of the external walls and roof of the development hereby approved shall be in accordance with the samples of the bricks and tiles assessed on site on 6 March 2013.

REASON:

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

CONDITION 4:

The outbuilding hereby approved shall not be used for any purpose other than ancillary to the residential use of The Old Granary.

REASON:

In the interest of residential amenity.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Core Strategy

CS16 - Sustainable Design

Saved Local Plan Policies

E6 - Biodiversity

Other Documents

Sustainable Design and Construction SPD

National Planning Policy Framework (NPPF)

Part 7 - Requiring good design

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

REASON FOR APPROVAL:

The principle of the proposed outbuilding is acceptable complying with the contents of Policy CS1 of the Rugby Borough Core Strategy 2011. It will be in keeping with the surrounding area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with Part 7 of the NPPF 2012, Policy CS16 of the Rugby Borough Core Strategy 2011 and the Sustainable Design and Construction SPD 2012. 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:

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.

INFORMATIVE 2:

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

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

Reference number: R13/0436

Site address: 17 Orchard Way, Bilton, Rugby

Description: Certificate of Lawfulness for erection of single storey extension and associated external decking

Case Officer Name & Number: Alice Cosnett – 01788 533489

Site Description

No.17 Orchard Way is a detached brick built bungalow within the Rugby Urban Area. It occupies a sloping site – with the garden to the rear of the dwelling sloping downwards as it progresses away from the property.

Proposal Description

This application is a Certificate of Lawfulness for a single storey extension and associated raised decking to the rear of the dwelling. As an application for a Lawful Development Certificate rather than an application for planning permission it seeks to demonstrate that the extension and decking are lawful by virtue of being in situ for over 4 years.

To support the application, two letters have been submitted from the occupiers of the two neighbouring properties – no.15 and no.19 Orchard Way. Both state that the single storey rear extension and decking to the rear have been in place for more than 4 years.

In addition, a Building Notice Completion Certificate has been provided by the applicant which states that the completion inspection was carried out on 3 November 2008.

Other Relevant Information

This application is for a Certificate of Lawfulness, it is not an application for planning permission and the issues to be assessed are different than when dealing with applications for planning permission.

The application seeks to establish whether the single storey extension and decking to the rear of the dwelling is lawful by virtue of being in this use for 4 years prior to the date of submission, the application can only be assessed on this basis and no consideration can be given to planning policies or other material considerations.

Circular 10/97 states that the onus of proof in such an application is firmly on the applicant. It goes on to state that if the Council have no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate 'on the balance of probability.'

Technical Consultation Responses

RBC Legal – Evidence submitted is sufficient for certificate to be granted

Third Party Responses

Councillor – none received

Neighbours – none received

Relevant Planning Policies and Guidance

Circular 10/97 Annex 8 – Lawfulness & The Lawful Development Certificate

Assessment of Proposals

As detailed above the only issue to consider in the determination of this application is whether the evidence submitted is sufficient to demonstrate, on the balance of probability, that the building was extended and associated decking constructed over 4 years ago.

In determining Certificate of Lawfulness applications it is for the applicant to provide sufficient information to prove their case. To this end the applicant provided two signed letters from neighbouring properties (no.15 and no.19 Orchard Way) which state that the single storey extension and associated decking have been in situ for more than 4 years. In addition, a Building Notice Completion Certificate has been provided by the applicant which states that the date of the completion inspection was on 3 November 2008.

It is considered that the submitted information shows that the extension and associated decking were completed in late 2008.

It is for the applicant to demonstrate that, on the balance of probability, the extension and decking have been in situ for the required 4 year period. The Circular states that onus of proof in such an application is firmly on the applicant. It goes on to state that if the Council have no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous.

It is therefore considered that sufficient evidence has been submitted to demonstrate that, on the balance of probabilities, the property has been extended for the required 4 year period.

The Council's Development Strategy Manager, in conjunction with the Legal Manager has confirmed agreement with this view.

Recommendation:

Grant certificate

DRAFT DECISION

APPLICATION NUMBER

R13/0436

DATE VALID

12/03/2013

ADDRESS OF DEVELOPMENT

17 ORCHARD WAY
BILTON
RUGBY
CV22 7PS

APPLICANT/AGENT

Mr Matthew Smith
17 Orchard Way
Bilton
Rugby
Warwickshire
CV22 7PS

Rugby Borough Council hereby certify that on 24/04/2013 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate were lawful within the meaning of section 191 of the Town and County Planning Act 1990 (as amended) for the following reasons:

On the basis of the description below in the First Schedule, the Local Planning Authority conclude that the works to extend the building were carried out in excess of four years ago.

FIRST SCHEDULE:

Single storey extension and associated external decking to the rear of the dwelling
- Photographs and associated measurements received by the Local Planning Authority on 11 March 2013

SECOND SCHEDULE:

17 Orchard Way
Bilton
Rugby
CV22 7PS

Reference number: R13/0070

Site address: Hillcrest Farm, Clayhill Lane, Long Lawford, CV23 9BG

Description: Erection of extensions to agricultural building.

Case Officer Name & Number: Martin Needham (01788) 533741

Relevant History

R07/0090/PLN: Erection of an agricultural workers dwelling and a detached garage and store – Refused 09.03.2007

R07/1028/PLN: Erection of an agricultural workers dwelling and a detached garage – Approved 30.07.2007

R10/1129: Application for determination concerning prior approval of an agricultural building for the storage of machinery – Prior Approval Not Required 21.07.2010

R11/0730: Proposed cattle building – Approved 17.07.2011

Technical Consultees

Environmental Services – No objection. Sufficient information has been provided to negate initial concerns of potential odour/insect nuisance. Recommend advisory note.

Highways – No objection subject to condition.

Landscape Officer – Trees planted along Southern boundary are suitable and will become established to provide a screen for the development over time. If mature trees were planted these would have been likely to fail.

WCC Ecology – Building is not of a suitable construction to support roosting bats, however recommend advisory note regarding protected status of nesting birds. Several ponds near to application site so recommend great crested newt advisory note.

Third Party Responses

Neighbours:

8 The Spinney - Observation. Need for passing bays in Clayhill Lane as currently need to pull onto soft ground. General state of the lane becomes dangerous and if vehicles pull onto grass may get stuck. In the time the pigs have been on the farm have only heard them on three occasions. The Harris family achievements have to be admired.

36 Chapel Street – Would like to raise issue of speed limits on Chapel Street. There is a 20mph speed limit on tractors and farm vehicles and would like this observed to avoid accidents and spillage. Otherwise no objections.

43 Chapel Street – Object. Existing odour problem. Already looks like an industrial estate and believe it can only get a lot worse. Speeding tractors cover roads with mud and manure. Property has been devalued.

45 Chapel Street – Object to any more extensions. Unpleasant smell and is sickening when lorries go through street.

51 Chapel Street – Object. Site is becoming an industrial development and blot on skyline. Extension is latched onto existing barn which houses a considerable number of pigs. Lack of notification. Conditions of previous permission required mature planting. Previous approval was for cattle shed and not a piggery, no application to change use of building has been made for this. Current application is to store foul sewerage but forms say it is not a waste management application. Discrepancies on application form. Disregard to previous conditions of approval. Prevailing wind is from the West and when the pigs are in residence the smell problem is constant. Increase in number of pigs would add to waste and odour.

56 Chapel Street – Object. No notification of application apart from 1 small notice which disappeared after it was put up. Odours from farm are already too much especially in summer months. Further development would increase the uncomfortable situation and devalue property in Chapel Street. Traffic movement in Clayhill Lane would increase. Highway safety issues.

75 Chapel Street – Observation. Numerous occasions when Chapel Street is littered with animal based manure. Trust that traffic from the farm is also considered, including traffic from the farm at unsociable hours.

Long Lawford Parish Council – Contradictions between original planning application and current extension application. Discrepancies on application form. Query if existing building has been built in accordance with details. Original permission was for cattle but this has been replaced by 'livestock', which are pigs resulting in smell issue. Trees planted are not mature trees and will take many years to grow to the height necessary to do the job they were intended to do, therefore breach of original condition. Heavy goods vehicles/tractors etc from the farm causing havoc in the village and surrounding roads, dropping mud and manure onto the highways in Chapel Street which is not cleaned up causing environmental concern. Recently this dirtying of the roads caused the A428 to be closed so that a clean up operation of WCC could take place in the interests of safety and at the taxpayers expense, therefore there is a big impact on the village and surrounding highways. Farm traffic runs late into the evening and breaking up public road and verges. Lights pollution from barn.

Other Relevant Information

The site is located in the Green Belt near to the settlement of Long Lawford to the East. The extension is proposed onto a recently built agricultural building approved in 2011 (ref:R11/0730). The existing building forms part of a group

of farm buildings which includes the farmhouse. The site is located on the crest of a hill. The existing building is currently used for housing pigs. The extension is sought to provide additional space for the management of the pigs, including space to store manure and waste internally, and also to increase in the number of pigs kept from 1600 to 1999.

Relevant Planning Policies and Guidance

CS1	Development Strategy	Complies
CS16	Sustainable Design and Construction	Complies
E6	Biodiversity	Complies
NPPF		Complies

Determining Considerations

The main issues concerning this application are the impacts of the proposal upon the Green Belt, visual and residential amenities, biodiversity and highway safety.

As the proposed building is for agricultural purposes, the principle of this type of development is acceptable in this Green Belt location. The existing building is on the crest of a hill and the extension would be a visible addition to the landscape when viewed from the South, including from along a public footpath. The extension is of an agricultural appearance and would be in keeping with the existing building. Whilst functional in appearance, it is suitably designed for its purpose and would not look out of character considering its agricultural use. As the extension would be located near to the existing group of buildings, the spread of development and impact on the surrounding area is minimised as far as is practical.

Trees have been planted to the South of the existing building and extension as part of the previous approval for the main building (R11/0730). Some of the original details agreed related to the planting of mature trees, however only saplings of around 6' tall have been planted. This planting has been examined by the Council's Landscape officer, who has commented that it is actually preferred for saplings to be used as more mature trees would have been unlikely to become established in the ground. The landscape officer has also commented that the existing planting should provide a suitable screen within a couple of years, and that the plants used would quickly overtake any larger specimens if these were planted. Whilst a suitable screen has unfortunately not been available from the outset, the planting as existing is the most suitable mitigation and will significantly reduce the visual impact of the development. It is not considered expedient therefore to require the existing planting be removed and replaced with mature trees as ultimately this would be likely to fail and the proposed (and existing buildings) would be bereft of a suitable screen.

The extension would not be readily visible from Little Lawford Lane to the North, due to hedges along the boundary of this highway, the distance from the development, and the gradient of the land partly screening the site from some vantage points. It is not considered that the development would have a harmful visual impact when viewed from this aspect. Due to the building's

siting in relation to the existing farm buildings, the proposal would not appear unduly prominent or harmful to visual amenities when viewed from other directions. It is considered that the design and siting of the extension are suitable for its purpose and the impact upon the visual amenities of the locality and Green Belt are acceptable.

With regard to the issue of odour, Environmental Services has conducted a site visit where it was observed an odour was present in the general area but not in the village. The concerns raised by residents have been considered and an odour and waste management plan has been requested due to the potential for nuisance. A plan has been provided by the applicant, which includes details of the storage and collection of waste and its transportation. Environmental Services have advised that sufficient information has been provided to negate their initial concerns about potential odour and insect nuisance, and by carrying out operations in accordance with the plan they consider that the likelihood of odour and insect nuisance should be minimised. Overall, no objection has been raised by Environmental Services. A condition is recommended to ensure implementation and adherence to the Odour and Waste Management Plan. In addition to this, a further note is also recommended to bring to the applicant's attention that an approval of planning permission or compliance with planning conditions would not override Environmental Health legislation, which may still be utilised in the event of undue odour disturbance occurring.

The Highways Authority has made no objection to the application subject to a condition to prevent deleterious matter being carried on to the highway during the construction period. The issue of the status of the roads (including mud and spillages) and concerns of highway safety have been raised with the Highways Authority, however these have not affected their view of the acceptability of the development. The potential for the development to intensify these problems has been considered, however these concerns would primarily be matters to be addressed directly by the County Council. Speeding farm traffic is a matter that would require police enforcement. It is not considered that the development would be detrimental to highway safety or contrary to planning policy.

The Environment Agency has been consulted with details of the concerns relating to pollution of watercourses but have declined to comment on the application. It appears unlikely that there would be a significant risk of watercourses being polluted as a result of the development. In the event of contamination occurring, this should be raised directly with the Environment Agency to act upon.

The use of the existing building is for agricultural purposes. The housing of any form of livestock in such a building does not require an application to change its use. It is also considered unreasonable to include restrictions on livestock being housed in the extension (or the existing building).

Some concerns have been raised regarding the accuracy of the information provided on the application form, however it is considered the information

provided is sufficiently accurate to detail the development and assess the likely impacts. The devaluation of properties is not a material planning consideration that carries weight in the determination of this application. The existing building has been built in accordance with the previous approved details. The development is not considered to give rise to undue light disturbance, and this is a matter that could be addressed via Environmental Health legislation should nuisance occur.

The site is within a consultation distance of a hazardous pipeline. Health and Safety standing advice indicates however that due to the type of development it is not necessary for further consultation.

Overall, the impacts of the development upon the Green Belt and visual amenities are considered acceptable. It is considered that the development would not result in harm to residential amenities, and with adherence to the waste management plan would help reduce the likelihood of odour and other amenity issues occurring. The development is not considered to be detrimental to highway safety.

Recommendation

The proposal is recommended for approval subject to conditions.

Report prepared by: M Needham 15th April 2013

DRAFT DECISION

APPLICATION NUMBER

R13/0070

DATE VALID

09/01/2013

ADDRESS OF DEVELOPMENT

HILLCREST FARM
CLAYHILL LANE
RUGBY
CV23 9BG

APPLICANT/AGENT

Mrs Debra Archer
Bowie Lockwood Structures Ltd
Coombe Abbey Farm
Coombe Fields Road
Ansty
Coventry
Warwickshire
CV3 2AB
On behalf of Mr P HARRIS, M J HARRIS
FARMING

APPLICATION DESCRIPTION

Erection of extensions to agricultural building

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:

This permission relates to the following plans and information:

Design and Access Statement, Drg No. 101, 102 received 9th January 2013.

Applicant's letter and Odour and Waste Management Plan received 7th March 2013.

REASON:

For the avoidance of doubt.

CONDITION 3:

The Waste and Odour Management Plan submitted shall be implemented in full and adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interests of amenities.

CONDITION 4:

If within a period of 10 years from the date of this decision, any of the existing landscaping to the South of the building (in the position as shown on Plan 1113, Drg 102 rev A submitted in R11/0730) is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON:

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

CONDITION 5:

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

REASON:

In the interests of highway safety.

REASON FOR APPROVAL:

The proposal is an acceptable form of development in the Green Belt and would not be harmful to visual amenities, in accordance with policies CS1 and CS16 of the

Rugby Borough Core Strategy 2011 and the NPPF. The proposal would not adversely affect residential amenities and therefore complies with policy CS16 of the Rugby Borough Core Strategy and the NPPF. The proposal would not give rise to issues of pollution of ecological issues and therefore complies with saved policy E6 of the Rugby Borough Plan 2006 and the NPPF. The proposal would not be detrimental to highway safety and therefore complies with the NPPF.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

CS1, CS16, E6, NPPF

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

INFORMATIVE 1:

The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions.

INFORMATIVE 2:

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

INFORMATIVE 3:

In view of the ponds 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 and while Warwickshire County Council Ecological Services or 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 are also deemed European Protected Species. Where newts are present a license 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.

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.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	24 th April 2013
Report Title	Planning Appeals Update
Portfolio	
Ward Relevance	All
Prior Consultation	None
Reporting Director	Head of Planning and Culture
Contact Officer	Greg Vigars Tel: Ext.3621
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	<p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p>
Statutory/Policy Background	The Planning Appeals procedure which came into effect on 6 th April 2009.
Summary	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2013 to 31/03/2013.

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

Planning Committee - 24th April 2013

Planning Appeals Update

Report of the Head of Planning and Culture

Recommendation

The report be noted.

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

1.1 Appeals determined

During the last quarter (1st January to 31st March 2013) a total of 17 planning appeals were determined, of which 8 were allowed, 7 were dismissed and 2 were withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 31st March 2013 there were 13 planning appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date Of Meeting: 24th April 2013
Subject Matter: Planning Appeals
Originating Department: Head of Planning and Culture

LIST OF BACKGROUND PAPERS

* There are no background papers relating to this item.

(*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st January 2013 - 31st March 2013

Application Ref No.	Location	Description	Appeal Decision	Planning Inspectorate Appeal Ref No. Decision Type
R12/1279 AC	22 Gold Avenue Cawston Rugby CV22 7FB	Erection of fence to the side of the dwelling	Written Reps Allowed 07.01.2013	APP/E3715/D/12/2186407 Delegated – Refused 03/08/2012
R12/1401 RR	Featherstone Farm Leamington Road Ryton on Dunsmore CV8 3EL	Erection of swimming pool and enclosure.	Written Reps Dismissed 07.01.2013	APP/E3715/D/12/2186354 Delegated – Refused 29/08/2012
R12/0952 MN	6 Brook View Rugby CV22 6RR	Erection of first floor extension over existing garage with link to dwelling.	Written Reps Dismissed 08.01.2013	APP/E3715/A/12/2184294 Delegated – Refused 21/06/2012
R12/0818 BS	The Byre Brockhurst Lane Monks Kirby CV23 0RA	Installation of new windows and doors	Written Reps Dismissed 08.01.2013	APP/E3715/D/12/2185992 Delegated – Refused 24/05/2012
R12/0425 RR	58 Rugby Road Binley Woods Coventry CV3 2AX	Erection of two detached dwellings and garages to rear of 58 Rugby Road (Re-submission of R11/0016)	Written Reps Dismissed 15.01.2013	APP/E3715/A/12/2182056 Delegated – Refused 04/04/2012
R12/1159 SP	77 Bilton Road Rugby CV22 7AW	Retrospective application for the replacement of a veranda cover to the rear of the property.	Written Reps Allowed 21.01.2013	APP/E3715/D/12/2185522 Delegated – Refused 20/07/2012

R12/0698 CD	243 Bilton Road Bilton Rugby	Erection of a two storey side extension.	Householder Appeals Service (HAS) Allowed 04.02.2013	APP/E3715/D/12/2189940 Delegated – Refused 02/10/2012
R12/1679	14 Lancut Hill Rugby CV23 0JR	Erection of a rear conservatory to link with an existing detached garage	Householder Appeals Service (HAS) Dismissed 05/02/2013	APP/E3715/D/12/2190073 Delegated – Refused 22/10/2012
R12/1006 CD	Southlands Off Heath Lane Brinklow CV23 0NX	Erection of a single storey side extension.		APP/E3715/D/12/2190227 Delegated – Refused 17/10/2012
R12/1733 AC	Martingale Main Street Frankton CV23 9PB	Proposed single storey extension to form garden room, amendment to the windows in the northeast and southwest gable ends and insertion of flue into the southeast roof slope	Written Reps Allowed 08/02/2013	APP/E3715/D/12/2189244 Committee – Refused 07/11/2012
R11/0432 MN	133 Overslade Lane Rugby CV22 6EF	Erection of replacement dwelling and formation of new access	Written Reps Allowed 20/02/2013	APP/E3715/A/12/2183438 Delegated – Refused 23/05/2012
R12/1696 AC	College Barn Leamington Road Princethorpe CV23 9PU	Replacement detached garage and associated soft and hard landscaping	Written Reps Dismissed 21/02/2013	APP/E3715/D/13/2191194 Delegated – Refused 31/10/2012
R12/0637 NL	The White House Oxford Road Princethorpe	Change of use from residential to guest house to include retrospective permission for first floor guest bedrooms		APP/E3715/A/12/2188548 Delegated – Refused 30/05/2012

R12/1194 OW	Land off Priory Road and School Street Wolston Warwickshire	Erection of 80 dwellings with associated open space, landscaping, infrastructure and newt reserve (resubmission of refused application ref R10/1131 dated 28th Feb 2012)		APP/E3715/A/12/2186128 Committee - Refused 17/10/2012
R12/0358 NL	Bates Farm Bush Hill Lane Flecknoe CV23 8AX	Retention of timber cabin to be used as ancillary accommodation to existing house	Hearing Allowed 15/03/2013	APP/E3715/A/12/2184173 Committee – Refused 05/04/2012
		Erection of 1.8 metre high entrance gates and fencing - Resubmission of application R12/1402	Householder Appeals Service (HAS) Allowed 21/03/2013	APP/E3715/D/13/2192297 Delegated – Refused 25/01/2013
R12/0637 NL	The White House Oxford Road Princethorpe CV23 9QD	Change of use from residential to guest house to include retrospective permission for first floor guest bedrooms	Written Reps Withdrawn 06/03/2013	APP/E3715/A/12/2188540 Delegated – Refused 30/05/2012

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.03.2013

Application Ref No.	Location	Description	Appeal Type	Planning Inspectorate Appeal Ref No. Decision Type
NL	Top Park Top Road Barnacle Coventry CV7 9FS	The change of use, without planning permission, of the land from paddock to a use for the siting of residential caravans, trailers and commercial vehicles.	Enforcement Inquiry	APP/E3715/C/11/2153638 Linked Appeal ref. APPE3715/C/11/2154137 APP/E3715/A/11/2153749(as below)
R10/2298 NL	Site at Top Park Top Road Barnacle Coventry CV7 9FS	The retention of the use of land and ancillary operational development as a residential caravan site (renewal of planning permission (Appeal) reference APP/E3715/A/06/2030623 (R06/0743/PLN) dated 18th January 2008) including the erection of six temporary amenity blocks (resubmission of previously withdrawn application R10/0959 dated 26/11/2010)	Inquiry	APP/E3715/A/11/2153749 Committee – Refused 06/04/2011
R11/0239 KMcC	Land at Stretton Croft Wolvey Road Burbage LE10 3JB	Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.	Inquiry	APP/E3715/V/12/2179915 Undetermined as at 22/08/2012
R12/1029 CD	Land rear of Fosse Bank 4 Rugby Lane Stretton on Dunsmore CV23 9JH	Use of land as a private garden and fishing lake.	Written Reps	APP/3715/ X/12/2183941 Delegated – Refused 29/08/2012

R12/1583 KMcC	Unit 2 5 Castle Mound Way Rugby CV23 0WB	Display of 2 non-illuminated fascia signs	Written Reps	APP/3715/ H/12/2184438 Delegated – Refused 20/09/2012
R11/1737 MN	Spicers Wood Coventry Road Pailton CV23 0QA	Conversion of building (garage and workshop) to single dwelling	Written Reps	APP/E3715/A/12/2185863 Delegated – Refused 24/05/2012
R12/0731 CD	Land rear of 38 North Road Clifton on Dunsmore CV23 0BN	Erection of a detached dormer bungalow.	Written Reps	APP/E3715/A/12/2186678 Delegated – Refused 06/06/2012
R12/1176 AC	Former David Smith Packaging Site Brownsover Lane Rugby CV21 1HL	Proposed detached dwelling with vehicular access and car parking	Written Reps	APP/E3715/A/12/2186323 Delegated – Refused 05/09/2012
R12/1969 CD	Thurlby Main Street Birdingbury CV23 8EL	Continuation of use of existing domestic annex for the provision of short term residential accommodation for business visitors.	Written Reps	APP/E3715/A/12/2189600 Delegated – Conditional Approval 14/11/2012
R11/2097 CD	Land at Liapari Back Lane Harborough Magna CV23 0HT	Erection of a detached dwelling and a detached garage, with vehicular access off Back Lane.	Written Reps	APP/E3715/A/12/2189306 Delegated – Refused 10/10/2012
R12/1979 CD	The Range Unit 4 Junction One Retail Park Leicester Road Rugby CV21 1RW	(a) Retention of 3no. internally illuminated signs to the front elevation. (b) Display of 1no. non-illuminated ("coffee shop") fascia sign on the front elevation and the internally illuminated fascia sign on the rear elevation.	Written Reps	APP/E3715/H/12/2189389 Delegated – Split decision (a) granted (b) refused 19/11/2012
R12/2325 SP	2 Kareen Grove Binley Woods CV3 2BN	Proposed loft conversion and creation of additional roofspace with dormers to the front elevation and both side elevations	Householder Appeals Service (HAS)	APP/E3715/D/13/2192755 Delegated – Refused 21/01/2013

R12/1684	1 Bawnmore Park Rugby CV22 6JW	Demolition of existing dwelling and erection of 3 detached dwellings with associated parking and works.	Written Reps	APP/E3715/A/13/2195357 Committee – Refused 30/01/2013
R11/2425	Rear of 61 Ratliffe Road Rugby CV22 6HB	Erection of a detached 1.5 storey dwelling with access off Overlade Manor Drive.	Written Reps	APP/E3715/A/12/2184609 Committee – Refused 26/07/2012

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	24 April 2013
Report Title	Delegated Decisions –22.03.2013 to 11.04.2013
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Paul Varnish 3774
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Head of Planning and Culture under delegated powers
Risk Management Implications	N/A
Financial Implications	N/A

Environmental Implications N/A

Legal Implications N/A

Equality and Diversity N/A

Options N/A

Recommendation The report be noted.

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

Rugby Borough Council

Planning Committee – 24 April 2013

Delegated Decisions – From 22.03.2013 To 11.04.2013

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: 24.04.2013
Subject Matter: Delegated Decisions – 22.03.2013 to 11.04.2013
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 22.03.2013 TO 11.04.2013

A. APPLICATIONS – DELEGATED

**Applications
Refused**

<i>R13/0260 Refused 21.03.2013</i>	Featherstone Farm Leamington Road Ryton-on-Dunsmore	Erection of enclosed swimming pool within the curtilage of the existing dwelling.
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**Applications
Approved**

<i>R13/0037 Approved 21.03.2013</i>	Makins Fishery Club House, Makins Fishery Certificated Site Bazzard Road Wolvey	Retention of toilet block in Phase 1 and erection of toilet blocks on phases 2 and 3 of fishery.
<i>R13/0192 Approved 21.03.2013</i>	Land adjacent to the Old Dairy 25 Brookside	Renewal of planning permission R10/0033/PLN dated 14th April 2010 for the erection of a dwelling.
<i>R13/0346 Approved 21.03.2013</i>	4 Meadow Cottages Main Street Granborough	Conversion of integral garage to residential purposes and elevation changes.
<i>R13/0034 Approved 22.03.2013</i>	259 Hillmorton Road Rugby	Alterations and extensions to the existing dwelling including increasing the existing ridge height of the roof.
<i>R13/0217 Approved 22.03.2013</i>	269 Bilton Road Bilton	Provision of a pitched roof over an existing detached garage.
<i>R13/0338 Approved 22.03.2013</i>	Hillside Post Office Road Leamington Hastings	Proposed single storey side extension.
<i>R13/0349 Approved 22.03.2013</i>	2 Market Place Rugby	Removal of Condition 2 (limiting the period of permission to 5 years) of planning permission R12/1968 (Change of Use from Class A1 (retail) to Class A2 (financial and professional services)).

<i>R12/2307 Approved 25.03.2013</i>	Jones The Chopping Block Flecknoe Village Road Flecknoe	Permanent retention of existing storage building for use in association with business previously approved on appeal under reference R09/0064/PLN
<i>R12/1771 Approved 27.03.2013</i>	48 Cymbeline Way Bilton	Erection of two storey side extension single storey rear extension and new entrance lobby and front canopy
<i>R13/0163 Approved 27.03.2013</i>	Mile Tree Farm Mile Tree Lane Coventry	Conversion of buildings and land to equine use, including fitting out of one building as stables (Building B) and the other for indoor schooling (Building A) - partially retrospective.
<i>R13/0378 Approved 27.03.2013</i>	37 Crick Road Hillmorton	Loft conversion including 3 front dormer windows and rear roof extension. External alterations. Single-storey rear extension.
<i>R13/0164 Approved 28.03.2013</i>	9 Beaconsfield Avenue Rugby	Conversion, alteration and extension of existing garage to form disabled wet room
<i>R13/0090 Approved 28.03.2013</i>	Unit 10 Swan Centre 21 Chapel Street Rugby	Change of use of existing retail unit (Class A1) to use as a Coffee Shop (Class A3) and alteration of first floor front elevation to form a new window opening.
<i>R13/0425 Approved 03.04.2013</i>	Orchard Barn Copston Lane Lutterworth	Erection of single-storey side and rear extensions, external alterations, provision of hardsurfacing, paving and landscaping.
<i>R13/0216 Approved 03.04.2013</i>	1 Bond End Monks Kirby Rugby	Demolition of a car port and erection of a garage and extension.
<i>R13/0464 Approved 03.04.2013</i>	Cornercroft Rugby Road Princethorpe	Erection of single storey front and rear extension and alterations to existing dwelling
<i>R13/0274 Approved 04.04.2013</i>	Land Adjacent to 83 Kingsley Avenue (Known as 81 Kingsley Avenue) Hillmorton	Erection of a detached dwelling and associated works (renewal of planning permission reference R09/1020/PLN, dated 02/02/10).
<i>R13/0475 Approved 05.04.2013</i>	2 Kew Road Rugby	Erection of a single storey side extension.

<i>R13/0079 Approved 05.04.2013</i>	Hill Farm Rugby Road Bretford	Erection of two storey and single storey extensions, conversion of part of existing agricultural building to residential purposes and external alterations to existing residential dwelling
<i>R13/0447 Approved 08.04.2013</i>	33 Barton Road Rugby	Alterations to the roof space to create living accommodation and a single storey rear extension.
<i>R13/0434 Approved 08.04.2013</i>	2 Cheshire Close Rugby	Erection of a conservatory to the side of the property
<i>R12/1204 Approved 08.04.2013</i>	The Ranch Shilton Lane Coventry	Erection of a storage Barn
<i>R12/2206 Approved 09.04.2013</i>	34 Falstaff Drive Bilton	Erection of a single storey rear extension
<i>R12/1954 Approved 09.04.2013</i>	148 Dunchurch Road Rugby	Erection of two-storey front and side extension, single-storey front extension, external alterations, loft conversion including front and rear dormer windows.
<i>R13/0212 Approved 09.04.2013</i>	82 Mellish Road Overslade	Conversion of the existing carport to a lounge area.
<i>R13/0172 Approved 09.04.2013</i>	25 North Street Marton	Conversion of outbuilding into separate dwelling (Renewal of an extant planning permission ref. no. R10/1540 granted 13th October 2010 for the conversion of outbuilding into separate residential dwelling).
<i>R13/0408 Approved 09.04.2013</i>	Land opposite 20 Brook Street Wolston	Erection of a boundary fence enclosing land to be used as private garden area.
<i>R13/0498 Approved 09.04.2013</i>	96 Bilton Road Rugby	Erection of a single storey side extension.
<i>R13/0476 Approved</i>	110 Rugby Road Binley Woods	Erection of a first floor rear extension, pitched roof to existing flat roof rear extension, and

09.04.2013		single storey rear extension.
R12/0332 Approved 09.04.2013	39 Main Street Long Lawford	Erection of a 2 storey rear extension, front porch and replacement detached garage.
R13/0114 Approved 09.04.2013	7 Regent Place Rugby	Change of use of existing building from Class A2 (offices) to Class C3 (residential dwelling) of the Town and Country Planning (Use Classes) Order 1987 as amended.
R13/0437 Approved 09.04.2013	Bungalow Farm Smeaton Lane Rugby	Retention of outdoor menage measuring 60m x 24m for private use.
R13/0504 Approved 09.04.2013	2 Fair Close Frankton	Erection of a single storey rear extension.
R12/1463 Approved 10.04.2013	Unit 1 90 Newbold Road Rugby	Change of use of from general industry (Use Class B2) unit to provide a gym providing fitness suite and multi-use games hall (Use Class D2) including external alterations.
R13/0448 Approved 10.04.2013	Newton Manor Farm Newton Manor Lane Brownsover	Alterations and extensions to dwelling to include erection of conservatory to east elevation and conservatory to south elevation and erection of replacement porch to west elevation.

Listed Building Consents

R12/1993 Listed Building Consent 22.03.2013	The Beeches 29a Coventry Road Brinklow	Listed Building consent for insertion of four rooflights and removal of internal wall.
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Advertisement Consents

R13/0088 Advertisement Consent 22.03.2013	Former Lloyds TSB PLC 23-25 The Green Bilton	Retention of 2 No. Internally illuminated fascia signage.
R13/0310 Advertisement Consent 26.03.2013	Post Office 20 Albert Street Rugby	Display of internally illuminated surround to existing ATM

<i>R13/0091 Advertisement Consent 28.03.2013</i>	Unit 10 Swan Centre 21 Chapel Street Rugby	Application for consent to display 3 illuminated fascia signs
<i>R13/0383 Advertisement Consent – Split Decision 03.04.2013</i>	Chip Stop 262 Hillmorton Road Rugby	Retention of fascia and projecting signs
<i>R13/0243 Advertisement Consent 08.04.2013</i>	Cameron Limited Unit 4 Europark Watling Street Clifton Upon Dunsmore	Display of 2no. fascia signs (retrospective)

Certificate of Lawful Use or Development

<i>R13/0398 Certificate of Lawful Use or Development 25.03.2013</i>	The Highlands Withybrook Lane Shilton	Certificate of Lawfulness for Proposed Development - Erection of extensions, roof alterations and detached garage.
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Approval of Details/ Materials

<i>R10/1972 Approval of Details 25.03.2013</i>	Unit 2 Former Peugeot Works (Site B) Oxford Road Ryton-on-Dunsmore	Renewal of outline planning permission (R07/2010/OPS) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping].
<i>R12/2261 Approval of Details 26.03.2013</i>	Rose Cottage 62 Main Street Wolston	Erection of 1.8 metre high entrance gates and fencing - Resubmission of application R12/1402
<i>R13/0053 Approval of non-material changes 27.03.2013</i>	1 Meadow Road Wolston	Erection of a single storey wraparound front and side extension with a front canopy porch.
<i>R10/1065 Approval of Details</i>	Holly House 1 Main Street	Erection of two storey side and rear extensions, provision of a link attached granny

03.04.2013	Frankton	annexe, and associated alterations including relocation of the existing vehicular access.
R11/1468 Approval of Details 10.04.2013	New Farm Marton Road Birdingbury	Conversion of redundant farm buildings to two dwellings.
Withdrawn/ De-registered		
R10/1252 Withdrawn 26.03.2013	Boots Farm Straight Mile Rugby	Change of use of part of land for the purposes of marquee hire, together with the use of an area of existing hard-standing for the parking of lorry backs and storage of vehicles ancillary to the operations within existing buildings.
R13/0238 Withdrawn 27.03.2013	Land North of Lutterworth Road Wolvey adjacent to Suncrest Lutterworth Road Wolvey	Erection of four detached dwellings.
R13/0376 Withdrawn 28.03.2013	Land Rear of 37 Crick Road Hillmorton	Erection of a detached dwelling