

12th July 2013

PLANNING COMMITTEE - 24TH JULY 2013

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

Site visit

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

4.00pm 2 Two Pikes Leys, Coton Park, Rugby.

Andrew Gabbittas
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 July 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 – 14th June – 4th July 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 2013/14 – 5) are attached.

Membership of the Committee:-

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

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 JULY 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	R13/0996	2 Two Pike Leys, Rugby Re-positioning of boundary wall and installation of new gate.	4

Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
2	A) R12/1884 and B) R13/0530	Land at Leicester Road, Rugby _A) Erection of 101 dwellings (Class C3), garages and associated works including internal access roads, emergency access, car parking, earthworks, landscaping and drainage – submission of reserved matters comprising appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP, dated 17.09.2007 B) Erection of 87 dwellings (Class C3), garages and associated works including internal access roads, car parking, open space and associated earthworks, drainage including attenuation basin, landscaping and electricity sub-station – submission of reserved matters comprising layout, scale, appearance and landscaping pursuant to outline planning permission ref. R07/1918/MAJP, dated 8.02.1012.	8
3	R12/1754	Even numbers 2 – 76 Pettiver Crescent, Hillmorton, Rugby Demolition of existing two and three storey housing blocks and construction of 23 residential units (dwellings and maisonettes) with associated parking, landscaping, access and infrastructure.	28

4	R13/0045	Ansty House, Main Road, Ansty, CV7 9HZ Alterations and extensions of existing dwelling and barn to form 1 dwelling, erection of 1 new dwelling and associated works.	41
5	R13/0595	63 Church Street, Rugby, CV21 3PT Change of use of building from A3 (Restaurant) to A5 (Hot Food Takeaway) together with the erection of a replacement flue (retrospective).	50
6	R13/1127	The Old Granary, Biggin Hall Lane, Thurlaston Erection of replacement outbuilding to be used as ancillary workshop and artist studio and retention of wood store (resubmission of application R13/0233).	55

Reference number: R13-0996

Site address: 2 Two Pike Leys, Rugby

Description: Re-positioning of boundary wall and installation of new gate

Case officer: Brian Slater 3624

Relevant decisions

Erection of 299 no dwellings, garages, construction of estate roads and associated works Approved 18/1/2006

Technical Consultations

WCC Highways No objection

WCC Ecology No objection subject to an informative note regarding the protected status of nesting birds.

Third Party Consultation

Neighbours No comments received

Ward Members No comments received

Parish Council No comments received

Site Description and the surroundings

The site forms part of the Coton Park residential development, the layout of which was specifically designed to adhere to the principles of good urban design

Critical to the success of this design is the hard and soft landscape features that make a significant contribution to the character and visual amenities of the estate.

Fronting the estate road small areas of soft landscaping to the side of dwellings and in front gardens cumulatively adds to and enhances the appearance of the estate including conditions to retain and protect these areas.

No.2 Two Pike Leys is a detached dwelling, situated on a modern estate amongst properties of a similar age and style. The property occupies a relatively prominent plot on the corner of Crackthorn Drive and Two Pike Leys. A strip of land to the side [north] of the dwelling and fronting Crackthorn Drive is landscaped and backed by a 2m high brick built boundary wall which runs parallel to the side wall of the dwelling. As stated a distinctive characteristic of the estate is the landscaping along the boundaries of properties on the spine road frontage.

The application

The applicant seeks permission for re-positioning of boundary wall and installation of new gate at the side of the house. The wall would enclose an area that is currently planted with shrubs. The wall is 2m in height would be 8.5m in length and would project a maximum of 1.8m from the side wall of the applicant's house.

Councillor Helen Walton has requested that this application be determined by the Planning Committee.

Planning Policy Guidance

Core Strategy 2011 Policy CS 16 Sustainable Design

Saved Policy E6 Biodiversity

Saved policy GP2 landscaping

Sustainable Design and Construction SPD

NPPF [National Planning Policy Framework]

Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development upon the qualities, character and amenity of the area and impact upon the amenity of neighbouring properties.

Impact upon the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. The Sustainable Design and Construction SPD states that walls, fences and other means of enclosure to the front and side of dwellings can significantly change the appearance of an area and therefore it is advised that the character and appearance of the area should be considered in its design. Furthermore it states that open plan estates and areas with vegetated boundaries would look to be protected from means of enclosure. Similarly, Saved Local Plan Policy GP2 emphasises the importance of the retention and enhancement of the landscape character of a development and Part 7 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

A condition was attached to the original grant of planning permission for the estate which stated that no means of enclosure shall be erected, constructed or placed within the open frontage landscaped areas in front of, or to the side of the proposed dwellings without the prior permission of the LPA. In addition a further condition mentions that, no hard surfaces shall be constructed within the open frontage landscaped area in front of or to the side of the dwelling houses and no new means of vehicular or pedestrian access constructed to the adjoining public highway without the prior permission of the LPA. This was so as to protect the visual amenity of the locality.

Whilst permission is not required for the removal of the shrubs along the side of the dwelling, permission is required for the erection of the proposed boundary wall. This area to the side of the dwelling forms one of many important open landscaped amenity areas; with the estate being characterised by similar landscaped areas to the front and side of dwellings. This estate was designed with a main spine road that snakes through the estate with a high standard of appropriate hard and soft landscaping to provide a visual continuity along the side of this road to enhance and soften the built form within street scene and create local character and distinctiveness.

The applicant has made reference to examples of walls/ means of enclosure that extend to the back of the footpath within the wider context of this estate. All of these with exception to No 41 Coton Park Drive were designed and built as part of the overall design and layout of the estate.

No 41 Coton Park Drive was granted planning permission on 26/9/2008 to move the wall to reflect an existing wall installed by the developers on the opposite side of the Sandpiper Close/ Coton Park Drive junction. In this case an area of landscaping was retained immediately adjacent to the junction to help soften the impact of the solid structure within the street scene.

The LPA considers that whilst there are examples of boundary walls extending to the back of the footpath these do not enclose existing strips of shrub planting /vegetation which are part of the original estate design to enhance the appearance and environmental quality of the development.

In this case to extend the wall to the back of the footway, with the loss of landscaping would result in an incongruous feature that would be visual prominent within this part of the street scene and would be detrimental visual amenities and have an adverse an undue adverse impact on the character of the area. To allow the proposal would set a serious precedent for other similar developments that would result in the gradual erosion and deterioration of the visual landscaped quality of the street scene

The proposed development is therefore clearly contrary to Policy CS16 of the Rugby Borough Council Core Strategy which seeks high quality design which will not cause any material harm to the qualities, character and amenity of the area in which they are placed. In addition, it is considered that the proposed development is also contrary to the contents of the Sustainable Design and Construction SPD and the contents of Part 7 of the NPPF which seeks good quality design .On this basis and for reasons stated above such development should be strongly resisted.

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.

Whilst the proposed wall will stand forward of the adjacent house No 30 Crackthorn Drive, it will not significantly impact on the amenity of the occupiers of this property by loss of sunlight , daylight of privacy Furthermore the proposal will not harm other nearby properties in Crackthorn drive because of the separation distance between the proposed development and these properties. The development is therefore not contrary to the contents of CS16 which seeks the protection of neighbouring residential amenity.

Ecology

Saved policy E6 of the Rugby Borough Local Plan 2006 mentions that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance, in particular priority habitats /species and species of conservation concern. This is reflected in section 11 of the NPPF [National Planning Policy Framework]

The WCC Ecology has mentioned that due to existing shrubs adjacent to the wall recommend that a note highlighting the protected status of nesting birds is attached to any permission that is granted .Therefore the proposal will comply with saved policy E6 of the Rugby Borough Local Plan 2006 which now forms part of the Borough Core Strategy 2011 and also the requirements of section 11 of the NPPF

Highways

The highway engineer has commented that the proposal will have no effect upon any highway visibility splays and therefore has no objection subject to an informative regarding works to be carried out on the public [footway or carriageway]

Recommendation

Planning permission be refused

DRAFT DECISION

APPLICATION NUMBER

R13/0996

DATE VALID

03/06/2013

ADDRESS OF DEVELOPMENT

2 TWO PIKE LEYS
RUGBY
CV23 0GS

APPLICANT/AGENT

Mrs J Simpson-Vince
2 Two Pike Leys
Rugby
Warwickshire

APPLICATION DESCRIPTION

Re-positioning of existing boundary wall and installation of new gate

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL:

The site comprises the curtilage of an existing property situated in a relatively prominent position and forming part of a residential estate development that has been designed and planned to include open and landscaped frontages which in turn contribute to the visual amenities and landscaped setting of the locality. The proposed re-positioning of the wall, which would enclose a landscaped strip to the side of the dwelling, would represent an incongruous feature to the street scene and would have a detrimental impact upon the visual amenities and character of the area. The proposal is therefore contrary to Policy CS 16 of the Borough Core Strategy and saved policy GP2 [Landscaping] and the Sustainable Design and Construction SPD which seeks high quality design, which would not cause any material harm to the qualities, character and amenity of the area.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Council Core Strategy 2011
CS 16 -Sustainable Design

Local Plan Saved Policies

GP 2 Landscaping
E6 Biodiversity

NPPF [National Planning Policy Framework]

Sustainable Design and Construction SPD

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 and Local Communities and Government web site on www.communities.gov.uk

Reference number: A) R12/1884
B) R13/0530

Site address: Land at Leicester Road, Rugby

Description : A) Erection of 101 dwellings (Class C3), garages and associated works including internal access roads, emergency access, car parking, earthworks, landscaping and drainage – submission of reserved matters comprising appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP, dated 17.09.2007

B) Erection of 87 dwellings (Class C3), garages and associated works including internal access roads, car parking, open space and associated earthworks, drainage including attenuation basin, landscaping and electricity sub-station – submission of reserved matters comprising layout, scale, appearance and landscaping pursuant to outline planning permission ref. R07/1918/MAJP, dated 8.02.1012

Case Officer Name & Number: Steve Parkes 01788 533633

Authorised Use

Mixed use redevelopment site

Relevant Decisions

Redevelopment of land to provide a mixed scheme incorporating 17.09.07 approved

residential development comprising the erection of 540 no. dwellings, 2 hectares of employment (Class B1) development, a new college campus for Warwickshire College including associated facilities with car parking (Class D1), a DIY retail store (5,156sq.m gross internal floor space with ancillary areas for the display and sale of building materials (975sq.m) and garden centre products (1245sq.m gross) and a new spine road together with associated landscaping, public open space, car parking, vehicular and pedestrian access ways and ancillary works. (Application ref. R06/0064/MAJP) (outline)

Submission of reserved matters (layout, scale, appearance and landscaping) pursuant to outline planning permission ref. 06.05.08 approved

R06/0064/MAJP for the erection of a College of Further Education with associated open space, wind turbine, car parking, landscaping and ancillary works. (Application ref. R07/2055/MRES)

Relocation of the war memorial from the Mill Road site entrance to a central location within the site. (Application ref. R08/0370/MRES) approved 20.05.08

Relocation of the war memorial from the Mill Road site entrance to a central location within the site. (Listed Building Consent - Application ref. R08/0365/LBC) approved 12.06.08

Submission of reserved matters (layout, scale, appearance and landscaping) pursuant to outline planning permission ref. no. approved 21.07.09

R06/0064/MAJP dated 17/09/2007 for the construction of a spine road between Mill Road and Leicester Road, and the Hunters Lane link. (Application ref. R08/0456/MRES)

Outline planning application with means of access to be determined for the redevelopment of land for the erection of 95 dwellings (Class (outline) C3) with associated public open space, landscaping, car parking, access roads and ancillary works (Application ref. R07/1918/MAJP) approved 08.02.12

Erection of 89 dwellings and garages; construction of associated infrastructure comprising estate roads, foul water pumping station and balancing pond, provision of open space and all ancillary and enabling works – submission of reserved matters in respect of phase 1 comprising access, appearance, landscaping, layout and scale pursuant to outline planning permission ref: R06/0064/MAJP dated 17.09.2007 (Application ref. R12/1610) approved 30.01.13

Erection of part two-storey, part single storey building for use as a approved restaurant/public house (Classes A3/A4) with ancillary residential accommodation and associated play area, car parking, drainage, landscaping and external lighting together with associated works (Application ref. R12/1216) 13.05.13

Technical Consultations

WCC Highways		observations awaited
Natural England	comment	protected species may be affected and to refer to standing advice
WCC Ecology	no objection	subject to conditions to safeguard protected species, landscaping and biodiversity enhancement, and details of lighting
Warks Police	comments	in relation to principles of secure by design
Environment Agency	no objection	subject to conditions covering remediation of contamination
STW	no objection	confirm drainage details are acceptable
Environmental Services	no objection	advise that contamination condition on this part of the site remains to be discharged and dust management report needs to be submitted before development commences
Housing Manager	comments	disappointed at level of affordable housing provision but house types identified acceptable

Parks and Cemeteries Manager	no objection	subject to clarification of play equipment
Landscape Officer	no objection	landscape proposals satisfactory
Works Services	no observations received	
Warks Fire & Rescue	no objection	subject to condition covering water supply and fire hydrants
Western Power Distribution	no observations received	

Third Party Consultations

Neighbours no representations received

Other Relevant Information

Background

These two reserved matters applications are directly related as they form part of the larger Leicester Road opportunity area redevelopment site but are the subject of separate outline planning permissions.

Outline planning permission (ref. R06/0064/MAJP) for the comprehensive, mixed-use redevelopment of the Leicester Road opportunity area as originally defined in the Rugby Borough Local Plan, July 2006, was granted on 17th September 2007. The distribution of land uses comprising a mix of housing, employment and retail development together with a campus for Warwickshire College, public open space and a new link road between Leicester Road and Mill Road was indicated on an approved framework plan. The outline planning permission is the subject of a Section 106 agreement which includes, amongst other things, a requirement for the provision of 25% affordable housing.

Outline planning permission (ref. R07/1918/MAJP) was granted in February 2012 for residential development in substitution for the retail element contained in the original outline proposals. This permission is also the subject of a Section 106 agreement which requires, amongst other things, the provision of 9 affordable dwellings and a minimum of 0.2ha of public open space. Approval has recently been granted for the erection of a restaurant/public house on the northern part of the site.

The Warwickshire College campus and link road (Technology Drive) have been completed to date in accordance with the provisions of the original outline planning permission and are fully operational. In addition, the site has been cleared of buildings and hardstandings and remediation of contamination is progressing. The war memorial which originally stood at the Mill Road entrance has been relocated to an area of open space in front of retained employment buildings on Technology Drive. Phase 1 of residential development comprising 89 dwellings (St.Modwen Homes) has recently commenced at the eastern end of the larger redevelopment site.

The Applications

The applications comprise the submission of reserved matters in respect of layout, scale, appearance and landscaping for the erection of 188 dwellings located at the western end of the larger redevelopment site. The reserved matters are submitted under conditions 3 and 4 of the outline planning permissions and are also linked to other conditions which require related details to be submitted concurrently and which impact on the layout and design of the development. These include details in respect of estate roads, drainage, parking, boundary treatment and levels.

The site is bounded by the River Avon to the north-west, the site of the proposed restaurant/public house and associated car park to the north, by Technology Drive to the north-east, the embankment to the former railway line now a cycleway to the south-west, beyond which is the Hunters Lane employment area, and by a future phase of residential development to the south-east. The site has been cleared of previous development and is currently being remediated of contamination and levelled.

The proposals are primarily for a mix of detached, semi-detached and terraces of two, two and a half and three storey dwellings together with three blocks of 3 and 4 storey apartments. The scheme comprises 24no. two-bedroomed houses and 30no. two-bedroomed apartments, 50no. three-bedroomed houses and 84no. four-bedroomed houses. Eight of the two-bedroomed houses are identified as affordable housing for shared ownership purposes. The scheme is at a net density of approximately 44 dwellings/ha.

Access

The primary vehicular access to the site comprises an estate road from Technology Drive at a point towards the western end of the frontage which was fixed during the design and construction of the link road serving the larger redevelopment area. It is intended that the estate road will eventually form a loop linking back to Technology Drive as part of future detailed residential proposals to the east. In the meantime, the scheme incorporates a temporary emergency link from Technology Drive until such time that the estate road network through future adjacent development is complete. A number of private drives and small parking courts are served off the adoptable estate roads.

Pedestrian links will be provided from the housing to a footpath running through a landscaped buffer area along the entire length of the south-west boundary of the site linking to Hunters Lane and other footpaths in the south and a proposed area of public open space in the north.

Layout

The layout of the development is based around a hierarchy of roads comprising the primary estate road which incorporates a number of short culs-de-sac with appropriate turning heads and private drives served from them. The apartments and a small number of dwellings are served by parking courts. The dwellings are principally arranged in a series of small perimeter blocks with enclosing brick screen walls on key frontages. The dwellings also front on to and overlook the landscaped buffer area and the area of public open space referred to above.

Parking provision comprises a mix of detached garages set behind the properties, parking spaces between the dwellings and in front of terraced properties and a small number of parking courts. The parking ratio approximates to 2.2 spaces per unit across the site with most larger properties being provided with 3 spaces and the apartments with 1 space and visitor spaces.

The principal area of public open space which incorporates an equipped play area is located at the northern end of the development. The larger area of open space also includes an attenuation pond.

Appearance and Scale

The proposed dwellings are of a traditional design and appearance with gables and pitched roofs and incorporate bay window features in a range of styles and architectural detailing. Larger dwellings, in terms of scale and massing, including the four-storey apartments, are located principally along the frontage to Technology Drive.

Materials are drawn from a palette of five predominantly orange/red brick types with two different feature bricks, and a single plain concrete tile profile in five contrasting colour finishes. The bricks and tiles are used in five combinations mixed in blocks throughout the site to provide variety.

Landscaping

Soft landscaping proposals comprise a mix of indigenous and ornamental trees and shrubs. Street tree planting is proposed along the frontage to Technology Drive together with a hedgerow behind iron railings returning along the first part of the principal estate road serving the development as an entrance feature. Significant planting is also proposed in the area of public open space and the landscaped buffer running along the south-western boundary.

Hard landscaping essentially comprises a mix of macadam, concrete setts and paving slabs. Private garden and other areas are to be enclosed by a mix of 1.8m high brick walls, timber fences and 1.0m high iron railings.

Drainage

The proposals include a sustainable urban drainage scheme (SUDS) with surface water being discharged to the attenuation pond located in the north-west of the site with sewer link and outfall to the River Avon. The finished floor level of the dwellings is set at least 600mm above the modelled 1 in 100 year flood level to ensure that there is no risk of flooding in an extreme event due to climate change. Foul sewage will discharge to mains sewers.

Other

The applications are supported by a Design and Access Statement and other documents comprising noise, surface water strategy and ecology reports and a viability assessment.

The noise report comprises an assessment of the impact on the proposed development of noise levels likely to arise from traffic use of Technology Drive in accordance with the requirements of condition no.33 attached to the original outline planning permission and condition 25 attached to the subsequent outline permission.

The report also considers the potential impact of noise arising from the proposed restaurant/public house which adjoins a number of plots. It confirms and recommends that standard double glazing with window or wall mounted trickle vents to all habitable rooms throughout the development will provide satisfactory noise attenuation. It further recommends that a solid barrier fence of a minimum 2.0m in height be provided to garden boundaries facing Technology Drive and to garden boundaries adjoining the proposed restaurant/public house car park.

The ecology report updates the position in respect of the impact on wildlife. It confirms that adequate mitigation has been put in place in respect of any impact on badgers and that there will be no impact on other protected species during the proposed works.

The viability assessment considers the profitability of the development of the site against the obligations contained in the S106 Agreements attached to the original outline planning permissions and policies contained in the Council's Core Strategy taking account of changed economic circumstances and reduced land values. The assessment concludes that the affordable housing requirements and inclusion of renewable energy technology would make development of the site unviable. A 5% level of affordable housing is proposed nonetheless as referred to above.

Relevant Planning Policies

LDF Core Strategy, June 2011 including "saved" policies

CS14	conforms	enhancing the strategic green infrastructure network
CS16	conforms	sustainable design
CS17	conforms	reducing carbon emissions
CS19	conforms	affordable housing
GP2	conforms	landscaping
GP6	conforms	safeguarding development potential
E6	conforms	biodiversity
T5	conforms	parking provision
H11	conforms	open space provision
LR1	conforms	open space standards
LR3	conforms	quality and accessibility of open space

Sustainable Design and Construction SPD, February 2012 (RBC)

Planning Obligations SPD, March 2012 (RBC)

Housing Needs SPD, March 2012 (RBC)

National Planning Policy Framework, March 2012 – Section 4: Promoting sustainable transport; Section 6: Delivering a wide choice of high quality homes; Section 7: Requiring good design; Section 8: Promoting healthy communities; Section 10: Meeting the challenge of climate change and flooding; Section 11: Conserving and enhancing the natural environment

Determining Considerations

The principle of the development of this site for residential purposes is long established with the original grant of outline planning permission in 2007. It is therefore only the details of the development comprised in the reserved matters in respect of layout, appearance and scale, and landscaping, together with other matters to discharge associated conditions, which fall to be considered in this case. The details need to be considered against relevant policies controlling development

contained in the Council's Local Development Framework Core Strategy, June 2011, including "saved" policies, government planning policy guidance contained in the National Planning Policy Framework, March 2012 (NPPF) and any other material considerations, including the issue of viability.

Layout

The layout has been arrived at having regard to the approach to the detailed development of the site indicated on the framework plans, the illustrative layout and the design and access statements which accompanied the original outline applications. The layout has also been arrived at having regard to safeguarding the development potential of adjoining land which will form a further phase of development.

The layout of the housing in a number of distinct parcels essentially forming perimeter blocks, together with the hierarchy of street types and links to the primary area of open space, is considered an acceptable, legible arrangement which will provide a high degree of permeability through the site. It fully accords with secure by design principles to provide a safe and secure environment.

The relationship between proposed dwellings on the site has been given due consideration to ensure that acceptable levels of privacy and amenity are provided and any potential overbearing impact and overshadowing is minimised in accordance with Core Strategy policy CS16. The relationship with the proposed restaurant/public house has also been given careful consideration.

The main area of public open space along the western part of the site will not only provide useable recreational and amenity green space but will also eventually provide a setting for the development and function as a landscaped buffer. It will also assist in creating a strong sense of place and identity.

The laying out of dwellings to predominantly front on to the hierarchy of roads and green framework will provide strong frontage development and continuity in the street scene as well as natural surveillance in accordance with secure by design principles. The siting of dwellings predominantly close to the back of footways will create a sense of enclosure whilst it is considered that appropriate variation is included in the scheme to provide interest. The convenient location of parking spaces on plot together with associated garages, will minimise the impact of parking in the street scene. The range of boundary treatments proposed will have the effect of clearly defining public and private space.

Appearance and Scale

In terms of scale, the different heights and massing of the dwellings ranging from two storey to three storey units, together with four-storey apartments, will add to the variety and interest on the development. The dwelling types and sizes will meet a diverse range of accommodation needs. Though it was originally envisaged at the outline stage that three to four storey apartments would dominate and provide continuity and enclosure along the link road, Technology Drive, the larger house types in the scheme including the four-storey apartments, have been sited along the Technology Drive frontage with the scale beyond returning to two storey but with two and a half storey dwellings in key locations. The apartments will provide a significant feature building in the north-east corner of the site on the Technology Drive frontage and provide a gateway into the larger redevelopment area.

The mix of house types, designs, styles and architectural detailing is of a traditional nature as opposed to a more modern approach. The palette of materials proposed will add contrast and visual interest to the elevations of the dwellings. The materials will promote distinctiveness but at the same time blend sympathetically and complement the St.Modwen scheme currently under construction further along Technology Drive. As such it is considered that the appearance and scale of the proposed development is acceptable; that it will assimilate and harmonise with its surroundings; that it meets the requirements for high quality, inclusive and sustainable design and that it will not cause any material harm to the quality, character and amenities of the locality in accordance with the requirements of Core Strategy policy CS16. In addition, it complies with policy guidance contained in sections 6 and 7 of the NPPF which seek to ensure that a wide choice of quality homes are provided of a high quality design.

The design, appearance and materials to be used in the construction of the proposed affordable dwellings also reflects that of the market housing such that they will largely be indistinguishable and well assimilated into the overall development.

The proposed housing will be of sustainable design to minimise energy use by maximising natural light and ventilation and the use of the most energy efficient materials in construction to meet energy conservation requirements in accordance with the Building Regulations, Core Strategy policy CS17, the Council's Sustainable Design and Construction SPD and section 6 of the NPPF. Policy CS17 requires that all new developments of 10 dwellings or more shall incorporate renewable or low carbon energy equipment to reduce predicted CO2 emissions by at least 10%. It also states that actual provision will be determined through negotiation having regard to site characteristics and issues of viability. It has been demonstrated that the viability of the scheme precludes the inclusion of renewable energy technology in accordance with the requirements of policy CS17 and this is accepted.

Access (including transport and parking)

The primary means of vehicular access to the site was fixed at the time of the design and construction of the link road, Technology Drive. Minor revisions have been made to the geometry of the road layout within the site to meet the requirements of the Highway Authority though at the time of writing final observations are awaited and will be reported verbally at the meeting. The temporary emergency access from Technology Drive will be maintained until such time that alternative access is made available in a future phase of development.

Measures mitigating the transport impacts of the redevelopment of the Leicester Road opportunity area as a whole were carried through into the Section 106 Agreement at the outline stage by way of a financial contribution towards the provision of public transport together with off-site highway improvements.

The level of parking provision across the site is considered acceptable in accordance with "saved" policy T5 and the Council's parking standards contained in the Council's Planning Obligations SPD. The layout of the development incorporates safe, convenient and suitable access for all and an appropriate level of parking provision in accordance with section 4 of the NPPF.

Landscaping

The hard and soft landscaping has been considered as an integral part of the scheme in accordance with "saved" policy GP2 and will add to the quality of the

environment created and provide a visually interesting setting for the built development. The proposals will also enhance the green infrastructure network in the locality as defined in Core Strategy policy CS14. The detailed soft landscape proposals will enhance the appearance and soften the impact of the development in the street scene. The proposed native hedgerow planting along the Technology Drive frontage is designed to filter views of the development and is consistent with, and will complement that approved as part of the St.Modwen scheme.

The proposed planting, including choice of species, is designed to encourage wildlife and in the medium to longer term to secure a net gain in biodiversity. The balancing pond will itself provide new habitat and be of added nature conservation value. The proposals therefore accord with Core Strategy policy CS14, saved policy E6 and section 11 of the NPPF which seeks to conserve and enhance the natural environment.

Other

Core Strategy policy CS19 and the Council's Housing Needs SPD, March 2012, explain that where the provision of levels of affordable housing are likely to threaten the financial viability of a scheme, the Council will consider reduced provision.

The viability assessment referred to above has been the subject of an independent appraisal by the Valuation Office Agency (VOA) on behalf of the Council. The Agency has confirmed that the inclusion of any level of affordable housing, whether the 25% originally envisaged or that proposed at 5%, together with the incorporation of renewable energy technology, would render the development of the site unviable.

The Government has advised Local Planning Authorities that in such circumstances, and taking account of the current economic climate, the requirements of S106 Agreements with particular regard to affordable housing provision should be re-examined to ensure that they do not prevent housing development coming forward. The outcome of the independent appraisal on behalf of the Council mirrors that carried out in connection with the St.Modwen development. In the circumstances, it is similarly considered that the applicant's offer of 5% affordable housing provision should be accepted and that this is compliant with policy CS19 of the Core Strategy. The Council's Housing Manager is satisfied with the type and location of the proposed affordable housing as indicated on the layout drawing.

With regard to noise, section 11 of the NPPF advises that planning decisions should aim to avoid noise giving rise to significant adverse impacts as a result of new development. The Council's Head of Environmental Services is satisfied with the recommendations contained in the noise report and confirms that the relevant condition covering this aspect may be discharged.

A separate submission will be made to discharge conditions attached to the original outline planning permissions covering the verification of the remediation of contamination on this part of the larger redevelopment site.

The location of the primary area of public open space together with the landscaped buffer running along the south-western edge of the development was established in the framework plan agreed at the outline stage. The play area together with details of the design and type of play equipment to be included in the open space has been agreed in discussion with the Council's Parks and Cemeteries Manager and accords with the Council's Play Strategy. The area of public open space within which it is located, together with the landscaped buffer meet the requirements of saved policies

H11, LR1 and LR3 with regard to the level and quality of provision and will be adopted and managed by the Borough Council. At the time of writing, the final observations of the Council's Parks and Cemeteries Manager in respect of revised drawings is awaited and will be reported verbally at the meeting.

Recommendation

Subject to no objections being raised by the Highway Authority, approve the details comprised in the reserved matters submissions in respect of layout, scale appearance, access and landscaping together with related details in respect of roads, drainage, parking, site boundaries treatment, levels, refuse storage and noise attenuation in accordance with conditions attached to outline planning permission ref. nos.R06/0064/MAJP dated 17th September 2007 and R07/1918/MAJP dated 8th February 2012, as set out in the draft decisions below and subject to the additional conditions contained therein.

DRAFT DECISION

APPLICATION NUMBER

R12/1884

DATE VALID

03/05/2013

ADDRESS OF DEVELOPMENT

LAND AT LEICESTER ROAD
LEICESTER ROAD
RUGBY

APPLICANT/AGENT

Mr Russell Crow
Barton Willmore
Regent House
4 Homer Road
Solihull
West Midlands
B91 3QQ
On behalf of , Key Property Investments
(Number Two) Taylor Wimpey West
Midlands

APPLICATION DESCRIPTION

Erection of 101 dwellings (Class C3), garages and associated works including internal access roads, emergency access, car parking, earthworks, landscaping and drainage - submission of reserved matters comprising appearance, landscaping, layout and scale pursuant to outline planning permission ref. R06/0064/MAJP dated 17.09.2007

Condition Number and Details

4a) – layout

4b) – scale

4c)(part) – appearance of the development including materials

4d) – means of access to and within the site

4e) – hard and soft landscaping including the design and treatment of all open spaces

5a) – layout, dimensions, levels and surfacing of all roads, pedestrian crossings, footpaths, verges,

parking areas and private drives

5b) – means of drainage and sewage disposal

5c) – parking accommodation

- 5d) – siting, height and design of all fences and walls on the site and treatment of the site boundaries
- 5f) – existing and proposed site levels and finished ground floor levels of all buildings
- 5i) – provision of refuse storage facilities
- 33 – assessment of noise levels, attenuation and ventilation to residential properties

Plans and Details Approved

Layout Plans

A552-046	Location Plan
A552-087	Location Plan East Site
A552-082	Planning Layout
A552-085	Planning Layout East Site
A552-039 Rev B	Enclosures Plan
A552-040 Rev A	Facing Materials Plan
A552-045	Surface Material Plan
A552-047	Proposed Slab Level
A552-048	Auto-Track Plan
A552-70 Rev B	Street Scenes A, B, C
552-71 Rev B	Street Scenes D & E
552-72 Rev B	Street Scenes F & G
A552-73 Rev B	Street Scenes H, I, J & K
552-74 Rev B	Street Scenes L, M, & N
Sheet 2 of 4	Planting Proposals (dated 25/01/13)
Sheet 3 of 4	Planting Proposals (dated 25/01/13)
Sheet 4 of 4	Planting proposals (dated 25/01/13)
0676.003A	Public Open Space Landscape Proposal Details 1 of 2
0676.004B	Public Open Space Landscape Proposal Details 2 of 2
LEIC-ENG-504	Isopachyte Contours Existing to Final Levels
MS40796-D101 Rev C	Adoptable Drainage Layout
MS40796-D106	System 1 Flow Control Chamber Manhole S24
MS40796-D107	System 2 Flow Control Chambers S15 & S20
MS40796-D108 Rev B	Attenuation Pond Details

House Types

ING Variant 1 – Floor Plans and Elevations	dwg.nos 35 and 36 Rev A
ING and Variant 2 – Floor Plans and Elevations A	dwg.nos 09, 10 Rev A and 44 Rev A
PA24 – Floor Plans and Elevations and 136	dwg.nos 11 Rev B, 12 Rev B, 135
PA31 – Floor Plans and Elevations and 147	dwg.nos 13 Rev B, 14 Rev B, 146
PA33 – Floor Plans and Elevations and 149	dwg.nos 15 Rev B, 16 Rev B, 148
PA41 – Floor Plans and Elevations 138, 139, 140, 141 and 142	dwg.nos 17 Rev B, 18 Rev C, 137,
PA42 – Floor Plans and Elevations and 151	dwg.nos 19 Rev B, 20 rev C, 150
PC32 – Floor Plans and Elevations and 159	dwg.nos 21 Rev A, 22 Rev B, 158

PD33 – Floor Plans and Elevations and 153	dwg.nos 23 Rev B, 24 Rev B, 152
PD48 – Floor Plans and Elevations	dwg.nos 25 and 26 Rev A
PE41 – Floor Plans and Elevations 38 Rev A, 156 and 157	dwg.nos 27 Rev B, 28 Rev B, 37,
PT41 – Floor Plans and Elevations and 155	dwg.nos 31 Rev B, 32 Rev B, 154
PT42 – Floor Plans and elevations and 145	dwg.nos 33 Rev B, 34 Rev C, 144
Single Garage	dwg.no A552-076
Double Garage Joint Ownership	dwg.no A552-079
L Shaped Garage	dwg.no A552-080
Detached Garage	dwg.no A552-081
Single Garage Gable Front	dwg.no A552-160
Bovis Tile Brick (Cill)	dwg.no CAD07/05-01

Supporting Documents

Design and Access Statement, Rev f, April 2013 (Barton Willmore)
 Report on Existing Noise Climate, Rev F2, 02/04/13 (Hoare Lea Acoustics)
 Badger and Ecology Survey, Ref.no 13410/Rev1, 8th April 2013 (Whitcher Wildlife Ltd)
 Surface Water Drainage Strategy Update, Ref. PIBLRR/21.0/3, 3 May 2013 (Halcrow)
 MS40796 Storm 1 Surface Water Calculations, April 2013 (jnp group)
 MS40796 Storm 2 Surface Water Calculations, April 2013 (jnp group)

This permission is subject to the following additional conditions

CONDITION: 38

Notwithstanding the provisions of Class F, Part 1 of the Schedule to The Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 and Class B, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting those Orders, no hard surface shall be constructed within the open frontage landscape areas in front of, or to the side of the dwelling houses and no new means of vehicular or pedestrian access constructed to the adjoining public highway without the prior permission of the Local Planning Authority.

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority in the interests of the visual amenities of the locality.

CONDITION: 39

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

REASON:

In the interests of the residential amenities of the proposed and neighbouring properties.

CONDITION: 40

Notwithstanding the provisions of Class A, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, other than those fences or walls shown on the plans hereby approved, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of, or to the side of the proposed dwellings without the prior permission of the Local Planning Authority.

REASON:

In the interests of the visual amenities of the locality.

CONDITION: 41

No gates or barriers shall be erected across vehicular access driveways/hardstandings serving individual dwellings any closer than 5.5 metres to the near edge of the public highway or private drives and any such gates or barriers shall not open outwards towards the highway or private drive.

REASON:

In the interests of public and highway safety.

CONDITION: 42

Adequate measures shall be employed on site at all times to prevent the deposit of deleterious material on the public highway.

REASON:

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

CONDITION: 43

No part of the development within the vicinity of the badger setts shall be commenced until a detailed badger mitigation strategy and method statement (to include timing of works, habitat enhancements, monitoring and further survey if deemed necessary) by a suitably qualified badger consultant has been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall thereafter be implemented in full in accordance with the approved timetable.

REASON:

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

CONDITION: 44

The estate roads shall be laid out in general accordance with approved drawing ref.no.....

REASON:

In the interest of public and highway safety.

CONDITION: 45

The temporary emergency link from Technology Drive shown on the approved planning layout drawings shall be provided before any of the dwellings are occupied. On completion of development adjoining the application site providing an alternative means of vehicular access, the temporary emergency link shall be closed and the highway features, fencing and landscaping completed in accordance with the approved drawings.

REASON:

In the interests of public and highway safety and the amenities of the locality.

CONDITION: 46

All windows and associated ventilation to habitable rooms shall be in accordance with the recommendations set out in section 8 of the Report on Existing Noise Climate, Rev F2, dated 02/04/13 (Hoare Lea Acoustics).

REASON: In the interests of the amenities of the occupiers of the properties.

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 National Planning Policy Framework, March 2012

INFORMATIVES:

a) The developers attention is drawn to the informatives attached to the original outline planning permission ref. R06/0064/MAJP as relating to the development of this site, particularly informative n)iii in connection with minimising the emission of dust from the site during construction and q) in relation to the disturbance of badgers. Badgers and their setts are protected under the 1992 Badgers Act. In connection with condition 43, Warwickshire Ecology advise that the existing setts can only be closed under licence from Natural England and will require a detailed method statement to ensure that the badgers are not harmed and maintain access to suitable habitat elsewhere for sett-building and foraging (i.e along the disused railway line and river corridor). The mitigation strategy should detail how this will be achieved, in addition to appropriate safeguards such as enabling escape from foundation trenches and to ensure no disturbance of the existing sett during construction works and once the development is completed. No works must take place within 20m of the setts unless under the approved mitigation strategy and method statement.

b) Warwickshire Police advise that the development should take account of Secured by Design advice and guidance – visit the web site www.securedbydesign.com or contact Mark English, the Force Crime Prevention Design Advisor, tel. 01926 684154

c) 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 though birds can nest at any time and the site should ideally be checked for their presence immediately before works start. In view of the suitable habitat nearby, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while Warwickshire County Council Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

d) The Environment Agency advise that the developer should refer to its “Groundwater Protection:Policy and Practice” (GP3) document, available on the website at www.environment-agency.gov.uk. This sets out the Agency’s position on a wide range of activities and developments, including:

- solid waste management
- discharge of liquid effluents into the ground (including site drainage)
- land contamination

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution measures, the developer should refer to the Agency's guidance "PPG1 – General guide to the prevention of pollution" available on the Agency's website.

e) Condition 4c) is discharged in part – full details of lighting remain to be submitted. In this regard, Warwickshire Ecology advise that lighting should avoid ecological corridors and that lighting should be kept to a minimum at night across the whole site in order to minimise impact.

f) The following conditions remain to be discharged – 4c) part - lighting; 19 - method statement re. remediation of contamination; 22 – verification of remediation of contamination; 24 – provision of water supplies/fire hydrants and 28 – implementation of landscaping and open space.

DRAFT DECISION

APPLICATION NUMBER

R13/0530

DATE VALID

03/05/2013

ADDRESS OF DEVELOPMENT

Land at Leicester Road
Leicester Road
Rugby

APPLICANT/AGENT

Mr Russell Crow
Barton Willmore
Regent House
4 Homer Road
Solihull
West Midlands
B91 3QQ
On behalf of , Key Property Investments
(Number Two) Taylor Wimpey West
Midlands

APPLICATION DESCRIPTION

Erection of 87 dwellings (Class C3), garages and associated works including internal access roads, car parking, open space and associated earthworks, drainage including attenuation basin, landscaping and electricity sub-station - submission of reserved matters comprising layout, scale, appearance and landscaping pursuant to outline planning permission ref. R07/1918/MAJP dated 8.2.2012.

Condition Number and Details

- 3a) – layout
- 3b) – scale
- 3c)(part) – appearance of the development including materials
- 3d) – means of access to and within the site
- 3e) – hard and soft landscaping including the design and treatment of all open spaces
- 4a) – layout, dimensions, levels and surfacing of all roads, pedestrian crossings, footpaths, verges, parking areas and private drives

- 4b) – means of drainage and sewage disposal
- 4c) – parking accommodation
- 4d) – siting, height and design of all fences and walls on the site and treatment of the site boundaries
- 4e) – existing and proposed site levels and finished ground floor levels of all buildings
- 4f) – provision of refuse storage facilities
- 11 – surface water drainage works
- 25 – assessment of noise levels, attenuation and ventilation to residential properties

Plans and Details Approved

Layout Plans

A552-046	Location Plan	
A552-086	Location Plan West Site	
A552-082	Planning Layout	
A552-084	Planning Layout West Site	
A552-039 Rev B	Enclosures Plan	
A552-040 Rev A	Facing Materials Plan	
A552-045	Surface Material Plan	
A552-047	Proposed Slab Level	
A552-048	Auto-Track Plan	
A552-70 Rev B	Street Scenes A, B, C	
552-71 Rev B	Street Scenes D & E	
552-72 Rev B	Street Scenes F & G	
A552-73 Rev B	Street Scenes H, I, J & K	
552-74 Rev B	Street Scenes L, M, & N	
Sheet 1 of 4	Planting Proposals (dated 25/01/13)	
Sheet 2 of 4	Planting Proposals (dated 25/01/13)	
Sheet 3 of 4	Planting proposals (dated 25/01/13)	
0676.003A	Public Open Space Landscape Proposal Details 1 of 2	
0676.004B	Public Open Space Landscape Proposal Details 2 of 2	
0676.005B	LEAP Proposals	
LEIC-ENG-504	Isopachyte Contours Existing to Final Levels	
MS40796-D101 Rev C	Adoptable Drainage Layout	
MS40796-D106	System 1 Flow Control Chamber Manhole S24	
MS40796-D107	System 2 Flow Control Chambers S15 & S20	
MS40796-D108 Rev B	Attenuation Pond Details	
<u>House Types</u>		
ING Variant 1 – Floor Plans and Elevations		dwg.nos 35 and 36 Rev A
ING and Variant 2 – Floor Plans and Elevations		dwg.nos 09, 10 Rev A and 44 Rev A
PA24 – Floor Plans and Elevations and 136		dwg.nos 11 Rev B, 12 Rev B, 135 and 136
PA31 – Floor Plans and Elevations and 147		dwg.nos 13 Rev B, 14 Rev B, 146 and 147
PA33 – Floor Plans and Elevations and 149		dwg.nos 15 Rev B, 16 Rev B, 148 and 149
PA41 – Floor Plans and Elevations		dwg.nos 17 Rev B, 18 Rev C, 137, 138, 139, 140, 141 and 142

PA42 – Floor Plans and Elevations and 151	dwg.nos 19 Rev B, 20 rev C, 150
PC32 – Floor Plans and Elevations and 159	dwg.nos 21 Rev A, 22 Rev B, 158
PD33 – Floor Plans and Elevations and 153	dwg.nos 23 Rev B, 24 Rev B, 152
PD48 – Floor Plans and Elevations	dwg.nos 25 and 26 Rev A
PT23 – Floor Plans and Elevations	dwg.nos 29 and 30 Rev A
PT41 – Floor Plans and Elevations and 155	dwg.nos 31 Rev B, 32 Rev B, 154
PT42 – Floor Plans and elevations and 145	dwg.nos 33 Rev B, 34 Rev C, 144

Apartments (plots 18 – 32) – Floor Plans and Elevations dwg.nos 50, 51, 52, 53, 54 Rev A, 55 Rev A, 56 and 57 Rev A
 Apartments (plots 163 – 171) – Floor Plans and Elevations dwg.nos 58, 59, 60, 61 Rev A, 62 Rev A, 63 Rev A and 64 Rev A
 Apartments (plots 172 – 177) – Floor Plans and Elevations dwg.nos 65, 66, 67 Rev A and 68 Rev A

Single Garage	dwg.no A552-076
Double Garage Joint Ownership	dwg.no A552-079
Detached Garage	dwg.no A552-081
Single Garage Gable Front	dwg.no A552-160
Double Garage Joint Ownership	dwg.no A552-161
Bovis Tile Brick (Cill)	dwg.no CAD07/05-01
Sub-station Plan	dwg.no A552-125
Bin Store Serving Plots 163-171	dwg.no A554-077

Supporting Documents

Design and Access Statement, Rev f, April 2013 (Barton Willmore)
 Report on Existing Noise Climate, Rev F2, 02/04/13 (Hoare Lea Acoustics)
 Badger and Ecology Survey, Ref.no 13410/Rev1, 8th April 2013 (Whitcher Wildlife Ltd)
 Surface Water Drainage Strategy Update, Ref. PIBLRR/21.0/3, 3 May 2013 (Halcrow)
 MS40796 Storm 1 Surface Water Calculations, April 2013 (jnp group)
 MS40796 Storm 2 Surface Water Calculations, April 2013 (jnp group)

This permission is subject to the following additional conditions

CONDITION: 28

Notwithstanding the provisions of Class F, Part 1 of the Schedule to The Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 and Class B, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting those Orders, no hard surface shall be constructed within the open frontage landscape areas in front of, or to the side of the dwelling houses and no new means of vehicular or pedestrian access constructed to the adjoining public highway without the prior permission of the Local Planning Authority.

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority in the interests of the visual amenities of the locality.

CONDITION: 29

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

REASON:

In the interests of the residential amenities of the proposed and neighbouring properties.

CONDITION: 30

Notwithstanding the provisions of Class A, Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, other than those fences or walls shown on the plans hereby approved, no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of, or to the side of the proposed dwellings without the prior permission of the Local Planning Authority.

REASON:

In the interests of the visual amenities of the locality.

CONDITION: 31

No gates or barriers shall be erected across vehicular access driveways/hardstandings serving individual dwellings any closer than 5.5 metres to the near edge of the public highway or private drives and any such gates or barriers shall not open outwards towards the highway or private drive.

REASON:

In the interests of public and highway safety.

CONDITION: 32

Adequate measures shall be employed on site at all times to prevent the deposit of deleterious material on the public highway.

REASON:

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

CONDITION: 33

No part of the development within the vicinity of the badger setts shall be commenced until a detailed badger mitigation strategy and method statement (to include timing of works, habitat enhancements, monitoring and further survey if deemed necessary) by a suitably qualified badger consultant has been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall thereafter be implemented in full in accordance with the approved timetable.

REASON:

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

CONDITION: 34

The estate roads shall be laid out in general accordance with approved drawing ref.no.....

REASON:

In the interest of public and highway safety.

CONDITION: 35

No dwelling shall be occupied before the temporary emergency link from Technology Drive shown on the planning layout drawings approved under ref.no R12/1884, dated 24 July 2013 has been provided.

REASON:

In the interests of public and highway safety and the amenities of the locality.

CONDITION: 36

All windows and associated ventilation to habitable rooms shall be in accordance with the recommendations set out in section 8 of the Report on Existing Noise Climate, Rev F2, dated 02/04/13 (Hoare Lea Acoustics).

REASON: In the interests of the amenities of the occupiers of the properties.

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 National Planning Policy Framework, March 2012

INFORMATIVES:

a) The developers attention is drawn to the informatives attached to the original outline planning permission ref. R07/1918/MAJP as relating to the development of this site, particularly informatives j) and m) in connection with minimising the emission of dust from the site and preventing the contamination of the River Avon during construction and also l) in relation to the disturbance of badgers. Badgers and their setts are protected under the 1992 Badgers Act. In connection with condition 33, Warwickshire Ecology advise that the existing setts can only be closed under licence from Natural England and will require a detailed method statement to ensure that the badgers are not harmed and maintain access to suitable habitat elsewhere for sett-building and foraging (i.e along the disused railway line and river corridor). The mitigation strategy should detail how this will be achieved, in addition to appropriate safeguards such as enabling escape from foundation trenches and to ensure no disturbance of the existing sett during construction works and once the development is completed. No works must take place within 20m of the setts unless under the approved mitigation strategy and method statement.

b) Warwickshire Police advise that the development should take account of Secured by Design advice and guidance – visit the web site www.securedbydesign.com or contact Mark English, the Force Crime Prevention Design Advisor, tel. 01926 684154

c) 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 though birds can nest at any time and the site should ideally be checked for their presence immediately before works start. In view of the suitable habitat nearby, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while Warwickshire County Council

Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

d) The Environment Agency advise that the developer should refer to its “Groundwater Protection:Policy and Practice” (GP3) document, available on the website at www.environment-agency.gov.uk. This sets out the Agency’s position on a wide range of activities and developments, including:

- solid waste management
- discharge of liquid effluents into the ground (including site drainage)
- land contamination

All precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution measures, the developer should refer to the Agency’s guidance “PPG1 – General guide to the prevention of pollution” available on the Agency’s website.

e) Condition 3c) is discharged in part – full details of lighting remain to be submitted. In this regard, Warwickshire Ecology advise that lighting should avoid ecological corridors and that lighting should be kept to a minimum at night across the whole site in order to minimise impact.

f) The following conditions remain to be discharged – 3c) part - lighting; 15 - method statement re. remediation of contamination; 18 – verification of remediation of contamination; 19 – provision of water supplies/fire hydrants and 23 – implementation of landscaping and open space.

Reference number: R12/1754

Site address: Even numbers 2 – 76 Pettiver Crescent, Hillmorton, Rugby

Description: Demolition of existing two and three storey housing blocks and construction of 23 residential units (dwellings and maisonettes) with associated parking, landscaping, access and infrastructure.

Case Officer Name & Number: Richard Redford, extn 3625

The Proposal;

Planning permission is sought for the demolition of an existing two storey housing block and an existing three storey housing block containing a combined total of 38 units along with the demolition of a garage block and the subsequent construction of 23 residential units (19 dwellings and 4 maisonettes) with associated parking, landscaping, access and infrastructure. Providing a mixture of four one-bed two person maisonettes, 12 two-bed four person dwellings and 7 three-bed 5-person dwellings, all units will be socially rented units and a total of 43 on-site parking spaces will be provided. Access will be via both the existing access point and a new additional access point. All dwellings will have a garden area with the exception of 2 of the maisonettes. As part of the application boundary treatment details have been provided along with a landscaping plan, Design & Access Statement, Planning Statement, arboricultural assessment and energy statement amongst other items.

Amended plans have been provided relating to the sites western boundary in terms of its slight repositioning and the increase in the height of boundary fencing along sections to a height of 2.4m.

Site History;

The site has no relevant planning history.

Consultee Correspondence;

Environmental Health	No objections	Request a pre-commencement condition requiring a Dust Control & Mitigation Report.
Landscape Officer	No objections	
Tree Officer	No objections	Requests conditions and an informative
Building Control	No objections	
WCC Ecology	No objections	Request a number of informatives
WCC Planning	Comments not received	
WCC Highway Authority	No objections	Request conditions and informatives
Western Power	No objections	
National Grid	No objection	
Severn Trent Water	No objection	Request a condition regarding drainage
Fire & Rescue	No objection	

Third Party Correspondence;

Neighbours (2) No objections

(both letters from Same neighbour)

Originally objected on the grounds the pegs put in the ground to the rear of the site to mark the site boundary are all within the rear garden areas of dwellings on Lyndhurst Road but now, based on the amended plans provided, has no objections as the amended plans address his concerns.

Other Relevant Information;

The application is brought before the Committee for determination as Rugby Borough Council is the applicant.

Located within the Rugby Urban Area and covering an area of 0.52 hectares, the site is occupied by a 2-storey block and a 3-storey block of residential units with a number of garages in a garage block situated between the 2 residential blocks. The residential units and garages are all vacant. Pettiver Crescent is an 'L'-shaped road with the application site located on the base section of the L, surrounded on three sides by 2-storey residential dwellings with a single width service road and Featherbed Lane Recreation Ground to the south. Ground levels in the area undulate in a number of different directions including along Pettiver Crescent in both directions from the site, whilst, on the application site ground levels fall from south to north as well as east to west.

Relevant Policies;

RBCS Policy CS1	Complies	Development Strategy
RBCS Policy CS10	Complies	Developer Contributions
RBCS Policy CS11	Complies	Transport & New Development
RBCS Policy CS16	Complies	Sustainable Design & Construction
RBCS Policy CS17	Complies	Reducing Carbon Emissions
RBCS Policy CS19	Complies	Affordable Housing

Sustainable Design & Construction SPD
Planning Obligations SPD

NPPF

Consideration;

In assessing the proposed development in planning terms against the aims and objections of the relevant national policy and adopted local policies and standards as referred to above, the key considerations relate to the appropriateness of the development in principle; affordable housing; design, appearance and amenity; access, parking and highway safety; open space; ecology, trees and landscaping; and sustainable design and construction.

Principle;

Policy CS1 of the Rugby Borough Core Strategy seeks to direct development to appropriate locations in a structured manner with the Rugby town centre being the first area for development followed by the Rugby Urban Area, main rural settlements then local needs settlement followed by the countryside and green belt. Supporting text for this policy, and specifically for the Rugby urban area where the application site is located, states this area is the primary focus for residential and employment development.

Within the NPPF paragraph 7 refers to achieving sustainable development through economic, social and environmental roles on a collective basis with paragraph 9 also stipulating that through sustainable development the planning system can improve the conditions in which people live as well as widening the choice of high quality homes available with one of the core planning principles of the NPPF being the encouragement of the effective reuse of land in the form of utilising previously developed land.

The redevelopment of the site to provide the residential dwellings proposed serves to direct development to an existing area through the effective, efficient re-use of the site for purposes acceptable in this location, as put forward in policy CS1 of the Core Strategy and the NPPF, to direct development to the most appropriate locations with the provision of high quality homes on a previously developed site.

Situated in close proximity to existing local facilities including shops, public open space in the form of Featherbed Lane Recreational Ground, transport links and footpaths, the site is suitable for the development proposed and will fit in with the surrounding residential locality.

Given the sites location within the Rugby Urban Area and its current use as housing, the 2nd priority location for new development as detailed in Core Strategy policy CS1 as well as the NPPF, the proposed redevelopment of the site to provide 23 new socially rented houses is acceptable in principle in accordance with this local policy.

Affordable Housing:

Covering an area of 0.52 hectares and proposing 23 dwellings, the provisions of Core Strategy policy CS19 require that a target affordable housing provision of 33.3% be sought in a range of different, affordable sizes, tenure and type. On the basis of these policy provisions and in the context of the current application, a total of 8 of the proposed dwellings would be required to be provided as affordable housing and would normally be secured through the use of a Section 106 Legal Agreement.

However, all of the dwellings proposed are to be socially rented affordable units managed by Rugby Borough Council that represents 100% of the dwellings being provided to be available for affordable housing purpose, considerably exceeding the required level which is acceptable.

Whilst it would normally be the case that a Section 106 Legal Agreement would be required to ensure that the dwellings are provided then subsequently retained as affordable housing, given that the Council are the applicant a condition could be attached to any permission requiring the permission be implemented by the Council, or one of their approved social landlords, then only occupied as socially rented accommodation.

Design, Appearance & Amenity:

The proposed dwellings have been designed in a manner drawing on features in existing buildings in the area to enable and ensure the dwellings proposed fit in with and relate well to the area. All the buildings are 2-storey in height with steep pitched roofs which is the same as the other dwellings in the area whilst also including architectural features where the walls meet the roof as well as within the walls so as to provide features of interest in the area beneficial to the visual character and amenity of the area and also serving to enhance the area. The size, scale and massing of the buildings are also in-keeping with the area whilst the proportions of windows and doors in the street scenes proposed match those of existing dwellings

in the locality so enabling good relationships in the visual nature of the area to be maintained.

The proposed dwellings will all have photovoltaic cells in their roof slopes and although these will be addressed in detail later in the report in the context of sustainable buildings, they are being addressed here in the context of their relationship with the area. Within the area there appear to be few such installations in existence on roof slopes however, based on the plans provided and site visits, it is considered the provision of these cells will not only serve to enhance the sustainability of the buildings but will fit in the area without being unduly obtrusive or out of keeping. Furthermore, it is considered they could act as a catalyst for installations on other buildings in the area.

The site layout has been arranged in a manner so that the existing access point is utilised along with the provision of an additional access to allow the site to be developed and laid out in a manner affording more usable space to the dwellings proposed in place of an expanse of road way to the significant benefit of the street scene. This road arrangement coupled with the location of the majority of parking spaces to the sides of the proposed dwellings has enabled the dwellings to have an average rear garden depth of 10m so enabling future occupiers to have a good level of usable, private amenity space whilst not leading to any adverse, detrimental or overbearing impact on neighbouring sites due to the changes in ground levels. Pedestrian footpaths allow foot movement within the site whilst the provision of small areas of soft landscaping to the front of dwellings serves to soften the developments relationship within and in-keeping with the area. Within the development the layout and design of the buildings have also been arranged collectively so that the dwellings at the rear of the access points, which are of greater visibility in the street scene, serve to provide an attractive feature when driving along Pettiver Crescent or into the site further enhancing the development in an acceptable manner. An electricity sub-station exists between the existing access point and the 2-storey block to be demolished. This will remain in its current position as part of the proposal where it is not considered it will adversely impact upon the development or the streetscene.

The application forms and plans submitted provide basic detail on the materials to be used in the construction of the dwellings, in the form of red facing bricks and grey roof tiles with door and feature bricks to be approved. Within the area there is a mixture of brick and roof tile types such that the use of red facing bricks and grey roof tiles will be acceptable. However it is considered a condition relating to the other materials is required. Full details on all site boundary treatment have been provided that is appropriate to the development proposed as well as in-keeping with the area.

Within the majority of the proposed dwellings, windows and openings have been arranged in the manner so that they face toward the front and rear of their respective plots. This has been orchestrated so that no overlooking or loss of privacy occurs. There are however 5 of the proposed dwellings where openings are proposed on 3 elevations and 1 dwelling with openings on all 4 elevations, yet, these plots are positioned within the site so that their relationship with other existing and proposed dwellings is such that there will not be any adverse or detrimental impact on residential amenities and, in this instance for these reasons, are acceptable.

The development proposed is of an acceptable design, appearance and layout with reasonable levels of private amenity space for future occupiers, however, it is considered appropriate to remove some permitted development rights in order to prevent the loss of on-site parking space to make way for extensions, to prevent overlooking of neighbouring sites through loft conversions and to prevent the loss of

soft landscaping to the front of the units that would, in officers opinion, have a negative impact on the streetscene.

Access, Parking & Highways:

Within the scheme the existing vehicular access point will be utilised with an additional access point put in place close to the Pettiver Crescent / Bromwich Road junction that will enable all of the proposed dwellings to be accessed safely, with parking taking place on the application site. A total of 43 on-site parking spaces are proposed.

The proposal has been assessed by the Highway Authority who are satisfied that the road layout and width as well as visibility splays are acceptable whilst also providing sufficient turning and manoeuvring space.

Access to and from the site will be via the existing access point along with the provision of an additional access road close the where Pettiver Crescent joins Bromwich Road. These access points along with the internal roads have been arranged to be to adoptable standards with sufficient turning and manoeuvring space for cars and larger vehicles including delivery vans and refuse vehicles. The roads are also of sufficient width for cars leaving parking spaces to do so without impacting on other parked cars or road users. To be constructed of a mixture of tarmac and pavers, they will be in-keeping with the locality. Overall therefore the Highway Authority has no objections subject to conditions and informatives being attached to any approval.

In respect of parking provision, a total of 43 parking spaces will be provided to serve the 23 dwellings proposed. Within the Planning Obligations SPD, reference is made in regards to parking standards for dwellings and maisonettes that require a total of 38 spaces on the basis of it being a low access area. Therefore, the provision of a further 5 spaces above this level to afford on-site provision for visitors ensures that not only will there be sufficient space for occupiers of the proposed dwellings but guests as well. It will also serve to ensure any on-street parking is at a very limited level where it is considered it will not impact on highway or pedestrian safety.

Open Space:

The dwellings proposed will introduce 19 residential units of sizes suitable for families with 4 one-bed 2-person units in place of the 38 one-bed and two-bed units. This change in housing type to include the provision of family dwellings is such that it will result in increased use of outdoor open space. When assessing the proposal against the Open Space element of the Planning Obligations SPD highlights the request for a financial contribution toward both open space and leisure facilities.

In relation to the need for the financial contribution highlighted, the applicant has put forward viability information in respect of the proposal showing that with a contribution for open space, notwithstanding any other financial contribution that may be required, will result in the proposal being unviable. This has been assessed by officers who have confirmed that the provision of the open space contribution would have a negative impact on the viability of the scheme.

Policy CS10 of the Rugby Borough Core Strategy relates to developer contributions detailing that where it is necessary to mitigate against development, permission will be granted subject to a legal agreement or planning obligation and that where an on-site provision is not possible, off site contributions will be negotiated. In this instance the key factor to take account of relates to the viability of the scheme when factoring in that all the units proposed will be socially rented units so providing 100%

affordable housing as opposed to the 33.3% highlighted in policy CS19 as being required. The provision of all the units proposed to be socially rented and to meet an identified need is such that the provision of a financial contribution toward open space would make the scheme unviable. It is considered that, in this instance only, the wider context of affordable dwelling provision in the form of 23 affordable, socially rented units represents a substantial benefit to the Borough whereas the provision of an open space contribution in addition to the 100% affordable housing provision is likely to mean the development may not take place. Given that the policy allows for negotiation of contributions, in this particular case officers consider it is appropriate not to seek to an open space contribution as the proposal will provide much needed affordable housing.

Ecology, Trees & Landscaping:

At present all buildings on site are vacant whilst the site boundary to the west comprises an area of landscaping.

In order to afford the dwellings proposed closest to the western site boundary with sufficient rear garden amenity space it is proposed to remove sections of the existing landscaping. The sole letter of objection received related to the location of the western site boundary following the removal of the landscaping and visual impacts as a result of the loss of this landscaping. Therefore as a result of a meeting between the applicant, their agents and local residents on site amended plans have been received slightly altering the positioning of the site boundary, increasing the height of boundary treatment along this boundary to 2.4m high through the incorporation of a section of trellis and alterations to the proposed landscaping scheme.

In respect of the amended landscaping scheme provided, site boundary treatments and the hard and soft landscaping details for the dwellings proposed, these have been assessed by the Landscape Officer who considers them to be acceptable as they are appropriate to, respectful of and in keeping with the character and appearance of the area whilst also serving to replace that removed. Officers have also made the neighbour who objected to the proposal aware of the amendments made who has commented that they are happy with the amendments made as they overcome their concerns.

Due to the demolition of the existing buildings on site as well as the removal of sections of landscaping, an ecological survey has been carried out with resultant report submitted as part of the application. This report has been assessed by Warwickshire County Council Ecology Unit as the Councils ecological advisors.

They note the report the buildings to be demolished have negligible to low potential to support roosting bats and whilst noting some exit points in 2 of the buildings along with a number of foraging bats having been recorded, they recommend a note relating to bats, as protected species, is attached to any approval granted with works carried out in a sensitive manner.

With regards to the removal of trees and existing vegetation they request a note relating to nesting birds, as protected species, be attached to any approval granted along with notes suggesting demolition works, tree removal and vegetation clearance works should be carried out outside the nesting bird season which lasts March to September inclusive and all trees to be retained being protected from the works by a suitable buffer.

An arboricultural report with associated drawing was submitted as part of the application given that works on-site include works to trees to be retained as well as to the removal of trees. The tree officer highlights those for removal which are located predominately to the rear of the existing block of flats that consist of a row of semi-mature cherry trees which are of relatively low value and have limited or no overall amenity value given their location, i.e. they are not publicly visible. On the western boundary there is a group of Holly/Hawthorn which from an arboricultural point of view have limited value but do provide an effective screen between adjacent properties with the majority of this group being highlighted for removal.

In the formal response from the tree officer stating no objection he recommends replacement planting to maintain and enhance screening and also biodiversity potential whilst also allowing for the continuity of tree cover to be maintained that will also enhance the proposals. Such measures have already been included within the landscaping scheme, as amended, put forward with the application that is, as previously highlighted, considered to be acceptable.

In addition to this it is requested that 2 conditions be attached to any approval requiring the tree protection measures provided be implemented before work commences and that works to the trees to be retained also be done before work occurs in the interests of tree protection. These conditions are acceptable.

It is therefore considered that the landscaping, ecology and tree elements of the proposal are acceptable subject to conditions and informatives.

Sustainable Design, Construction & Services:

All of the dwellings in the application will have photovoltaic cells on their roof slopes in order to contribute toward renewable energy use on the site and a reduction in carbon emissions from the development. In addition to these all of the dwellings have been designed in order to be built to Code for Sustainable Homes Level 4 incorporating, amongst other things, high levels of insulation, a sustainable urban drainage system including permeable pavements, enhanced sound insulation and water saving features. Details in respect of the Code Level 4 assessment have also been submitted along with an energy statement.

An assessment of the submitted details indicates that the dwellings would contribute toward a reduction in carbon emissions whilst resulting in increased energy efficiency in accordance with the provisions of policy CS17.

Conclusion:

The redevelopment of the site, due to its location within the Rugby Urban Area as well as by virtue of being previously developed land, is acceptable with the layout, design and appearance of the proposal being appropriate and in-keeping with the locality without raising any adverse or detrimental impacts. Sufficient on-site parking spaces are proposed along with turning and manoeuvring space. A contribution would normally be required in respect of open space provision along with 33% of the dwellings proposed being affordable dwellings, however in this instance all of the dwellings proposed will be socially rented affordable dwellings managed by the Council that if provided with open space contribution would make the scheme unviable. There will be no adverse impact on amenity or ecology with good landscaping and sustainable energy provisions incorporated into the development. As such the proposal is considered acceptable and recommended for approval subject to conditions.

Recommendation;

Recommend approval subject to conditions.

Report prepared by: Richard Redford 1st July 2013

DRAFT DECISION

APPLICATION NUMBER

R12/1754

DATE VALID

22/05/2013

ADDRESS OF DEVELOPMENT

EVEN NUMBERS
2 - 76 PETTIVER CRESCENT
HILLMORTON
RUGBY
CV21 4EJ

APPLICANT/AGENT

Mr Chris Bailey
Wates Living
11 Wates House
Ridgeway
Quinton
Birmingham
B32 1AF
On behalf of , Rugby Borough Council
Housing Services

APPLICATION DESCRIPTION

Demolition of existing two and three storey housing blocks and construction of 23 residential units (dwellings and maisonettes) with associated parking, landscaping, access and infrastructure.

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:

Documents;

Application forms, Design & Access Statement dated May 2013, Code For Sustainable Home Pre-assessment Summary report dated 10 May 2013, Energy Statement, Arboricultural Survey Report numbered RT-0MME-113294-02 dated March 2013, Code For Sustainable Homes Ecological Report numbered RT-MME-113294-02 dated February 2013, Warwickshire County Council Pettiver Crescent Site Ecological Appraisal dated August 2012, Ground Investigation Report by Listers Geotechnical Consultants numbered 12.10.004 dated November 2012, Supplementary Geo-environmental Investigation Report numbered 12.10.004a dated March 2013 by Listers Geotechnical Consultants, drawings numbered 6214 dated 22 February 2013, 13002-02 dated March 2013, 13002/2B4P/PL9 Rev C dated 22 May 2013, 13002/3B5P/PL10 Rev C dated 22 May 2013, 13002/3B5P/PL11 Rev C dated 22 May 2013, 13002/3B5P/PL12 Rev C dated 22 May 2013, 13002/3B5P/PL13 Rev

C dated 22 May 2013, 13002/3B5P/PL14 Rev C dated 22 May 2013, 13002/EW2 dated May 2013, 104 Rev C dated 20 May 2013, 100 Rev A dated 14 May 2013, and 111 dated 15 May 2013 all submitted to and received by the Local Planning Authority on 17th May 2013; and

Planning Statement dated May 2013 and Arboricultural Impact Assessment Report numbered RT-MME-113294-03 dated April 2013 and up-dated May 2013 both submitted to and received by the Local Planning Authority on 22nd May 2013; and

Demolition Survey Report numbered S19884 dated 5th November 2012 by Bradley Environmental submitted to and received by the Local Planning Authority on 23 May 2013; and

Amended plans numbered 13002-01 Rev G dated 18 June 2013, 13002-04 Rev A dated 19 June 2013, 13002-05 Rev A dated 18th June 2013 and 13002-EW3 dated June 2013 submitted to and received by the Local Planning Authority on 20th June 2013

Amended drawing no 1A dated May 2013 submitted to and received by the Local Planning Authority on 25th June 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 23 dwellings hereby permitted shall be socially rented affordable houses only.

REASON;

The proposal is only acceptable because the application is for the provision of affordable housing in the form of socially rented units.

CONDITION 4:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, D and F 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.

CONDITION 5:

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

REASON:

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

CONDITION 6:

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

REASON:

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

CONDITION 7;

The parking spaces shown on the approved plans shall be provided prior to the occupation of the dwellings approved then subsequently retained for parking purposes in association with the approved dwellings.

REASON:

To ensure sufficient on-site parking spaces are provided then permanently retained for parking purposes in association with the dwellings approved.

CONDITION 8;

No dwellings shall be occupied until the access to plots 1-7 for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

REASON;

In the interests of highway safety.

CONDITION 9;

No dwellings shall be occupied until the access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.

REASON;

In the interests of highway safety.

CONDITION 10;

The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

REASON;

In the interests of highway safety.

CONDITION 11;

All tree protection measures AND tree pruning works identified within the arboricultural report/tree protection plan relating to the approved design details (including the erection of protective fencing and installation of ground protection layers as per BS5837:2012 - Trees in relation to design, demolition and construction - recommendations) shall be implemented prior to the demolition/construction phase and to the satisfaction and written approval of the Local Planning Authority. Protective measures should remain in place until completion of all construction works.

REASON:

To protect all retained trees during the demolition/construction phase.

CONDITION 12;

Prior to the commencement of demolition of the development hereby approved, a Dust Control & Mitigation Report shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

REASON:

In the interests of residential amenity, health and safety.

CONDITION 13:

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

REASON:

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

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;

Root protection areas should be treated as sacrosanct with no building activity, ground disturbance or storage of building materials taking place within them. All tree works should be carried as per BS3998:2010 (Tree work - recommendations). Tree works should take place outside of bird nesting season and therefore not between 1st March-1st September.

INFORMATIVE 2;

The applicant / developer is advised to, prior to any works taking place on site, arrange a pre-commencement site meeting with the Council Tree Officer, the applicant and their designated arboricultural consultant responsible for the site to inspect trees protection measures and tree works.

INFORMATIVE 3;

The plans approved in condition number 2 also require that the estate roads including footways and verges are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads.

The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980.

An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

INFORMATIVE 4;

Condition numbers 8 to 10 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

INFORMATIVE 5;

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 disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence 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 6;

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

INFORMATIVE 7;

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants.

INFORMATIVE 8;

Lighting can significantly affect the behaviour of some animals such as moths, birds and mammals, even to the extent of jeopardising their survival or reducing their breeding success. We recommend that where lighting is to be installed or updated, lights should be low pressure sodium with a full cut-off lantern in order to minimise the spread of the light. We also recommend that the lights are put on a timer so that

they can be switched off as soon as possible in the evening. We recommend that floodlighting is avoided wherever possible, particularly in rural areas. Where floodlighting is considered essential, operational times should be kept to a minimum.

INFORMATIVE 9;

The building is in a residential area and demolition may cause noise nuisance to local residents. Demolition should only take place between the following hours;

Monday - Friday 0800 to 1800

Saturday 0900 to 1600

INFORMATIVE 10:

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

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

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

NO WORK ON SUNDAYS & BANK HOLIDAYS.

Deliveries on-site should not take place outside the above detailed construction times.

INFORMATIVE 11;

The applicant is advised to give due regard to the advice contained in BS5228:2008 Noise and vibration control on construction and open sites.

This Authority also wishes to draw your attention to the Considerate Constructors Scheme. This is a voluntary Code of Practice, driven by the construction industry, which seeks to:-

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

For further information contact:-

Considerate Constructors Scheme, PO Box 75, Ware. SG12 9LN

Tel 0800 783 1423

www.considerateconstructors.co.uk

Reference number: R13/0045

Site address: Ansty House, Main Road, Ansty, CV7 9HZ

Description: Alterations and extensions of existing dwelling and barn to form 1 dwelling, erection of 1 new dwelling and associated works.

Case Officer Name & Number: Karen McCulloch, 01788 533623

This application is being reported to Committee as it constitutes a departure from the development plan.

Relevant planning history

- | | | |
|----------|--|----------------------------|
| R05/0710 | Outline application for the demolition of the existing barn and garage, erection of 3 dwellings and new access | Refused |
| R07/1003 | Application for demolition of existing house and outbuildings and erection of a dwelling with granny annexe | Refused & Appeal Dismissed |
| R08/0040 | Demolition of existing house and outbuildings and erection of a dwelling with granny annexe | Refused & Appeal Dismissed |

The applications most relevant to this proposal are:

- | | | |
|----------|--|----------|
| R09/0254 | Erection of single storey extensions, raising a roof, provision and alteration of walls within the site, provision of new entrance gates and erection of a garage/log store. | Approved |
| R09/0255 | Conversion of Redundant Agricultural Building to a single dwelling and erection of garaging. | Approved |
| R09/0698 | Demolition of dwelling and erection of a replacement dwelling. | Approved |
| E2E 876 | Demolition of dwelling and erection of a replacement dwelling (resubmission). | Approved |

Planning permissions R09/0255 for the conversion of the barn and E2E 876 for a replacement dwelling have been implemented and works have commenced on site.

Description of site

This application relates to an existing house and barn that are located within the village of Ansty.

The barn is immediately adjacent to the footpath, is two storey and built of red brick with a pitched tiled roof. Work is currently on-going to convert the barn into a dwelling.

The existing house is an L-shaped building that consists of 2 elements, both 2 storey but very different heights, and has been vacant for some time. It is constructed from a variety of bricks with some of the elevations painted. Blue slate is on the majority of the roofs apart from the tallest section of the main dwelling, which has decorative clay tiles to both the front and rear.

Following previous approvals a brick garage attached to the barn, former dairy and stables were demolished. The site has been cleared and footings dug for the replacement dwelling to the rear of the existing house.

There is a mix of properties in the Ansty area. The properties opposite the application site are mostly cottages that are set very close to the road. A modern property has been added on a similar building line.

Ansty Cottage to the side of the site is a larger dwelling, this is at a higher level than the road and has the appearance of a row of cottages merged to form one dwelling. The houses to the other side of the site are semi-detached houses with hipped roofs. These are set back from the road and are at a higher level.

The land to the rear of the site is agricultural land within the Green Belt.

Description of proposals

This application proposes the retention, extension and alteration of the barn and existing house to form a single dwelling and a new detached dwelling is proposed to the rear.

The works to the barn will be largely in accordance with the approved scheme to convert the barn to a single dwelling. A garden room is proposed which will link the barn with the existing house. The existing taller element of the house will be reduced to single storey and the two storey rear projection will be increased in size.

This will result in a dwelling with 5 bedrooms, a kitchen, lounge, living room, family room, garden room and laundry room.

The existing planning permission for the replacement dwelling proposed a large house on the site of the existing property with a large element to the rear. The approved scheme was for a large 3 bedroom house (1 bedroom also had an ensuite, dressing room and study) with a kitchen, living room, dining room, orangery and study at ground floor. The current proposal reduces the size of the proposed new dwelling to a smaller 3 bedroom property with open plan accommodation at ground floor.

The proposals will result in more built development than previously approved due to the link being formed between the barn and existing house and the existing house extending to the side boundary whereas the proposed replacement dwelling was set in from the boundary.

A detached garage will provide parking for the new dwelling whilst a garage for the converted and combined barn and dwelling will be provided within the rear projection.

The 2 dwellings proposed will be accessed via the existing access. The combined barn and dwelling will have a courtyard garden area between the properties and the new dwelling will have a larger garden area to the side and rear.

The applicant has specified that the properties will be built in the same materials as previously approved, traditional red brick, brown clay tiles and blue grey slates.

Technical consultation responses

Severn Trent	No comment	
Environmental Health	No comment	
WCC Ecology	No objection	Subject to informatives
WCC Archaeology	No objection	Subject to condition
Landscape Officer	No objection	

Third party comments

None received

Relevant policies and guidance

Rugby Borough Core Strategy 2011

CS1	Conflicts	Development Strategy
CS16	Complies	Sustainable Design
CS20	Conflicts	Local Housing Needs

Rugby Borough Local Plan, 2006 – Saved polices

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities

Planning Obligations SPD, 2012
Sustainable Design and Construction SPD, 2012
Housing Needs SPD, 2012

National Planning Policy Framework, 2012

Assessment of proposals

The key issue to address in relation to this application is whether the principle of the proposed development is acceptable, other issues including the impact on visual and residential amenity and highway safety must also be considered..

Ansty is defined by policy CS1 as a Local Needs Settlement where small scale development will be permitted, within the village boundaries, to meet local housing needs. Policy CS20 specifically refers to local needs housing and states the need for housing will be assessed on the needs of the proposed resident, the suitability of their present accommodation and whether their need could be met from the existing housing stock. This policy also details the local connection criteria used to define local people.

The proposal will result in two market dwellings within the village. One dwelling will be formed from the conversion and extension of the existing house and barn, the second will be an entirely new build property.

Within Local Needs Settlements new market dwellings are usually resisted due to the conflict with policies CS1 and CS20. In addition where properties such as barns are converted within Local Needs Settlements conditions are usually used to ensure they are marketed to local people in the first instance.

However, in this case it is necessary to give consideration to the extensive planning history of the site and the existing planning permissions which have been implemented.

Planning permission currently exists for two dwellings on the site neither of which are subject of any restrictions regarding occupation or marketing which would tie them to local people. The current application would also result in two dwellings in a similar arrangement to those already approved, albeit including some additional built development.

During previous planning application Officers, local residents and the Parish Council expressed a preference for the retention of the existing house, rather than its replacement. The current proposal is considered to be a positive and sustainable way forward to adapt the existing property to meet the demands and needs of a family house today.

Given the existing planning permissions have been implemented and could be completed it is considered that this is a significant material consideration in relation to this application. It is therefore considered that the principle of the proposed development is acceptable in this case, despite the conflict with policies CS1 and CS20.

The proposals involve the retention of the existing house and barn which are considered to form key features in a prominent location within the village and play an important role in establishing the historic character of this part of Ansty. The proposals include alterations to this existing property.

The dwelling comprises a traditional cottage which has been extended with a taller Victorian side extension. It is considered that this adds interest to the dwelling and forms a key architectural feature in itself. However, the applicant considers this gives the dwelling an unbalanced appearance and a similar view was held by an Inspector in relation to a previous appeal. The proposals remove the first floor of this later extension resulting in a single storey element subservient to the original cottage and these alterations are considered acceptable.

Changes are also proposed to a two storey rear projection of the original dwelling, this will be increased in size to accommodate a double garage with bedroom above. This element reflects the design and materials used in the existing dwelling and is considered acceptable.

The works to the barn, including a single storey extension to replace a garage which has been removed, will be in accordance with the approved conversion scheme. A single storey garden room is proposed linking this to the existing house; this will be constructed of brick with a flat roof and roof lantern. This will be set back from the front of the site and will be seen in association with the existing buildings and is considered acceptable.

The new dwelling proposed at the rear of the site will be similar in size and appearance to part of the previously approved dwelling. This is designed to appear as a converted barn with traditional detailing to the front and sides but includes a contemporary full height glazed section with a glazed gable feature. The new dwelling will be partially obscured by the existing dwelling and the existing two-storey barn, but the gable ends will be visible from Main Street when travelling in both directions. This will also be on higher ground than the existing barn and dwelling at the front of the site and the eaves and ridge line will be higher, as this will be over 7m from the existing dwelling this is considered acceptable.

The applicant has specified that the materials used will be those previously approved and this is considered acceptable. Information has also been provided regarding ground levels, window and door details and landscaping and the details are considered acceptable.

Subject to these conditions the proposals are considered in keeping with the character and amenity of the area in accordance with the relevant part of policy CS16.

The White House and Wingletang are a pair of Grade II listed cottages which lie to the south east of Ansty House on the opposite side of Main Road with approximately 23 metres between their principle elevations. It is considered that the proposals will not erode the setting of these listed cottages in accordance with policy CS16.

In relation to residential amenity Ansty Cottage to the east of the site is the property which is most likely to be affected by the proposals. The main part of Ansty Cottage lies approximately 15 metres from the north-eastern side of Ansty House and between the houses is a single storey brick building within the grounds of Ansty Cottage. The proposals retain the existing dwelling but increase the height and length of the two storey rear extension. In addition, the new dwelling proposed at the rear will be around 2.5m from the boundary with Ansty Cottage.

Based on the distance between the main properties and the presence of the brick outbuilding in the grounds of Ansty Cottage it is not considered that the proposals would have an adverse impact upon the residential amenity of the occupants of Ansty Cottage.

A balcony terrace of approximately 7 square metres is to be provided at first floor level on the rear of the rear section of the new dwelling overlooking the garden. Owing to the angle and shape of the site boundary this balcony would only be approximately 3.5 metres from the boundary with Ansty Cottage at the closest point. However, owing to the rising ground level to the north of the site, the distance of approximately 26 metres from this balcony to the side of Ansty Cottage resulting in the most immediate private garden area to the rear/side of this property not being right alongside the boundary of the site with Ansty House and the presence of existing vegetation along the boundary, it is not considered that on balance the provision of such a feature would adversely affect the residential amenity of the neighbouring property to such an extent to warrant a reason for refusal.

The proposed garden room linking the barn and existing house will be set back approximately the same distance from the highway as the existing property. This will not have an adverse impact on the residential properties to the south-east.

These proposals will result in the new dwelling being around 7.2m from the rear elevation of the existing house. To ensure there is not adverse impact on the residential amenity of this property the only openings proposed in the new dwelling are obscure glazed windows and rooflights. The new dwelling will lie approximately 9.5 metres from the lounge window of the approved converted barn. However, this would be at a relatively oblique angle and as both sites are currently in the same ownership any future purchasers of the developments would be well aware of the relationship between the two units.

The distance of the replacement dwelling from 1 The Mount, which lies on substantially higher ground, would not jeopardise the residential amenity of those occupants. Overall, the proposed scheme is not considered to adversely affect the residential amenity of the neighbouring properties or future occupiers and would accord with the relevant part of policy CS16.

As the site lies on the Main Road through Ansty, which is a classified 'B' road, it is important that sufficient off-street parking is available. The Council's standards would require 5 spaces for the proposed dwellings in this location and the level of parking proposed exceeds this. The previously approved applications on the site established the parking and access arrangements and no changes are proposed to these,

therefore it is considered the proposals will comply with saved policy T5 and the parking standards contained within the Planning Obligations SPD.

WCC Ecology initially requested a pre-determinative bat survey. However, species surveys were submitted with the previous application and these developments have commenced. On this basis WCC Ecology have withdrawn their request for further surveys but request informatives relating to bats and nesting birds. Subject to these the impact on protected species is considered acceptable in accordance with saved policy E6.

Whilst the front of the site is rather overgrown, the rear garden has been cleared of any significant vegetation. Therefore, there are no particular landscape features that would be harmed by the development. Subject to a condition relating to landscaping details it is considered suitable landscaping can be achieved in accordance with saved policy GP2.

Ansty does not have a Parish Plan.

Recommendation

Approval

DRAFT DECISION

APPLICATION NUMBER

R13/0045

DATE VALID

23/05/2013

ADDRESS OF DEVELOPMENT

ANSTY HOUSE
MAIN ROAD
ANSTY
COVENTRY
CV7 9HZ

APPLICANT/AGENT

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

APPLICATION DESCRIPTION

Alterations and extensions of existing dwelling and barn to form 1 dwelling, erection of 1 new dwelling and associated works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

<u>Plan</u>	<u>Reference</u>	<u>Received</u>
Site Location Plan	142.12.	2nd May 2013
Site Layout Plan	142:12:15	23rd May 2013
Boundary Details	142:12:20	7th June 2013
Scheme Design Elevations	142:12:10/E	9th July 2013
Scheme Design Plans	142:12:09/E	9th July 2013
Landscaping Details	142:12:21/A	26th June 2013
Orangery Lantern Light & Bi-Fold Door Details	R142:12:33	26th June 2013
Doors/Windows Details (sheet 1)	142:12:30/B	27th June 2013
Doors/Windows Details (sheet 2)	142:12:31/B	27th June 2013
Doors/Windows Details (sheet 3)	142:12:35	5th July 2013
Balcony Details	R142:12:32/A	27th June 2013
Doors/Windows Details (north)	R142:12:34	27th June 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 on the external walls and roof shall be Taylor Maxwell Desimple Heritage Blend Traditional Soft Mud Stock bricks, Taylor Maxwell Natural Roofing Blue Grey slates and Dreadnought Brown Heather plain clay roofing tiles as specified on the application form, received by the Local Planning Authority on 2nd May 2013, the painted brickwork shall match the existing building, as detailed in the agent's e-mail of 27th June 2013.

REASON:

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

CONDITION: 4

The development shall not be carried out other than in accordance with the approved plans which show full details of the design, materials and finishes of all windows, including the reveal depths, as well as the type and size of the proposed rooflights, external doors and balconies.

The approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior written permission of the Local Planning Authority.

REASON:

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

CONDITION: 5

The approved boundary treatments shall be provided out prior to the date on which the development is first occupied.

REASON:

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

CONDITION: 6

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: 7

No additional openings or breaches other than those shown on the approved plans shall be made to the external fabric of the existing barn, including extraction ducts, vents or flues, without the prior written consent of the Local Planning Authority.

REASON:

To protect the character, integrity and appearance of the building.

CONDITION: 8

Other than those shown on the approved plans no new windows or rooflights shall be formed in the north east or south east elevation or roofslope of the proposed new build dwelling, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION: 9

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 to any part of the development which comes within Classes A, B, C, D or E, of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

In addition no development shall be carried out to the former barn which comes within Classes G or H, of Schedule 2 Part 1, Class C of Schedule 2 Part 2 or Class A of Schedule 2 Part 40 of the Order without the prior written permission of the Local Planning Authority.

REASON:

To protect the character, integrity and appearance of the buildings and surrounding area.

CONDITION: 10

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.

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

Bats can be found in many buildings, even those that initially appear to be unsuitable or have been subject to a bat survey and found no evidence. Therefore if any evidence of bats is found on site, work should stop while a bat survey is carried out by an experienced bat worker, and any recommendations made following the survey are undertaken. It should also be noted that as bats are a mobile species and can move into a property with potential access at any time. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000, and are also deemed a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence 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 by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

Reference number: R13/0595

Site address: 63 Church Street, Rugby, CV21 3PT

Description: Change of use of building from A3 (Restaurant) to A5 (Hot Food Takeaway) together with the erection of a replacement flue (retrospective)

Case Officer Name & Number: Nathan Lowde 01788 533725

Description of proposed development

The application seeks the change of use of the existing building from A3 (Restaurant) to A5 (Hot Food Takeaway) together with the erection of a replacement flue (retrospective).

No external alterations to the shop front are proposed as part of this application. The existing flue has been replaced with a new like for like replacement flue.

The application is to be determined by members of the planning committee as the officer recommendation to approval is against the advice of the County Highway Authority.

Description of Site

The building formerly a Fish and Chips Restaurant with an element of ancillary takeaway is located Rugby Town Centre in an area designed as a Primary Shopping Area. The building is a mid-19th Century three storey, end of terrace property with a modern shop frontage at ground level with residential accommodation above. The property is a Locally Listed Building, and whilst this is not a statutory designation it is the Council's intention to protect the building concerned and encourage their improvement and enhancement wherever possible.

Church Street is subject to a 20mph speed limit; a "No Waiting at Any Time" (double yellow lines) restriction, with further restrictions upon loading, and is covered by a "no U Turn" Traffic Order.

Third Party Comments

Neighbours no comments received

Technical Consultation Responses

Environmental Services no objection subject to conditions relating to Air Extraction System and other External Plants, Waste Collection, Permitted Trading Times, Prevention of food and grease debris from entering the drainage system.

WCC Highways objection, the proposed use would encourage an abuse of the waiting and turning restrictions by customers and staff, leading to congestion and visibility issues. Drivers would also be likely to carry out illegal U-turn manoeuvres. Both these issues would lead to an increased likelihood of conflict, and are therefore considered to be detrimental to highway safety.

Relevant planning policies/guidance

RBC LDP Core Strategy 2011

Policy CS1	Development Strategy	complies
Policy CS7	Retail Frontages	complies
Policy CS16	Sustainable Designs	complies

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.” Taking into consideration the location of the building within the Rugby Town Centre it is considered that the proposed change of use complies with this policy.

Policy CS7 seeks to ensure that proposals for development, redevelopment or change of use within the Primary Shopping Area, as defined on the proposals map, will be permitted where the proposed ground floor use is retail (use class A1).

This policy further states that other complementary uses (such as that proposed) may be acceptable within the Primary Shopping Area provide:

- They will not harm its retail function or character
- They will not impact on the vitality and viability of the wider town centre; and
- The dominance of A1 retail uses is not compromised.

The proposed building has been in use as a Fish and Chips Restaurant with ancillary takeaway for circa 30 years. This use ceased in early 2012 and has remained empty until the proposed use commenced in May of this year. Given the period in time that the building has been vacant, the fact that the building is not too dissimilar to its previous use, it is not considered that the proposed use would harm the retail function or character of the town centre, and as such accords with policy CS7.

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. No external changes to the shop front are proposed as part of this application. The proposed replacement flue is a like for like replacement and as such would not harm the visual amenity of the area. External alterations that have been undertaken, which have included painting the exterior in the corporate colours of Pap John’s (GB) Ltd, would not have required consent. It is considered that the proposed development would not have an adverse impact upon the qualities, character and amenities of the area and the Conservation Area in which it is situated within in accordance with policy CS16.

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 the Council’s Environmental Services it is considered subject to conditions, restricting opening hours that the use would not have an adverse impact upon the amenities of neighbouring residential properties in accordance with policy CS16.

With regards to Highway Safety, WCC have objection to the proposed application. WCC Highways consider that the proposed use would lead to abuse of the existing

no waiting restriction by customers who “will only be here for a few minutes”, in full knowledge that the likelihood of effective enforcement of the waiting restriction is limited. Such parking could lead to congestion and visibility issues for vehicles travelling west along Church Street, and in the vicinity of the informal crossing point on Church Street Further, due to the width of Church Street at this point; it is possible that the drivers of such vehicles would be minded to carry out illegal U-turn manoeuvres. Both of these issues would lead to an increased likelihood of conflict, and are therefore considered to be Detrimental to Highway Safety. The practice of making deliveries from the site using motorised vehicles would also be likely to exacerbate this situation; in particular as the riders of such vehicles may be less trained/qualified road users, with less hazard perception than other drivers/riders.

The proposed application is within a Town Centre location and whilst it is recognised that there is no on-site parking along Church Street outside of the application site there is parking within the immediate area for visitors to the unit. To the front of the application site are bollards and double yellow line to prohibit indiscriminate parking. Should customers ignore these parking restrictions this is a matter for the relevant enforcement authority and falls outside of the planning regime. Given the retrospective nature of the application has allowed the applicant to monitor the number of orders and deliveries per week. Within one week there was total of 324 transactions. Of these transactions a total of 118 orders (36%) were picked up by customers, 206 orders (63%) were delivered. A large percentage of those order picked up by customers were after 6pm. The busiest time for Papa Johns (GB) Ltd units is between 6pm-9pm on Friday and Saturday evening.

Delivers are made by fully trained staff on mopeds and off-street parking for delivery vehicles is provided to the east side of the unit.

It is considered that sufficient parking restrictions are in place to prohibit customers parking or waiting along Church Street. Given its Town Centre location there is parking within the immediate vicinity for customers. Should customers ignore these parking restrictions this is a matter for the relevant enforcement agency. From a survey undertaken by the applicant, a large majority of transactions are deliveries, with peak trade from 6pm-9pm Friday and Saturday, traffic through the town centre would be lower when peak trade occurs. It is therefore considered for the reason stated, despite the comments received by WCC Highway Authority, the proposed development would not have a detrimental impact upon highway safety.

Recommendation

Approval subject to conditions

APPLICATION NUMBER

R13/0595

DATE VALID

28/05/2013

ADDRESS OF DEVELOPMENT

63 CHURCH STREET
RUGBY
CV21 3PT

APPLICANT/AGENT

Sarah Butterfield
Alliance Planning
54 Hagley Road
3rd Floor
Edgbaston
Birmingham
West Midlands
B16 8PE
On behalf of Mr Jonathan Mott, Papa John's
(GB) Ltd

APPLICATION DESCRIPTION

Change of use of building from A3 (Restaurant) to A5 (Hot Food Takeaway) together with the erection of a replacement flue (retrospective)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

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 dated 24/05/13

Supporting Information on the Proposed Extraction System and Plant

Location Plan

Drawing Number 2013206-03 Rev A

Drawing Number 2013206-04 Rev A

Drawing Number 2013206-05 Rev C

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 premises shall not be open for business purposes permitted other than between the following hours:

Monday to Friday 10:00 to 00:00

Saturdays 10:00 to 01:00

Sundays and Bank Holidays 10:00 to 23:00

REASON

In the interest of residential amenity.

CONDITION 4:

Within one month from the date of this decision details of the refuse storage and collection arrangements including provision for the recycling of waste shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed within three months from the date in which these details are approved by the Local Planning Authority and shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing by the LPA.

REASON

To ensure that these facilities are in place and acceptable to the Local Planning Authority.

CONDITION 5:

Within one month from the date of this decision details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed within three months from the date in which these details are approved by the Local Planning Authority and shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing by the LPA.

REASON

To ensure that grease, fat and food does not enter the foul drainage.

CONDITION 6:

Within one month of the date of this decision, the applicants must submit a survey to the Local Planning Authority that determines the impact of the air handling plant on nearby sensitive properties caused by noise and odour from the extraction unit/air handling plant and any mitigation measures. The survey must be carried out by a suitably qualified and experienced person with specialist knowledge of ventilation. The survey must detail equipment specification, type of food cooked, plans and drawings, filtration techniques, odour neutralising system, details about the cooker hood, system operation (i.e. extract rate, air volume), flue design, sound power levels, and maintenance recommendation. It must also identify any mitigation measures for noise and odour. Within two months from the date in which these details are approved by the Local Planning Authority any agreed mitigation measures must be implemented to the satisfaction of the Local Planning Authority.

REASON:

In the interest of residential amenity.

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.

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: R13/1127

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

Description: Erection of replacement outbuilding to be used as ancillary workshop and artist studio and retention of wood store (resubmission of application R13/0233)

Case Officer Name & Number: Alice Cosnett – 01788 533489

The application has been called into Planning Committee at the request of Councillor Roberts.

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. Planning permission has previously been approved for a replacement outbuilding. However the depth of the approved building was not sufficient to park a car in it and as such this has been amended, resulting in an increased ridge height to ensure that the pitch of the roof remains consistent with the roof pitches of the other buildings within the site. The proposed outbuilding will have a width of 10.012m (10m as previously approved), depth of 5.615m (5m as previously approved) and height of 4.428m (4m as previously approved). The outbuilding will feature a wc, tea station and flue for a log burning stove and three rooflights will be inserted into its east roof slope. The proposed outbuilding is intended to be used as a workshop, in line with the current use of the existing outbuilding, as well as an artist studio for the sole use of the applicant.

Planning permission is also sought for the retention of a log store which has been erected in the northwest corner of the application site. It is constructed in timber and has a height of 2m, width of 2.4m and depth of 1m. Planning permission is only required for this element of the proposal as permitted development rights have been removed from the property.

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
R13/0233	Erection of replacement outbuilding to be used as ancillary workshop and artist studio	Approved 24.4.2013

Technical Consultation Responses

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

Third Party Responses

Councillor Roberts – Due to the controversial nature of the development locally within Thurlaston the application should be considered at Planning Committee

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

- Further enlargement of original outbuilding
- Proposed roof lights affect privacy of neighbours
- Building looks to be intended for residential purposes
- Thurlaston is designated as an essential needs settlement and the structure could be used as a precedent to breach the Rugby plan designation

Neighbours – one letter of objection has been received from a neighbouring property raising the following points:

- True intent is to build a house, not an ancillary unit
- Further increase in the size of the building
- Applicant did not mention wanting to park a car in the building in the documents submitted with the previous application. The applicant does not use the existing garage for car parking
- Roof lights will cause loss of privacy and suggest that it is the intention of the applicant to create first floor accommodation
- The increased height of the building and proposed flue will make it more visible from Draycote Water and Biggin Hall Lane
- Increase in roof height again suggests intention to create first floor accommodation
- The tea station and bathroom result in the building providing self-contained living accommodation
- Thurlaston is an essential needs settlement. Thurlaston's Housing Needs Survey shows no need for additional housing
- Approving this development will set a precedent for other similar schemes along Biggin Hall Lane

- Strong opposition within village in 2009 when housing was proposed for the Chicken Farm unit and to another application to build a house on Stoney Furlong
- In relation to the ancillary condition attached to the previous application (reference R13/0233) question how it can be proved that someone is using it/not using it appropriately
- Further condition should be attached to state that the outbuilding shall not be used for any purpose other than incidental to the enjoyment of The Old Granary further restricting the use of the proposed outbuilding
- Happy for the existing outbuilding to be replaced with one of a similar construction and size

Relevant Planning Policies and Guidance

Core Strategy

CS16 Sustainable Design

Saved Local Plan Policies

E6 Biodiversity

Other Documents

Residential Extension Design Guide in Sustainable Design and Construction SPD

National Policy

National Planning Policy Framework (NPPF)

Part 7 – Requiring good design

Part 11 – Conserving and Enhancing the Natural Environment

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 and log store 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 Thurlaston Parish Council and a neighbouring property which raise concerns that the proposed replacement outbuilding 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 outbuilding 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. It is not considered that the amendments to the proposed outbuilding, which include minor enlargements in width, depth and height, alterations to the fenestration, insertion of three roof lights and insertion of a flue will have any additional impact on the visual amenity of the area. In addition it is not considered that the log store causes any adverse impact to the character and appearance of the area, particularly given that views to it are largely obscured by the existing hedgerows around the application site.

It is therefore concluded that the proposed development represents good quality design and will not have an adverse impact upon the qualities, character and amenity of the area therefore complying 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. It was concluded in the previously approved application (reference R13/0233) that the proposed development would not have an adverse impact on neighbouring amenity given that the nearest residential neighbour is sited some 30m from the proposed outbuilding. Whilst the amended scheme does increase the size of the proposed outbuilding it is not considered that, due to this separation distance, this increase in size will have a significant impact upon neighbouring amenity by way of either overbearing or overshadowing. The proposed amendments also include the insertion of three roof lights into the east roof slope of the outbuilding. Due to their siting, these will not afford any loss of privacy to Meadowcroft to the north of the site, nor to Briar Patch which, although sited to the east of the application site, is located some 100m from the proposed outbuilding. In addition, whilst the windows in the south elevation are larger than those previously approved, it is not considered that they will lead to a significant loss of privacy to either The Stables or The Mistle (the two dwellings sited to the west and southwest of the outbuilding) again owing to the separation distance which is in excess of 30m. Furthermore, when having regard to the modest dimensions of the log store, it is not considered that it will cause any harm to neighbouring amenity. It is therefore considered that the proposed outbuilding, as amended, and log store will not have an adverse impact on neighbouring amenity,

whether by way of overbearing, overshadowing or overlooking therefore complies with the relevant section of Policy CS16.

Impact on protected species

Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things. In addition, 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 conditions

DRAFT DECISION

APPLICATION NUMBER

R13/1127

DATE VALID

20/06/2013

ADDRESS OF DEVELOPMENT

THE OLD GRANARY
BIGGIN HALL LANE
THURLASTON
RUGBY
CV23 9LD

APPLICANT/AGENT

Rebecca Chapman
Chapman Design
10 David Road
Rugby
England
CV22 7PX
On behalf of Mr & Mrs, Lewington

APPLICATION DESCRIPTION

Erection of replacement outbuilding to be used as ancillary workshop and artist studio and retention of wood store (resubmission of application R13/0233)

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, design statement, site location plan and plan no.2245-101 and 2245-104 received from the Local Planning Authority on 20 June 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.

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 July 2013
Report Title	Planning Appeals Update
Portfolio	N/A
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 01/04/2013 to 30/06/2013.

<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 July 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 April to 30th June 2013) a total of 10 planning appeals were determined, of which 4 were allowed, 5 were dismissed and 1 was 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 30th June 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 July 2013
Subject Matter: Planning Appeals Update
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 April 2013 - 30th June 2013

Application Ref No.	Location	Description	Appeal Decision	Planning Inspectorate Appeal Ref No. Decision Type
R12/1342 MN	54 Fisher Avenue Rugby CV22 5HW	Erection of two-storey side and single-storey rear extensions	HAS Allowed 02/04/2013	APP/3715/ D/12/2193183 Delegated – Refused 18/12/2012
	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		APP/E3715/A/13/2192755 Delegated – Refused 21/01/2013
R12/0972 NL	Site at Gypsy Lane Wolvey CV13 0JA	Change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking provisions (resubmission of previously withdrawn application ref: R12/0025 dated 28th March 2012)		APP/E3715/A/13/2192798 Delegated – Refused 26/09/ 2012
R11/2425 CD	61 Ratliffe Road Rugby CV22 6HB	Erection of a detached 1.5 storey dwelling with access off Overslade Manor Drive.		APP/E3715/A/12/2184609 Committee – Refused 26/07/2012
R12/1583 KMcC	Unit 2 5 Castle Mound Way Rugby CV23 0WB	Display of 2 non-illuminated fascia signs	Written Reps Allowed 11/04/2013	APP/3715/ H/12/2184438 Delegated – Refused 20/09/2012

R12/0731 CD	Land rear of 38 North Road Clifton on Dunsmore CV23 0BN	Erection of a detached dormer bungalow.	Written Reps Allowed 30/04/2013	APP/E3715/A/12/2186678 Delegated – Refused 06/06/2012
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 Dismissed 07/05/2013	APP/3715/ X/12/2183941 Delegated – Refused 29/08/2012
R12/1176 AC	Former David Smith Packaging Site Brownsover Lane Rugby CV21 1HL	Proposed detached dwelling with vehicular access and car parking	Written Reps Dismissed 09/05/2013	APP/E3715/A/12/2186323 Delegated – Refused 05/09/2012
R11/1737 MN	Spicers Wood Coventry Road Pailton CV23 0QA	Conversion of building (garage and workshop) to single dwelling	Written Reps Allowed 28/05/13	APP/E3715/A/12/2185863 Delegated – Refused 24/05/2012
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.		APP/E3715/A/12/2189306 Delegated – Refused 10/10/2012

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.06.2013

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
R12/1969 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

R12/1684 RR	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
KMcC	Site at The Fosse Wolston CV8 3DG	Without planning permission the erection of a building.	Enforcement Hearing	APP/E3715/C/13/2195563
R12/2001 MN	Land adjacent 38 Epsom Road Bilton CV22 7PF	Change of use of land to form part of residential curtilage including 1m high fence and gate	Written Reps	APP/E3715/A/13/2196721 Delegated-Refused 15/03/2013
R13/0260 RR	Featherstone Farm Leamington Road Ryton on Dunsmore CV8 3EL	Erection of enclosed swimming pool within the curtilage of the existing dwelling.	HAS (Householder Appeal Service)	APP/E3715/D/13/2199054 Delegated – Refused 21/03/2013
R13/0512 CD	Land adjacent to The Cottage Wolston Grange Rugby CV23 9HJ	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).	Written Reps	APP/E3715/A/13/2197297 Committee - Refused 25/04/2013
NL	16 Brambling Close Rugby CV23 0WR	Without planning permission the erection of a detached building	Enforcement Written Reps	APP/E3715/C/13/2198790 Linked Appeal ref. APPE3715/C/13/2198791
R13/0430 NL	19 Arundel Way Cawston Rugby CV22 7TU	Retention of hard-surfacing area and 3 no. de-mountable parking barriers.	HAS (Householder Appeal Service)	APP/E3715/D/13/2200165 Delegated – Refused 22/04/2013
R12/2064 RR	Fosse Cottage Farm Street Ashton CV21 0PL	Erection of timber clad building and use as office (Use Class B1).	Written Reps	APP/E3715/A/13/2198296 Delegated – Refused 19/02/2013

R12/1741 KMcC	Karpet Kingdom 213 Bilton Road Rugby CV22 7DY	Retention of 2 illuminated fascia signs, 3 non-illuminated window signs and 3 non-illuminated panel signs.	Written Reps	APP/E3715/H/13/2196214 Delegated – Split decision 20/02/2013
R12/1852 CD	Thistle Farm 280 London Road Stretton on Dunsmore CV23 9HX	Erection of a replacement dwelling including demolition of the existing dwelling.	Written Reps	APP/E3715/A/13/2200353 Delegated – Refused 16/04/2013
R12/0972 NL	Site at Land at Gypsy Lane Wolvey CV13 0JA	Change of use of land for the siting of two mobile home, and one day room for a gypsy traveller family, together with the formation of a hardstanding area, and parking provisions (resubmission of previously withdrawn application ref: R12/0025 dated 28th March 2012)	Hearing	APP/E3715/A/13/2192798 Delegated – Refused 26/09/2012
R12/0833 NL	The Stables Land South Side of Top Road Barnacle CV7 9LE	The mixed use of land as a paddock and for the siting of residential caravans, trailers and commercial vehicles, including the formation of hard standings and the erection of timber shed buildings insofar as it relate to the creation of 2 pitches only.	Hearing	APP/E3715/A/13/2192742 Delegated – Refused 29/11/2012

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	24 th July 2013
Report Title	Delegated Decisions –14.06.2013 to 04.07.2013
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 – 24th July 2013

Delegated Decisions – From 14th June to 4th July 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: 24.07.2013
Subject Matter: Delegated Decisions – 14.06.2013 to 04.07.2013
Originating Department: Planning and Culture

LIST OF BACKGROUND PAPERS

There are no background papers relating to this item.

DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER
DELEGATED POWERS FROM 14.06.2013 TO 04.07.2013

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R13/0945 Refused 14.06.2013</i>	6 Spellow Close Rugby	Single storey extension with balcony to rear of dwelling and extension to rear of garage
<i>R12/1475 Refused 01.07.2013</i>	105 Clifton Road Rugby	Creation of dropped kerb access
<i>R13/0716 Refused 02.07.2013</i>	Land to rear of 10 Broad Street Rugby	Change of use of garage building to one bed residential dwelling
<i>R12/0481 Refused 02.07.2013</i>	Plots 3 and 4 Poppy Close Heath Lane Brinklow	Substitution of house types for Plots 3 and 4 (retrospective).
Applications Approved		
<i>R13/0531 Approved 13.06.2013</i>	Nethercote Farm Nethercote House Road Nethercote	Reinstate the existing stable/store building to its two storey structure to be used for storage ancillary to the dwelling.
<i>R12/2254 Approved 13.06.2013</i>	68 Derwent Close Brownsver	Provision of a juliet balcony to the first floor front elevation and a disabled access ramp
<i>R11/1210 Approved 13.06.2013</i>	20 Dew Close Rugby	Erection of a two storey side and rear extension, and a single storey front extension.
<i>R13/0445 Approved 12.06.2013</i>	Alstom Power Willan Works Newbold Road	Erection of two cooling towers and associated works together with the siting of two containers
<i>R13/0649 Approved</i>	The Old Vicarage Daventry Road	Conversion of the existing workshop into ancillary residential annex

12.06.2013	Wolfhampcote	
<i>R13/0825 Approved 12.06.2013</i>	1 Anker Drive Long Lawford	Replacement of two windows to the first floor front elevation with a single large one
<i>R13/0902 Approved 14.06.2013</i>	Gist Limited Unit A-B Valley Drive	Installation of an additional 6 dock levellers and 4 loading doors to the south elevation
<i>R13/0646 Approved 14.06.2013</i>	3 Goldsmith Avenue Rugby	Single storey rear extension
<i>R13/0952 Approved 17.06.2013</i>	30 Sheriff Road Rugby	Erection of two storey front extension
<i>R13/0954 Approved 17.06.2013</i>	17 Rugby Lane Stretton on Dunsmore	Single storey extension to front and rear elevations
<i>R13/0253 Approved 12.06.2013</i>	72 Overslade Lane Rugby	Erection of two storey side and single storey front and rear extensions, two storey rear extension and single storey front addition to existing bay window
<i>R13/0852 Approved 18.06.2013</i>	18 Aikman Green Granborough	Erection of first floor side and single storey rear extensions and alterations to the front windows.
<i>R13/0887 Approved 18.06.2013</i>	34 Rugby Road Dunchurch	Provision of a pitched roof over an existing flat roof, and erection of a single storey rear extension and a flat roofed first floor side extension.
<i>R13/0920 Approved 18.06.2013</i>	Birch House Plot 1, Poppy Close Heath Lane Brinklow	Substitution of house type to Plot 1 (retrospective).
<i>R13/0898 Approved 18.06.2013</i>	3 Avonmere Newbold	Erection of first floor side and single storey rear extensions.
<i>R13/0607 Approved</i>	20 Oval Road Rugby	Erection of a two storey side extension with front porch (part retrospective)

19.06.2013		
<i>R13/0315 Approved 19.06.2013</i>	28 Eastlands Road Rugby	Erection of single storey side extension
<i>R13/0608 Approved 19.06.2013</i>	277 Rugby Road Binley Woods	Erection of a single storey rear extension, together with the provision of a dropped kerb.
<i>R13/0428 Approved 19.06.2013</i>	Merriemore Cottage Wolfhampcote Lane Sawbridge	Alterations to detached garage/studio outbuilding including roof extension, provision of windows to front and rear at ground and first floor
<i>R12/2356 (Temporary Planning Permission) Approved 20.06.2013</i>	Coombe Abbey Park Ltd Coombe Abbey Hotel Brinklow Road Coventry	Erection of a temporary marquee (amended design following approval of R11/0418).
<i>R13/0971 Approved 20.06.2013</i>	49 Overslade Lane Rugby	Demolition of existing garage. Side and rear extension to provide porch, extension to kitchen, utility room and gym. Raised decking to rear.
<i>R13/0582 Approved 20.06.2013</i>	Area R Whitefriars Drive Cawston	Erection of 8 dwellings and associated garages and works - substitution of house types on plot nos. 616-618, 620-622 and 624, and repositioning of house and garage on plot 623, approved under approval of details ref. R04/1118/2137/D, dated 9th November 2005.
<i>R13/0698 Approved 20.06.2013</i>	97 Halfway Lane Dunchurch	Erection of a new detached dwelling to replace the existing dwelling
<i>R13/0908 Approved 20.06.2013</i>	18 School Street Rugby	Erection of single storey rear extension
<i>R13/0759 Approved 21.06.2013</i>	Area Q Whitefriars Drive Cawston	Erection of two detached dwellings, garages and associated works - substitution of house types on plots 643 and 647 approved under approval of details ref. R06/1865/MAJP, dated 24th January 2007.
<i>R13/0637</i>	1 Wheatfield Road	Erection of side addition [garage]

<i>Approved</i> 21.06.2013	Bilton	
<i>R13/0386</i> <i>Approved</i> 21.06.2013	Mobility & Lifestyle 41 Clifton Road Rugby	Erection of external enclosed staircase
<i>R13/0706</i> <i>Approved</i> 21.06.2013	12 Langton Road Rugby	Erection of a two storey side, part two storey part first floor rear extensions and a single storey front and rear extension.
<i>R13/0652</i> <i>Approved</i> 24.06.2013	Magpie Lodge Farm Lilbourne Road Clifton	2-storey side, 2-storey rear and first floor rear extensions.
<i>R12/1631</i> <i>Approved</i> 24.06.2013	23 Belmont Road Rugby	Erection of a rear conservatory.
<i>R12/2232</i> <i>Approved</i> 24.06.2013	11 Little Church Street Rugby	Change of use of building from B1 (Offices) to residential accommodation
<i>R13/0668</i> <i>Approved</i> 25.06.2013	64 Main Street Long Lawford	Erection of a single storey front extension and provision of off street parking.
<i>R13/0987</i> <i>Approved</i> 25.06.2013	19 Crick Road Hillmorton	Erection of double wrought iron gates
<i>R13/0839</i> <i>Approved</i> 25.06.2013	56 Heather Road Coventry	Erection of single storey rear extension
<i>R13/0876</i> <i>Approved</i> 25.06.2013	19 Court Leet Coventry	Erection of single storey side extension
<i>R13/0904</i> <i>Approved</i> 25.06.2013	2 Monarch Close Rugby	Erection of single storey rear extension.
<i>R13/0884</i> <i>Approved</i> 26.06.2013	Springfield Lilbourne Road Rugby	Erection of first floor extension and rear two storey extension

<i>R13/0554 Approved 27.06.2013</i>	GP Practice Track London Road Coventry	Use of existing motorcycle track for 1 weekday
<i>R11/2079 Approved 27.06.2013</i>	Coffin Walk Sheep Dip Lane Princethorpe	Removal of existing redundant sheep dip and handling pens and replacement with agricultural storage building with photovoltaic panels on roof
<i>R13/0694 Approved 28.06.2013</i>	Police Training Centre Leamington Road Ryton on Dunsmore	Retention of single storey temporary building, canopies and covered link with associated works (for up to 5 years) (originally approved by R08/1639/PLN).
<i>R13/0401 Approved 28.06.2013</i>	Priory Cottage Priory Road Wolston	Erection of a side extension incorporating extension of existing room in roof.
<i>R13/0307 Approved 28.06.2013</i>	Truck and Plant Export 242 London Road Stretton on Dunsmore	Installation of 2no. 5m high tubular poles and use to mount CCTV security cameras.
<i>R13/0357 Approved 01.07.2013</i>	6 North Street Rugby	Change of Use from A1 to A3
<i>R13/1021 Approved 02.07.2013</i>	15 Fellows Way Hillmorton	Proposed erection of a first floor side extension
<i>R13/0994 Approved 02.07.2013</i>	Cheltenham & Gloucester PLC 26 Sheep Street Rugby	Installation of new ATM through shopfront
<i>R13/1010 Approved 02.07.2013</i>	26 Dunsmore Avenue Rugby	Proposed single storey rear extension (amendment to previously approved application R12/0549)
<i>R13/0946 Approved 03.07.2013</i>	Rose Lea Bourton Road Frankton	First floor extension to dwelling, erection of single storey rear extension and erection of detached car port and garden store
<i>R13/0363 Approved 04.07.2013</i>	Trustees of Village Hall Village Hall Church Hill	Demolition of existing village hall and erection of a replacement (Renewal of planning permission R09/0624/PACA dated 13 April

	Rugby	2010)
Listed Building Consents		
<i>R13/0877 Listed Building Consent 14.06.2013</i>	Unit 11 Swan Centre 22 Chapel Street Rugby	Works to a Grade II Listed Building comprising installation of internal stud partitioning to form changing rooms, disabled toilet and kitchen area and provision of new entrance door.
<i>R13/0431 Listed Building Consent 18.06.2013</i>	7 Coventry Road Pailton	Erection of a porch
Advertisement Consents		
<i>R13/0870 Advertisement Consent 17.06.2013</i>	Greene King/Hungry Horse Proposed Public House/Restaurant Technology Drive Rugby	Display of Advertisements comprising: a) 3No. Illuminated fascia signs, b)1No. Illuminated freestanding totem sign, c) 3No. Illuminated three dimensional horse shoe logos, d)1 No. brass lantern, e)1No. panel sign, f) 2 No. double sided post mounted poster frame, g)1No.amenity board and h) 1No.post mounted panel sign.
<i>R13/0882 Advertisement Consent 19.06.2013</i>	Steve Diston Carpets The Parade 120 Hillmorton Road Rugby	Erection of an internally illuminated fascia sign
<i>R13/0995 Advertisement Consent 02.07.2013</i>	Cheltenham & Gloucester PLC 26 Sheep Street Rugby	Illuminated acrylic ATM collar and new window film.
<i>R13/0522 Advertisement Consent 03.07.2013</i>	Tesco Stores Ltd 1 Leicester Road Rugby	Display of 2no. fascia signs, 2no. graphic vinyl signs and alterations to ATM signage on west elevation, alterations to signage on petrol forecourt and its canopy, erection of no1. internally illuminated totem sign, erection of no1. non-illuminated 'Hello' totem sign, erection of no.2 parent and child flag signs, erection of no.2 disabled parking flag signs and erection of various directional signs on access to and within car park
<i>R13/0627 Advertisement Consent</i>	The Dilruba Restaurant 155-157 Railway Terrace Rugby	Provision of a 2No. Internally illuminated static fascia signs and a projecting sign

03.07.2013		
Certificate of Lawful Use or Development		
<i>R13/0175 Certificate of Lawful Use or Development 03.07.2013</i>	Springpools Fishery Newton Lane Newton	Certificate of lawfulness for use of 3 timber buildings as a residential dwelling and associated outbuildings
Approval of Details/ Materials		
<i>R13/0446 Approval of reserved matters 12.06.2013</i>	Unit/Plot 1, Site B, Former Peugeot Factory 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>R12/2039 Approval of details 12.06.2013</i>	45 Millfields Avenue Hillmorton	Variation of conditions 2, 3, 4, 6 & 7 of planning permission R10/2107 (for the erection of 6 houses and 1 bungalow, provision of new access and relocated parking spaces for existing bungalow, associated works and landscaping) to make alterations to the layout involving the substitution and repositioning of plots, including details relating to external materials, landscaping, boundary treatments and drainage.
<i>E2E 1042 Approval of Details 14.06.2013</i>	Rear of 4a and 6 Kingsley Avenue Hillmorton	Erection of 2 semi-detached dwellings with attached single garages and 1 detached single garage to serve 6 Kingsley Avenue
<i>R10/1057 Approval of Details 14.06.2013</i>	Part Cawston Local Centre Land off Gerard Road (West of Scholars Drive) Cawston	Erection of single storey building comprising 4No. Units to be used for purposes within Classes A1(Retail), A3(Food & Drink), and A5(Hot Food Takeaway), of the Town & Country Planning (Use Classes) Order 1987 (as amended) together with associated access arrangements, parking , servicing and landscaping.
<i>R11/2294 Approval of Details 19.06.2013</i>	Abbotsbury Pettiver Crescent Hillmorton	Demolition of existing buildings and erection of three-storey buildings with 61 extra care units (Class C2) and associated communal areas,

		landscaping, parking, access and sub-station
<i>R11/2294 Approval of Details 25.06.2013</i>	Abbotsbury Pettiver Crescent Hillmorton	Demolition of existing buildings and erection of three-storey buildings with 61 extra care units (Class C2) and associated communal areas, landscaping, parking, access and sub-station
<i>R10/1972 Approval of Details 25.06.2013</i>	Former Peugeot Works (Units DC1, DC3 & DC4, 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 120770m ² , 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>R13/0711 Approval of Details 27.06.2013</i>	Hayes Close Mill Farm Mill Row Wolvey	Demolition of existing outbuildings and construct new dwelling and part convert existing steel structure to form new garage block
<i>R12/1987 Approval of Details 27.06.2013</i>	The Malt House Hayway Lane Broadwell	Erection of garden room conservatory and provision of 40 metre x 20 metre menage
<i>R10/1784 Approval of Non-material changes 01.07.2013</i>	The New Willows Gossett Lane Brandon	Extension to bungalow and the erection of a detached garage/workshop and the demolition of outbuildings/stables.
<i>Withdrawn/ De-registered</i>		
<i>R13/0817 Withdrawn 13.06.2013</i>	Willoughby Lodge Farmhouse Longdown Lane Willoughby	Waiver of Condition 4 (agricultural occupancy) of planning permission reference R86/0342/8046/P, dated 09 July 1986.