

29 October 2021

## PLANNING COMMITTEE - 10 NOVEMBER 2021

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 10 November 2021 in the Council Chamber at the Town Hall, Rugby.

*Members of the public may view the meeting via the livestream from the Council's website.*

Mannie Ketley  
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 meetings held on 13 October 2021.
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. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Planning Appeals Update
7. Delegated Decisions – 23 September 2021 to 20 October 2021

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

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

Councillors Picker (Chairman), Mrs Brown, Daly, Eccleson, Gillias, Lewis, McQueen, Rabin, Sandison, Srivastava, Ms Watson-Merret and Willis

***If you have any general queries with regard to this agenda please contact Veronika Beckova, Democratic Services Officer (01788 533591 or e-mail [veronika.beckova@rugby.gov.uk](mailto:veronika.beckova@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

*The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website ([www.rugby.gov.uk/speakingatplanning](http://www.rugby.gov.uk/speakingatplanning)).*

**Planning Committee – 10 November 2021**

**Report of the Chief Officer for Growth and Investment**

**Applications for Consideration**

Planning applications for consideration by the Committee are set out as below.

- Applications recommended for refusal with the reason(s) for refusal (pink pages on the printed version of the agenda)
- Applications recommended for approval with suggested conditions (yellow pages on the printed version of the agenda)

**Recommendation**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for refusal

There are no applications recommended for refusal to be considered.

### Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R21/0789	Zone D – Land North of Coventry Road, Coventry Road, Thurlaston Erection of 50,965 square metre building (GEA, floorspace) within Class B8 with ancillary office; ancillary structures; with associated access roads; servicing yard; car parking and cycle shelter and compound; external plant and access details for the continuation of the spine road north of Northampton Lane; landscaped embankments with landscaping details; the provision for a noise attenuating fence on top of the embankment and security fencing. Approval of reserved matters (access, appearance, layout, landscaping and scale) relating to R16/2569.	3
2	R20/0363	Former Riverside Cantonese, 424 London Road, Stretton-on-Dunsmore, Rugby CV23 9HN Erection of 7 new dwellings, blocking up of existing site access points, and re-establishment of existing redundant site access with associated external works and landscaping (resubmission of planning consent R16/1939).	26
3	R21/0561	111 Crick Road, Rugby CV21 4DZ Demolition of existing bungalow and the erection of two detached 4-bedroom dwellings, with associated landscaping.	38
4	R21/0847	Unit 11, Cottage Leap, Rugby CV21 3XP Change of use of commercial building to form Vocational Training/Education (Use Class F1) including creation of additional first floor floorspace within the existing building and alterations externally to the existing building to facilitate the use; demolition of existing single storey ancillary building; erection of additional single storey building; erection/laying out of MUGA; laying out of recreational and amenity area; creational of vehicular parking area and access; and other associated external works.	55

**Reference: R21/0789**

**Site Address: ZONE D - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON**

**Description: Erection of 50,965 square metre building (GEA, floorspace) within Class B8 with ancillary office; ancillary structures; with associated access roads; servicing yard; car parking and cycle shelter and compound; external plant and access details for the continuation of the spine road north of Northampton Lane; landscaped embankments with landscaping details; the provision for a noise attenuating fence on top of the embankment; security fencing. Approval of reserved matters (access, appearance, layout, landscaping and scale) relating to R16/2569.**

### **Recommendation**

Planning application R21/0789 be granted subject to the conditions and informatives set out in the draft decision notice appended to this report.

## **1.0 Description of site**

1.1 This application relates part of the Tritax Symmetry site which is an area of land to the south west of Rugby which falls within the South West Rugby allocation within the Local Plan. The overall site is roughly "T-shaped" with a narrower part at the south of the site.

1.2 This application relates to Zone D of the overall site, this is the north western part of the overall site which is to the north of Northampton Lane. This mostly comprises agricultural land, however a dwelling and outbuildings at Station Farm are within the site, the outline planning permission allowed for these to be demolished. The western boundary of this part of the site is formed by the former railway line and there are mature trees on this boundary. The eastern boundary of the current application site is to the east of where the spine road through the site will be provided.

1.3 This is part of the overall site is undulating and is divided by existing boundary hedges containing trees which run along existing drainage ditches. Towards the west of the site is pond which is surrounded by trees. There is also a hedge with trees running alongside the existing drive to the north of Station Farm and trees around this property.

1.4 The current application site boundary also includes the areas within the overall site required to provide access from the M45/A45 roundabout and the approved highway works.

1.5 Northampton Lane is to the south of Zone D running east to west. This is a Restricted Byway, a public right of way which can be used by pedestrians, horse riders, cyclists and non-motorised vehicles. However, this is currently a fairly narrow earth path enclosed by trees and vegetation. There are hedgerows and mature trees to either side of Northampton Lane and the trees are subject to a Tree Preservation Order.

1.6 There is also a public footpath which crosses the overall site from south to north. This crosses Zone D diagonally towards Station Farm Cottage which is to the north of the site.

1.7 There are residential properties close to the site. To the north is Station Farm Cottage and converted barns. To the west Old Railway House (formerly Chalon House) is located on part of the former railway. The Mill House on the A45 is to the south of the site. There is a group of buildings located on Coventry Road to the south of the site, these include a former garden nursery, former garage and residential dwellings. There are also dwellings on Windmill Lane to the east of the overall site.

1.8 The village of Thurlaston is located to the south of the M45 and is accessed from Coventry Road. Parts of this village are within a Conservation Area.

## **2.0 Description of proposals**

2.1 This is an approval of reserved matters application pursuant to application R16/2569 which granted outline permission for B8 (warehousing and distribution) uses with ancillary office uses on land to the north of the M45/A45 roundabout. The decision also granted permission for the main access into the site from the roundabout extending north into the site and crossing Northampton Lane.

2.2 The current reserved matters application is for the erection of a B8 unit on the north western section of the site, known as Zone D. The proposals also include the extension of the approved access road northwards to allow access to be provided to the proposed unit and energy centre (which is subject of application R21/0829). Approval is sought for the access, appearance, landscaping, layout and scale.

2.3 The proposed building will have a floorspace of 50,965 square metres and will be located centrally within Zone D. A roundabout on the extended spine road will provide HGV access to servicing areas to the north, south and west of the building. Further north a T-junction will provide access to a car park to the east of the building, a bus turning and waiting area with 4 bus stops and will allow HGVs to exit the site.

2.4 The proposals include the construction of landscaped bunds to the south and west of the building, a bund proposed to the north is largely subject of a separate application (R21/0823). These bunds are proposed between 1.8m and 5m high and acoustic fencing is proposed to parts of the bunds.

2.5 Landscaping is proposed to these bunds as well as to the areas around the building and service yards. This includes tree planting on the bunds, alongside the spine road and throughout the site. Drainage basins are proposed, these comprise a large basin to the west of the building and 2 smaller basins adjacent to the extended spine road.

2.6 The main warehouse forms the central part of the building and will include a central mezzanine area with ancillary accommodation provided in lower elements of the building. An office area is provided along the eastern side of the building adjacent to the parking area, truckers lounge areas are proposed to the north west and south west corners and welfare areas project from the north and south elevations.

2.7 The building will be constructed with pitched roofs, however, these will be concealed within a parapet which will give the appearance of a flat roofed building. A higher parapet is proposed at the north eastern corner of the building. The building will be constructed of a range of grey coloured cladding. A lighter grey cladding running horizontally will be used for the top parts of the walls with darker cladding running vertically beneath this. Areas of vertically striped lighter cladding are proposed at the corners of the building. The single storey ancillary areas are proposed in lighter grey cladding with a metallic finish. The main entrance will be positioned centrally on the east elevation and will be glazed with a dark grey surround. During the processing

of the application amended plans were received which incorporate areas of vertical cladding to the north, south and west elevations.

2.8 The main part of the building will be 15.81m with the tallest parapet proposed at 18.2m. Due to the proposed site levels this will result in a height Above Ordnance Datum (AOD) of 131.04m which complies with the restriction of 132m AOD imposed by outline condition 6 for this part of the site.

2.9 The submitted roof plan shows PV solar panels to be fitted to the majority of the usable roof space.

2.10 The application also proposes smaller ancillary buildings such as gatehouses, sprinkler tank pump houses, and cycle stores. The proposed gatehouses and security kiosk will be single storey flat roofed buildings built of cladding to match the main units. The sprinkler tanks will be located to the south of the building within the service yard and will be constructed of galvanised steel. Covered cycle parking will be provided by covered stands enclosed within a fenced area.

### **Planning History**

R16/2569 Outline planning application for up to 186,500 sq m of buildings for Use Class B8 (Warehousing and Distribution), with ancillary Use Class B1(a) (Offices), land for a fire station (0.4 hectares) with site infrastructure including energy centre, vehicle parking, landscaping, and sustainable drainage system.

Demolition of Station Farmhouse and outbuildings.

All matters reserved except means of access from A45/M45 junction up to and including the link to the crossing of the Northampton Lane right of way.

Approval 03/11/2020

R20/1026 Full planning application for the erection of 2 logistics units development comprising a total of 30,435 sqm (327,599 sq.ft.) (measured GEA) of Class B8 floorspace of which 1,817.2 sq.m (measured GIA) (19,560 sq. ft.) comprises Class E(g)(i) ancillary office floorspace (measured GIA) with associated infrastructure including lorry parking, landscaping including permanent landscaped mounds, sustainable drainage details, sprinkler tank pump houses, gas and electricity substations, temporary construction access from Coventry Road, temporary marketing suite and temporary stockpile area for additional soil disposal.

Approval 04/05/2021

R21/0790 Erection of a building within Class B8 with ancillary office; ancillary structures; with associated access roads; servicing yard; car parking and cycle shelter and compound; external plant; acoustic fencing; security fencing. Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to R16/2569. (Alternative scheme).

Under consideration

R21/0815 Formation of access track connecting to existing access to A45 (to provide access to existing properties on a temporary basis and provide bridleway link)

Under consideration

R21/0823 Extended landscape mound to that approved under planning permission R20/1026 on northern boundary of Zone D Parameters Plan, with 3.5m high acoustic fence

Under consideration

R21/0829 Provision of an energy centre

Under consideration

R21/1071 Extended landscape mound to that approved under planning permission R20/1026 on northern boundary of Zone D of parameters plan. (Alternative scheme).  
Under consideration

### Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP1	Complies	Securing Sustainable Development
GP2	Complies	Settlement Hierarchy
GP4	Complies	Safeguarding Development Potential
GP5	Complies	Parish Level Documents
DS1	Complies	Overall Development Needs
DS4	Complies	Employment Allocations
DS5	Complies	Comprehensive Development of Strategic Sites
DS8	Complies	South West Rugby
DS9	Complies	South West Rugby Spine Road Network
ED1	Complies	Protection of Rugby's Employment Land
ED2	Complies	Employment Development Within Rugby Urban Area
ED3	Complies	Employment Development Outside Rugby Urban Area
HS1	Complies	Healthy, Safe and Inclusive Communities
HS2	Complies	Health Impact Assessments
HS5	Complies	Traffic Generation and Air Quality, Noise and Vibration
NE1	Complies	Protecting Designated Biodiversity and Geodiversity Assets
NE2	Complies	Strategic Green and Blue Infrastructure
NE3	Complies	Landscape Protection and Enhancement
SDC1	Complies	Sustainable Design
SDC2	Complies	Landscaping
SDC3	Complies	Protecting and Enhancing the Historic Environment
SDC4	Complies	Sustainable Buildings
SDC5	Complies	Flood Risk Management
SDC6	Complies	Sustainable Drainage
SDC7	Complies	Protection of the Water Environment and Water Supply
SDC8	Complies	Supporting the Provision of Renewable Energy & Low Carbon Technology
SDC9	Complies	Broadband and Mobile Internet
D1	Complies	Transport
D2	Complies	Parking Facilities
D3	Complies	Infrastructure and Implementation
D4	Complies	Planning Obligations

South West Rugby Masterplan Supplementary Planning Document – June 2021

Air Quality Supplementary Planning Document – July 2021

Thurlaston Village Design Statement, 2016

National Planning Policy Framework, 2021 (NPPF)

### Technical consultation responses

British Pipeline Agency	No comment	
Environment Agency	No comment	
Environmental Services	No objection	
Highways England	Comment	Recommend not to determine until further information is provided for condition 20
Historic England	No comment	

Natural England Tree & Landscape Officer	No objection Objection	Further arboricultural review needed of trees that are proposed to be removed, bunding is proposed close to TPO trees on Northampton Lane, more detail is required regarding root protection areas, no objection to proposed landscaping
Warwickshire Fire Service	No objection	Subject to informative
Warwickshire Police	Comment	Make recommendations re: security
Warwickshire Ramblers	No objection	
WCC Archaeology	No comment	
WCC Ecology	No comment	On application, comment on conditions
WCC Flood Risk	Comment	Surface water drainage strategy required
WCC Highways	Objection	Require Road Safety Audit, levels and highway drainage details and changes to layout
WCC Rights of Way	No objection	Subject to condition & informative

Additional/amended information

Highways England	Comment	Reserved Matters application can proceed, further information required for conditions
Tree & Landscape Officer	No objection	
WCC Flood Risk	Comment	Further information required for conditions
WCC Highways	Objection	Require information regarding emergency access, Road Safety Audit shows changes needed to layout

Further amended plans

WCC Highways	No objection	Subject to conditions & informatives
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**Third party comments**

Dunchurch Parish Council	Objection	<ul style="list-style-type: none"> <li>- Building should meet BREEAM very good standards;</li> <li>- Building will be intrusive and conspicuous and have a significant impact on the visual landscape of Dunchurch &amp; Thurlaston despite the proposed mitigation;</li> <li>- Warehouse will be over 18m tall and adequate mitigation is not proposed;</li> <li>- HGVs must not use Dunchurch crossroads;</li> <li>- HGV strategy should be included within s106 agreement rather than a condition for more robust control;</li> <li>- Significant impact on air quality in and around Dunchurch and Thurlaston;</li> <li>- More mitigation for harmful pollutants generated by vehicles required before commencement of any building;</li> <li>- Council have a responsibility in relation to air purity &amp; quality, they are failing to meet the legal limits for annual concentrations of nitrogen dioxide;</li> <li>- There are several protected species on the site and there should be a net gain in biodiversity;</li> <li>- Limited information to show biodiversity gain, applicants cannot rely on off site infrastructure and a limited amount of habitat creation;</li> <li>- Mitigation for impact on biodiversity and protected species is not satisfactory, will not mitigate for landscape and visual effects and is contrary to requirement for structural landscaping.</li> </ul>
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#### Thurlaston Parish Council    Objection

- This application must be considered in relation to the cumulative effect of all proposals within Symmetry Park and Local Plan proposals such as highways infrastructure and housing;
- Any biodiversity gains will be offset by huge carbon increases from the development and pollution from visiting vehicles;
- Question whether development will be ecologically sound, it will be harmful to the locality and wider area;
- Impact on people's well being due to air pollution and noise;
- SPD does not show sequence of specific projects, including infrastructure;
- Without detailed knowledge of all traffic flows congestion, noise and pollution cannot be mitigated;
- ANPR is proposed to prevent vehicles travelling through Dunchurch, this will not prevent many smaller vehicles adding to congestion and pollution in Dunchurch;
- HGVs travelling north through Dunchurch could access site, how will this be prevented;
- Locating staff car park to west of building is an improvement as building moves further west away from residential areas;
- Support improved acoustic and limited visual screening due siting of bunds and acoustic fences;
- Regrettable that the scale of development does for more tree and hedgerow planting;
- How is judgement made regarding building design and appearance as RBC does not have specific criteria, how is community consultation carried out and decision made;
- Warehouse height detrimental to all parish stakeholders and is against the recommendations of the Planning Inspector;
- This decision was made on economic grounds, however automated processes mean this will not be a major employer and will add little to local economy;
- Potsford Dam link should be provided as soon as possible, this will improve traffic flows and provide economic benefits, reduce noise and air pollution, reduce congestion and enhance footpaths and cycleways;
- Applicants require building to be completed by Autumn 2022, RBC infrastructure delivery is therefore required;
- Lighting must be appropriate to maintain dark skies and protect wildlife;
- Peak noise from the development must be mitigated;
- RBC must implement an effective Climate Control Strategy.

### **3.0    Assessment of proposals**

3.1    This is an approval of reserved matters application which relates to the outline planning permission for the overall site. This outline consent granted permission for the principle of the development, the site access from the M45/A45 roundabout and part of the spine road. Conditions and a s106 Legal Agreement attached to the outline permission also set out specific requirements for the development.

3.2    This current application seeks approval for the access, appearance, landscaping, scale and scale of the proposed B8 warehouse building with associated buildings, bunds, landscaping, parking and servicing areas and the extended spine road.

3.3    The key issues to assess in relation to this application are whether the proposals are acceptable in relation to the impact in terms of visual amenity and landscape, highway safety and air quality. Impacts on neighbouring residents, heritage assets, protected species and biodiversity must also be assessed.

#### 4.0 Principle of development

4.1 As detailed above the principle of the development of the site has been established by the outline permission and cannot be considered at this stage. The proposals therefore remain in general accordance with policies, DS1, DS4, DS8, GP2, ED1, ED3 and the South West SPD.

4.2 Policy GP4 states development will not be permitted if it would prevent the development of other land, the comprehensive development of allocated sites or the provision of necessary infrastructure. It is considered the proposed development will not prevent the development of the wider South West Allocation or the remainder of the employment site in accordance with this policy.

#### 5.0 Visual Amenity and Landscape

5.1 The impact of the proposals on the visual amenity and character of the area are a key consideration in relation to this application. In order to reduce the impact on visual amenity condition 6 of the outline planning permission restricted building heights within Zone D to a maximum of 132m Above Ordnance Datum (AOD).

5.2 Objections received from Thurlaston and Dunchurch Parish Councils comment that the building will be prominent and have an adverse impact on the visual landscape and that the proposed mitigation is not satisfactory.

5.3 A query is also raised as to how a decision will be made regarding the building design and appearance and what consultation will be carried out regarding this. This application seeks approval for the scale and appearance of the building which will be assessed in relation to the relevant policies. This application has been subject to the required consultation and publicity.

5.4 Policy SDC1 refers to design and states that development must demonstrate high quality design and must be of a scale, density and design which responds to the character of the area where they are situated. Factors such as massing, height, landscape, layout and materials are key considerations in the determination of applications.

5.5 Policy DS8 refers to the employment part of the South West Rugby Allocation and states that design and landscaping measures, including structural landscaping, must be incorporated to mitigate the impacts on the surrounding landscape and nearby heritage assets, including Thurlaston Conservation Area.

5.6 The SPD refers to building heights within the employment area and states that maximum heights will be determined through a Landscape and Visual Impact Assessment and this was included as part of the Environmental Statement and Addendum relating to the outline application.

5.7 The SPD also refers to the design of the employment buildings and states that mitigation measures such as reduced building heights, graduated colour elevations, roof materials and colour and extensive planting may be necessary and that front elevations visible from the public realm should maintain active frontages.

5.8 Policy SDC2 refers to landscaping and states landscaping should form an integral part of the overall design and that a high standard of landscaping, including native species of ecological value should be used. Policy NE2 states landscape planning should be integrated into the design of development and consider the landscape context.

5.9 As detailed above the main part of the building will be 15.81m with the tallest parapet proposed at 18.2m. Due to the proposed site levels this will result in a height Above Ordnance Datum (AOD) of 131.04m which complies with the restriction of 132m AOD imposed by outline

condition 6 for this part of the site. The proposed building height is therefore considered acceptable.

5.10 The main warehouse forms the central part of the building this includes a central mezzanine area and ancillary accommodation provided in lower elements of the building. An office area is provided along the eastern side of the building adjacent to the parking area, truckers lounge areas are proposed to the north west and south west corners and welfare areas project from the north and south elevations.

5.11 The building will be constructed with pitched roofs, however, these will be concealed within a parapet which will give the appearance of a flat roofed building. A higher parapet is proposed at the north eastern corner of the building. The building will be constructed of a range of grey coloured cladding. A lighter grey cladding running horizontally will be used for the top parts of the walls with darker cladding running vertically beneath this. Areas of vertically striped lighter cladding are proposed at the corners of the building. The single storey ancillary areas are proposed in lighter grey cladding with a metallic finish. The main entrance will be positioned centrally on the east elevation and will be glazed with a dark grey surround. During the processing of the application amended plans were received which incorporate areas of vertical cladding to the north, south and west elevations.

5.12 Although the appearance of buildings was not established by the outline planning permission information submitted at that stage indicated that the use of colour and changes in texture would be used to break down the overall mass of the building and that barrel roof forms would be used.

5.13 It is considered that the proposed use of different colours and textures helps to reduce the overall mass of the building. However, given the overall size of the building, around 266m by 158m and the warehouse section, around 222m by 135m, it was requested that consideration be given to breaking up the elevations with areas of glazing or additional vertical cladding. The agent advised that glazed elements are not suitable as the building is proposed to have a mezzanine level with robotics and that sunlight can impact on their performance. Amended plans were submitted which incorporate areas of different coloured, vertical cladding to the north, south and west elevations which help break up the bulk of the building. This is not proposed to the east elevation where the office and main entrance elements add interest to the elevation.

5.14 In relation to the proposed roof design the agent commented that there are current issues with the supply of steel and cladding and the materials required to provide the proposed roof form are more widely available. They also advised that the building is proposed for a specific occupier who has a standard specification for building designs worldwide. It is considered the proposed roof design would not warrant a recommendation of refusal.

5.15 It is considered that the proposed changes in colour and texture of cladding, including the use of lighter cladding at a higher level and vertical cladding areas break up the overall mass of the building as required by the SPD. The eastern elevation of the building, which will be visible from the spine road, includes the main entrance and office area which will include the main entrance and glazed areas. This is in accordance with the SPD requirement for front elevations visible from the public realm with active frontages.

5.16 As detailed above the proposals include the provision of a range of ancillary buildings and structures. These will be a significantly smaller scale than the main buildings which reduces the visual impact. The proposed gatehouses reflect the material used on the main building and this is considered acceptable.

5.17 It is therefore considered that the general design proposed is acceptable.

5.18 Policy DS8 refers to the need to provide structural landscaping to mitigate the impacts of buildings and the SPD states that extensive planting may be necessary and refers to the need for natural screening to the allocation boundaries to create an attractive and natural setting for the development and to mitigate views from surrounding locations. The SPD goes on to state that native species should be used where appropriate and that existing landscaping must be retained and supplemented with new planting.

5.19 The proposals include the construction of landscaped bunds to the south and west of the building. (The bund shown at the north of the site is subject to a separate planning application). The bund in the south west corner of the site is proposed 5m high, this then reduces to 4m high and runs west to east close to the southern boundary, these sections of the bund are to have a 3.5m high acoustic fence at the top. A 1.8m bund, without a fence, is proposed at the eastern end of the southern boundary to the south of the office areas and car park. Landscaping including tree planting is proposed to these bunds.

5.20 Although the bunds and acoustic fence are to be relatively high these will be seen in association with the Tritax site as a whole, including the proposed buildings. The bunding and landscaping will not block all views of the buildings from outside of the site, however, they will provide natural screening and help to mitigate the impact on visual amenity.

5.21 Landscaping is proposed to the bunds as well as to the areas around the building and service yards. This includes tree planting on the bunds, alongside the spine road and throughout the site. Drainage basins are proposed, these comprise a large basin to the west of the building and 2 smaller basins adjacent to the extended spine road.

5.22 The Council's Tree and Landscape Officer raised queries regarding the removal of existing trees within the site and these are addressed later in the report. In relation to the proposed landscaping they raised no objection.

5.23 A total of 799 trees are proposed across the site. These are to be a mix of "Standard" (girths of 8-10cm), "Heavy Standard" (girths of 12-14cm) or "Extra Heavy Standard" (girths of 14-16cm or 16-18cm) and clear stem heights of 175-200mm. The submitted landscape plans show that the majority of planting will comprise native species. Although Italian Alder are proposed to the south of the buildings the Tree and Landscape Officer has raised no objection to the inclusion of these.

5.24 Whilst the landscaping and bunds will not block views of the proposed buildings in their entirety, it is considered that these will reduce the visual impact of the buildings to some extent. It is considered that the proposals include structural landscaping as required by policy DS8 and the SPD.

## 6.0 Heritage Assets

6.1 Policy SDC3 refers to protecting and enhancing the historic environment. This states development will be supported that sustains and enhances the significance of the Borough's heritage assets, which include Listed Buildings, Conservation Areas and archaeology. The policy goes on to state that development affecting the significance of a designated or non-designated heritage asset will be expected to preserve or enhance its significance.

6.2 With regards the NPPF, chapter 16 sets out the government's advice on conserving and enhancing the historic environment. Paragraph 195 requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a

proposal (including by development affecting the setting of a heritage asset). Paragraph 199 advises great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification.

6.3 The Setting of a heritage asset is defined by the glossary of the NPPF as: *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.”*

6.4 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve and enhance the character or appearance of a conservation area. In addition the council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or any of its features of special architectural or historic interest.

6.5 There are no designated heritage assets within the application site itself. The Thurlaston Conservation Area is to the south and there are also Grade II Listed Buildings within 1km of the site. There are no Scheduled Ancient Monuments within 1km of the site.

6.6 The impact of the proposals in designated heritage assets was assessed at the outline application stage. It was established that the proposed development could be visible from locations within the Conservation Area or from nearby Listed Buildings and that this would cause minor less than substantial harm to the setting of these designated heritage assets.

6.7 Paragraph 201 of the NPPF and policy SDC3 state that where there would be less than substantial harm to the significance of designated heritage assets this harm must be weighed against the public benefits of the proposal. In the determination of the outline application this was weighed against the public benefits of the proposals and planning permission was granted.

6.8 Although there are no Scheduled Ancient Monuments within the vicinity of the site a number of areas of archaeological potential within the site comprise non-designated heritage assets. A condition was attached to the outline permission requiring archaeological work to be carried out across the site (outline condition 46).

6.9 The County Archaeologist has no comments regarding the reserved matters application and the impact on non-designated archaeological heritage assets is considered acceptable.

#### 7.0 Impacts on neighbouring residents

7.1 Policy SDC1 states that proposals for new development will ensure the living conditions of neighbouring occupiers are safeguarded.

7.2 The residential properties closest to Zone D are Station Farm Cottage and converted barns (Oak House and The Barn) to the north of the site, Old Railway House (previous Chalon House) adjacent to the former railway to the west and Mill House to the south. Northampton Lane and the trees running alongside it are between Mill House and the site.

7.3 Station Farm Cottage is around 40m from the northern boundary of the current application, Old Railway House is around 15m from the western boundary and Mill House is around 40m from the southern boundary.

7.4 The proposed building itself will be over 140m from Station Farm Cottage and the northern access road within the site will be around 75m from these properties. A landscaped bund is proposed on the northern boundary of the site adjacent to these properties, however, this will be assessed as part of the separate application R21/0823.

7.5 The building will be over 160m from Old Railway House and the service yard will over 115m from this property. The building will be around 125m from Mill House and the service yard over 75m from the property.

7.6 As detailed above landscaped bunds and acoustic fencing are proposed on the southern and eastern boundaries. The bund adjacent to Old Railway House will be 5m high with a 3.5m acoustic fence, the bund to the north of Mill House will be 4m high with a 3.5m fence. The tops of these bunds and fences will be around 50m from the neighbouring properties. These will be landscaped and trees planted.

7.7 It is considered that sufficient separation is provided from the buildings, bunds and fencing to ensure that there is not a significant adverse impact on neighbouring properties in terms of loss of light, sense of enclosure or loss of privacy.

7.8 The proposals therefore comply with the relevant part of SDC1.

7.9 It is accepted that the outlook from neighbouring properties will be altered by the proposed development. However, the loss of a view is not a matter than can be considered in the determination of a planning application.

## 8.0 Trees & Hedgerows

8.1 Policy NE3 refers to landscape and states development should aim to conserve, enhance or restore important landscape features. Policy SDC2 also states that important landscape features should be identified for retention.

8.2 The outline application agreed the removal of trees which were required to provide the access from the M45/A45 roundabout and for the access road to cross Northampton Lane.

8.3 Zone D is crossed by existing hedgerows which include a range of trees and there also trees in the vicinity of Station Farm. These are to be removed to allow the building and servicing areas to be provided. These comprise 22 trees, 6 category A, 14 category B and 2 category C. These include oak, ash, poplar, oak, hawthorn, willow and lime.

8.4 These trees are not covered by a Tree Preservation Order, however a condition attached to the outline planning permission stated that if these trees were to be removed an arboricultural review should be submitted detailing whether the trees could be retained and if this was not possible details of replacement trees should be provided (outline condition 35). This was considered necessary at the outline stage as it was not known how many buildings would be provided on the site or if landscaped areas could be accommodated within the layout.

8.5 The Council's Tree and Landscape Officer commented that this information had not been provided to explain the removal of the trees. The agent provided information detailing that due to the development of a single building in Zone D the layout results in the trees being located underneath the building itself or within the loading bay and parking areas. They advised that the

development has been designed to be very efficient in terms of vehicular movements and this has enabled significant planting areas at the site boundary, including large areas of tree and scrub planting. It would not be practical to retain the trees within the parking and circulation areas and this would result in a reduction in the planting areas around the site boundary. The agent also advised that the proposals include the planting of 799 trees across Zone D as part of the proposals.

8.6 Whilst the removal of trees carries some weight against the proposals the Tree and Landscape Officer advised they were happy with the proposed mitigation planting which will result in significant net gains.

8.7 The Council's Tree and Landscape Officer also commented that the southern bund was proposed close to trees on Northampton Lane covered by a Tree Preservation Order and that additional information was required detailing the root protection areas and how these trees would be protected.

8.8 The agent explained that the root protection areas had been calculated in accordance with the relevant British Standards and that tree protection barriers will be provided. They also confirmed that all levels changes and bunds will be provided outside of the root protection areas. The Tree Officer commented that they were happy for the application to proceed on this basis.

8.9 As detailed earlier in the report landscape plans showing suitable strategic landscaping have been submitted.

8.10 The removal of trees and hedgerows in order to provide the building and servicing areas in carries some weight against the proposals, however this must considered in relation to the outline planning permission for warehouse buildings on the site and proposed landscaping and tree planting.

#### 9.0 Protected Species and Biodiversity

9.1 Policy NE1 refers to biodiversity and states that designated species will be protected and that significant harm to biodiversity should be avoided, mitigated or compensated for.

9.2 Policy NE2 states existing the Green and Blue Infrastructure should be protected and retained and new Green and Blue Infrastructure corridors should be provided to link into the existing network. The provision of an on-site Green Infrastructure network linking to the wider area is also required by policy DS5.

9.3 Guidance within the NPPF also refers to the need to minimise impacts on and provide gains for biodiversity, including by establishing ecological networks. This goes on to state that where significant harm to biodiversity resulting from a development cannot be avoided, mitigated for or as a last resort, compensated for, then planning permission should be refused.

9.4 The Environmental Statement submitted with the outline application included information regarding biodiversity and a range of ecological surveys and assessments of the site were carried out. An updated phase 1 ecological survey was carried out in April 2021 and submitted with the current application.

9.5 Conditions were attached to the outline planning permission requiring a Protected Species Mitigation Strategy, Landscape and Ecology Management Plan, Construction and Environment Management Plan and lighting strategy for biodiversity to be agreed (outline conditions 30, 31, 32 & 33). Documents have been submitted in relation to these conditions and are being discussed with the County Ecologist.

9.6 The outline s106 included a requirement for a Biodiversity Offsetting Scheme to be agreed, either through on-site mitigation, off-site offsetting and/or by payment of an offsetting contribution.

9.7 The County Ecologist and Natural England raised no objection to the reserved matters application.

9.8 Due to the outline conditions and s106 it is considered that the impact on protected species will be mitigated and the loss of biodiversity on the site will be compensated for through off-setting. This is in accordance with policy NE1 and the NPPF.

9.9 The western part of the site and the former railway to the west form part of the Strategic Green Infrastructure Network referred to in policy NE2. The proposed landscaping and bunds will connect to this network in accordance with this policy and DS5.

#### 10.0 Transport, Highways and Parking Facilities

10.1 Policy DS8 sets out the requirements for development within South West Rugby. In relation to transport and highways this refers to the need for an all traffic spine road network, a comprehensive walking and cycling network, high quality public transport services and other measures to mitigate transport impacts as deemed necessary.

10.2 Policy DS9 provides further information regarding the spine road network necessary to deliver the South West Rugby allocation. Key elements of this network are a north south link known as the Potsford Dam link from the M45/A45 roundabout to the A4071 close to the roundabout with the Western Relief Road, an east west link, known as the Homestead link between the A426 and B4429 to the north and west of Dunchurch and a sustainable transport corridor linking these.

10.3 DS9 also states that development proposals that are shown to have a severe impact on the local road network, before or after the implementation of the Dunchurch Crossroads Mitigation scheme (approved as part of the Ashlawn Road residential development), must demonstrate how they will contribute to the delivery of the spine road network and ensure that it is delivered. The policy also states that development proposals will not be granted ahead of the delivery of the Homestead link unless it is demonstrated that any residual impacts on the highway network are not severe.

10.4 Policy HS5 states developments should promote a shift to sustainable transport modes and low emission vehicles and that proposals should be located where the use of public transport, walking and cycling can be optimised.

10.5 Policy DS5 refers to the comprehensive development of strategic sites and states these must include high quality public transport links, links to cycle networks and other measures to mitigate transport impacts.

10.6 Policy D1 states that development will be permitted where sustainable transport modes of transport are prioritised and measures designed to mitigate transport impacts are provided. This policy states that large scale developments should be supported by a Transport Assessment and Travel Plan. A Transport Assessment and Framework Travel Plan were included in the Environmental Statement when the outline application was originally submitted.

10.7 The highway and traffic impacts of the overall development were considered at the outline stage and were considered acceptable subject to a range of conditions and s106 requirements.

These included conditions to ensure the Potsford Dam link road is provided to the site boundary, for further surveys and, if required, mitigation to be agreed before the occupation of 100,000 square metres of B8 space and for HGV routing and Travel Plans to be agreed (outline conditions 17 & 18).

10.8 In relation to the current Reserved Matters proposals Highways England initially recommended that the application not be determined until further information was received in relation to the outline condition regarding the submission of a Construction Traffic Management Plan (outline condition 20). The details submitted in relation to this condition are being discussed with the applicants, however Highways England have now confirmed that the reserved matters application can proceed.

10.9 The current application proposes the accesses into the site for all vehicles. A roundabout on the extended spine road will provide HGV access to servicing areas to the north, south and west of the building. Further north a T-junction will provide access to a car park to the east of the building, a bus turning and waiting area with 4 bus stops and will allow HGVs to exit the site. The proposed spine road will eventually form part of the Potsford Dam link to the north serving the overall south west Rugby area.

10.10 The Highway Authority, Warwickshire County Council, initially objected to the reserved matters application. They advised that a Road Safety Audit should be provided for the proposed section of the spine road, made comments regarding the design of the junctions for the energy centre and Zone C and advised a footway connection should be provided from the roundabout.

10.11 Amended plans and a road safety audit were received to address these comments. The Highway Authority initially raised further objections relating to the proposed access point to Zone C to the east and the energy centre access.

10.12 Further revised plans and Road Safety Audit were provided. These removed the access to Zone C from the proposals. The applicant advised this will be considered with the relevant reserved matters submission for Zone C and that if it is not possible to provide this from the spine road it could be provided from the road to the north of Zone C connecting to the roundabout.

10.13 The Highway Authority advised that the revised information resolves most of the issues raised and are satisfied that the residual issues can be resolved by preoccupation conditions.

10.14 The remaining issues relate to the detailed design of the energy centre access and the Highway Authority advise this should be designed to restrict right turn movements and to give priority to cyclists and pedestrians crossing the access. They comment that the changes to this design can be secured by condition (3).

10.15 Conditions are also requested to ensure both vehicular accesses into the site are provided and to ensure that the parking, loading and manoeuvring spaces are provided (conditions 4 & 5). Subject to these conditions the impact on highway safety is considered acceptable.

10.16 It is therefore considered that the proposals will enable the provision of part of the spine road network required by policies DS8 and DS9 and will not have an adverse impact on highway safety, this is in accordance with DS9 and the NPPF.

10.17 In relation to bus services, contributions towards a bus service were secured through the outline s106. The closest bus stop is currently located on Coventry Road to the east of the site although the service may eventually be extended into the site itself. The proposed layout includes a bus turning area and 4 bus stops with shelters.

10.18 Pedestrian and cycle facilities for the overall site will ultimately be provided along the Sustainable Transport Corridor and Homestead link, however these do not form part of the current application. The outline application also included a condition requiring a pedestrian/cycle route to be provided into the site from Windmill Lane to the east (outline condition 24).

10.19 Measures to promote sustainable travel in relation to bus services, pedestrian and cycle facilities are secured by the outline conditions and s106 agreement in accordance with policies DS5, HS5 and D1.

10.20 Policy D2 states that parking provision, including electric vehicle charging points, parking for people with disabilities and motorcycle and cycle parking should be provided in accordance with the Council's parking standards.

10.21 The Council's standards set out in the Local Plan for B8 development require 1 car space per 60 square metres, additional car parking spaces for disabled people are also required with 4 spaces per 100 spaces and 1 space per subsequent 100 spaces. Electric vehicle charging points are also required with 1 charging point per 10 spaces.

10.22 Based on the Council's parking standards 849 spaces would be required with an additional 12 spaces for people with disabilities. The proposals include a lower provision with a total of 484 spaces including 26 parking spaces for people with disabilities and 48 electric vehicle charging points.

10.23 The supporting text to policy D2 states that there is a need for flexibility in determining levels of car parking required and that less provision may be needed where there is good public transport provision and opportunities for walking and cycling.

10.24 This reflects comments in made by the Highway Authority in relation to the outline application when they recommended that the level of parking secured should be less than the Council's standards to encourage use of sustainable transport.

10.25 As sustainable transport measures such public transport contributions, pedestrian and cycle links are proposed it is considered that the site can be accessed by means other than the private car.

10.26 The applicants also provided information from similar sites elsewhere where parking provision has been provided at a similar level to that proposed and commented that the provision reflects the commercial requirements of logistics operators for the size of units proposed.

10.27 The proposed parking includes 48 electric vehicle charging points which accords with the Council's standards.

10.28 The Council's standards also set out cycle parking standards for both staff and visitors. These standards require a total of 150 cycle spaces and 110 spaces were initially proposed, however amended plans were provided increasing this to 160 cycle spaces. This is therefore in accordance with the Council's standards.

## 11.0 Public Rights of Way

11.1 Northampton Lane is located to the south of Zone D crossing from east to west, this is a Restricted Byway (R168) which is a public right of way for pedestrians, horse riders, cyclists and non-motorised vehicles. There is also a public footpath which crosses the site from south to north.

This crosses the site diagonally towards Station Farm Cottage which is to the north of the site (R168y).

11.2 A Right of Way plan has been submitted with the application which shows proposals to divert the public footpath along Northampton Lane and alongside the proposed spine road. This plan also shows that a new bridleway is proposed close to the western and northern boundaries of the site, along the access track which is proposed by application R21/0815.

11.3 Warwickshire County Council Rights of Way team commented on the application and raised no objection to the proposals subject to a condition and informative (condition 2). Warwickshire Ramblers also commented and advised that they had no objection.

11.4 The proposals will therefore retain the and divert existing rights of way and allow access to the site from the surrounding area on foot or by cycle. This is in accordance with the NPPF and policy HS1 of the Local Plan which requires the retention of rights of way.

## 12.0 Air Quality

12.1 As detailed above policy HS5 states development proposals should promote a shift to sustainable transport modes and low emission vehicles to minimise the impact on air quality, noise and vibration caused by traffic.

12.2 The site is located within the Air Quality Management Area (AQMA) which covers the Rugby Urban Area and areas surrounding this including Dunchurch. Sensitive areas within the AQMA include Dunchurch crossroads and the gyratory.

12.3 The Council adopted the Air Quality SPD in July 2021 this is similar to the draft SPD which was considered in relation to the outline application and refers to the need for developments to be air quality neutral or provide appropriate mitigation.

12.4 The air quality implications were considered at the outline stage. The submitted information showed that the predicted concentrations of both Nitrogen Dioxide and Particulate Matter did not exceed the annual mean objectives at any assessed locations with or without the development. However, as the site currently comprises agricultural land the proposed development will not be air quality neutral. It was therefore necessary to secure mitigation in accordance with policy HS5.

12.5 This mitigation includes measures to promote sustainable travel and low emissions vehicles such as walking and cycling infrastructure, Travel Plans and electric vehicle charging points. In addition, the HGV routing strategy will direct vehicles away from Dunchurch. A condition attached to the outline requires mitigation measures to be implemented prior to the occupation of any building (outline condition 42).

12.6 Environmental Services have no objection to the reserved matters application. It is therefore considered that the impact on air quality is acceptable in accordance with policy HS5 and the NPPF.

## 13.0 Noise and Vibration

13.1 Policy HS5 also refers to impacts in terms of noise and vibration and states that developments exceeding 1000 square metres must address the adverse impacts of noise and vibration on existing and future occupiers and users of the public realm. The NPPF states that development should not contribute to unacceptable levels of noise pollution or land instability and that development should mitigate and reduce to a minimum adverse impacts from noise.

13.2 The impacts in terms of noise and vibration relate to impacts on the wider area linked to traffic, construction noise and operational noise from the proposed B8 units and were considered at the outline application stage.

13.3 Conditions attached to the outline planning permission require noise assessments for the operational phase of the development to be agreed as well as requiring a Construction Method Statement including measures to control noise (outline conditions 37, 38, 39 & 41).

13.4 Environmental Services have no objection to the reserved matters application. The impact in terms of noise and vibration is considered acceptable.

#### 14.0 Drainage

14.1 Policy SDC5 states that a sequential approach will be taken to development based on the Environment Agency's flood zones to steer development to areas with the lowest probability of flooding. The site is located within Flood Zone 1, which has the lowest likelihood of flooding and in accordance with this policy.

14.2 Policy SDC6 states that Sustainable Drainage Systems are required on major developments and that these should be provided on-site or, where this is not possible, close to the site.

14.3 Conditions attached to the outline planning permission require details of the foul and surface water drainage schemes and a surface water management plan to be agreed (outline conditions 27, 28 & 29).

14.4 The Environment Agency did not object to the current application. Warwickshire County Council, as Lead Local Flood Authority, commented on the current application and advised that surface water information should be submitted. This has now been provided in relation to the relevant conditions. Warwickshire County Council have requested further information in relation to the relevant conditions, however this does not affect the determination of the reserved matters application.

14.5 Policy SDC7 states that developers will be expected to ensure there is an adequate water supply to serve developments and that development should not have an adverse impact on water quality. A Water Framework Directive Compliance Statement was provided with the outline application detailing the proposed diversion of the existing field drains and this was considered acceptable.

#### 15.0 Other matters

15.1 Policy GP5 states that neighbourhood level documents, such as Parish Plans, are a material consideration in determining planning applications. Thurlaston has a village design statement, however this largely relates to development within the village itself rather than the surrounding area. This document makes reference to the surrounding open countryside and existing vegetation on the approach to the village from Coventry Road to the north. The impact on Thurlaston has been considered earlier in the report and is considered acceptable. This is therefore in accordance with policy GP5.

15.2 Policy SDC4 refers to sustainable buildings and states that non-residential development over 1000 square metres should aim to achieve as a minimum the BREEAM (Building Research Establishment Environmental Assessment Method) "very good" standard. This policy goes on to state that development should be designed to reduce energy demand through energy efficiency measures, supply energy through efficient means then utilise renewable energy generation.

15.3 A condition attached to the outline consent requires buildings to meet BREEAM “very good” standards in accordance with this policy (outline condition 7). The submitted plans also show the provision of photovoltaic panels to the roof of the building. It is considered that the installation of PV panels will not have an adverse impact on adjacent land uses or residential amenity and this is supported by policy SDC8.

15.4 Warwickshire Fire and Rescue commented on the application and raised no objection, subject to an informative relating to compliance with Building Regulations. In addition to this, condition 45 of the outline application requires details of a fire fighting scheme to be agreed prior to the first occupation of the building and this will ensure the scheme meets the requirements of the fire service.

15.5 Policy HS2 states that it will need to be demonstrated that non-residential development exceeding 1 hectare will not generate adverse impacts on health and wellbeing through a Health Impact Screening report. A screening report was submitted at the outline stage and it was accepted that a more detailed Health Impact Assessment was not required and the proposals were in accordance with this policy.

15.6 At the outline stage the applicant confirmed that fibre broadband infrastructure will be provided on site in accordance with policy SDC9.

#### 16.0 Conditions

16.1 As this is an approval of reserved matters application the conditions attached to the outline planning permission will be applicable to these proposals. As detailed above information has been submitted in relation to some of these conditions in order to support this application.

16.2 Information in relation to other conditions have been submitted in relation to the overall Tritax site.

16.3 This condition information will be assessed and consultations carried out with the relevant technical consultees.

#### 17.0 Planning Obligations

17.1 Policy D3 refers to the impact of development on infrastructure and states that where there is not sufficient capacity developer contributions may be sought to mitigate the impacts of the proposed development. Policy D4 states these will be secured through a s106 legal agreement.

17.2 A s106 legal agreement was attached to the outline planning permission in order to provide new and improved infrastructure to mitigate the impacts of the development. This includes the requirement for Biodiversity offsetting schemes and contributions, public transport contributions and monitoring of the required travel plans.

17.3 These obligations will mitigate the impact of the development in accordance with policies D3 and D4.

#### 20.0 Objections Received

20.1 As detailed earlier in the report objections to the current application have been received from Dunchurch and Thurlaston Parish Councils.

20.2 These raise concerns regarding the height and design of the building and the level of structural landscaping proposed and these matters are addressed earlier in the report.

20.3 The objections also refer to matters such as increased traffic, traffic routing, air pollution, noise and impacts on biodiversity. Comments also refer to the delivery of infrastructure to support the wider South West allocation.

20.4 These issues were considered at the outline application stage and the impacts were considered acceptable, subject to conditions and the s106 agreement. The current application is an approval of reserved matters (access, appearance, layout, landscaping and scale) for the proposed building on Zone D and the overall principle of the development cannot be revisited.

#### 21.0 Planning Balance and Conclusion

21.1 As detailed earlier in the report this is an approval of reserved matters application related to the provision of the employment building in Zone D, with associated works including accesses, servicing areas, landscaping and bunds.

21.2 The proposals will allow the development of the site for employment purposes, this will benefit the local economy and lead to approximately 228 temporary jobs during construction and approximately 644 full time equivalent jobs once operational.

21.3 It is considered that the scale and design of the development are in accordance with the outline planning permission and that the proposed development will not have an adverse impact on residents in accordance with policy SDC1.

21.4 The proposals induce the provision of structural landscaping areas and landscaped bunds which will reduce the impact of the building on the surrounding area.

21.5 The proposals will result in the delivery of part of the South West Rugby Spine Road network, as set out in policy DS9 which is necessary to deliver this development.

21.6 The conditions attached to the outline planning permission ensure that the impact in terms of biodiversity, traffic generation, noise and air quality are acceptable.

21.7 These factors carry weight in favour of the proposals.

21.8 The development will involve the loss of areas of hedgerow and trees, which carries some weight against the proposed layout. However, extensive tree planting will mitigate for these losses.

21.9 It is therefore concluded that the benefits of the proposed development outweigh the factors against the proposals. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with policy GP1.

#### **22.0 Recommendation**

22.1 Planning application R21/0789 be granted subject to the conditions and informatives set out in the draft decision notice appended to this report.

## DRAFT DECISION

REFERENCE NO:  
R21/0789

DATE APPLICATION VALID:  
02-Aug-2021

APPLICANT:

Tritax Symmetry Ltd Tritax Symmetry Ltd, C/o Framptons, 42 North Bar, Banbury, OX16 0TH

AGENT:

Peter Frampton, Framptons Town Planning, Oriel House, 42 North Bar, Banbury, OX16 0TH

ADDRESS OF DEVELOPMENT:

ZONE D - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON

APPLICATION DESCRIPTION:

Erection of 50,965 square metre building (GEA, floorspace) within Class B8 with ancillary office; ancillary structures; with associated access roads; servicing yard; car parking and cycle shelter and compound; external plant and access details for the continuation of the spine road north of Northampton Lane; landscaped embankments with landscaping details; the provision for a noise attenuating fence on top of the embankment; security fencing. Approval of reserved matters (access, appearance, layout, scale and landscaping) relating to R16/2569.

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION: 1

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Proposed Site Layout Plan - 13-216-F043 001-W

Proposed Pavement Layout - 13-216-F043 002-G

Proposed Traffic Flows - E13-216-F043 003-G

Landscape Detailed Design - edp7218\_d001 Rev D

Section 38 General Arrangement Key Plan - T/20/2345/66-01 P7

Section 38 General Arrangement - T/20/2345 66-02 P6

Received 28/10/2021

Road Safety Audit Response Note 2 - 2345/01/RSA/DRN02

Received 26/10/2021

Acoustic Fence Service Yard Proposal - 19-11-P3

Received 20/10/2021

Road Safety Audit Stage 1 – 16557

Road Safety Audit – Designers Response – 2345-01-RSADRN01

Received 28/09/2021

Cycle Shelter and Compound - 13-216-SGP-03-ZZ-DR-A-131012-C

Proposed Fencing, Gates and Enclosure - 13-216-SGP-03-ZZ-DR-A-131013-G

Road Section - T/20/2303/60/40 Rev P2

Road Safety Audit Response Note - 2345/01/RSA/DRN01

Received 23/09/2021

East and West Elevations - P0613-216-SPP-03-ZZ-DR-A-121301-P06  
North and South Elevations - P0613-216-SPP-03-ZZ-DR-A-121302-P06  
Ancillary Part Plans - 13-216-SGP-03-00-DR-A-121103 P06  
Received 21/09/2021

Design Statement - 13-216-SGP-XX-RP-A-131001 v3  
Received 02/08/2021

Bund volumes - T/20/2303 60-09 Rev P11  
Bunds and Public Right of Way - T/20/2303 60-37 Rev P10  
Bunds and RPZs - T/20/2303 80-10 Rev P4  
Indicative Roof Layout - 21-109-M-900 PL3  
Security & Acoustic Fence Proposal - 19-10-P2  
Gatehouse 01 - 13-216-SGP-03-ZZ-DR-A-121401-P02  
General Arrangement Sections - E13-216-SGP-03-ZZ-DR-A-121104-P03  
Received 23/07/2021

Site Location - 13-216-SGP-03-00-DR-A-131001-A  
Ground Floor Plan - 13-216-SGP-03-00-DR-A-121101-P03  
Mezzanine Floor Plans - 13-216-SGP-03-01-DR-A-121102-P01  
Gatehouse 02 - 13-216-SGP-03-ZZ-DR-A-121402-P01  
Security Kiosk - 13-216-SGP-03-ZZ-DR-A-121403-P01  
Sprinkler Tank Details - 13-216-SGP-03-ZZ-DR-A-131015  
External Material Pallet - 13-216-SGP-03-ZZ-DR-A-131011  
Footpath Diversion Strategy - T2303\_80\_01  
Sections Through Proposed Bunds – T/20/2303 80-11 P1  
Planning Statement - PF/10563  
EIA Compliance Statement - PF/10563  
Updated Phase 1 Survey Report - Edp7218\_r007  
Transport Compliance Note - 332210616-001  
Landscape Technical Note - edp7218\_r005-A  
Received 15/07/2021

**REASON:**

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

**CONDITION: 2**

- No site security fencing may be erected on or within 1m of any public right of way (unless closed by legal order).
- Prior to commencement of any works involving disturbance of the surface of any public right of way the developer must contact Warwickshire County Council's Rights of Way team as Highway Authority to obtain any necessary consents and make any necessary arrangements for the protection of the public right of way and its users.
- Prior to the commencement of any works to resurface any public right of way the specifications for the new surface must be submitted to Warwickshire County Council's Rights of Way team for approval. All resurfacing works on public rights of way must be completed to the satisfaction of the Highway Authority prior to the first occupation of any property at this site.
- The applicant must make good any damage to the surface of any public right of way caused during works.

- Any new vegetation must be planted at least two metres away from the edge of any public right of way to help ensure that mature growth will not encroach onto the public right of way.

**REASON:**

To protect existing Public Rights of Way and in order to promote sustainable travel.

**CONDITION: 3**

Notwithstanding the detail shown on the approved plans, the development shall not be first occupied until the Primary Access Road has been constructed, and an access for vehicles and pedestrians has been provided to the proposed Energy Centre from the Primary Access Road, in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:**

In the interest of highway safety.

**CONDITION: 4**

The development shall not be first occupied unless and until two accesses for vehicles and pedestrians have been provided to the proposed building from the Primary Access Road in general accordance with the General Arrangement plan - T/20/2345 66-01/P6 received by the Local Planning Authority on 28/10/2021.

**REASON:**

In the interest of highway safety.

**CONDITION: 5**

The development shall not be first occupied unless and until space has been provided and marked out within the plot demise for the parking, loading/unloading and manoeuvring of vehicles, and for the movement of pedestrians, in accordance with Site Plan - 13-216-F043-001/W received by the Local Planning Authority on 28/10/2021.

**REASON:**

In the interest of highway safety.

**INFORMATIVE: 1**

The s106 legal agreement and conditions attached to outline planning permission R16/2569 remain applicable to this decision. Some conditions require details to be agreed prior to the commencement of development.

**INFORMATIVE: 2**

It is a legal requirement that all new properties are numbered and roads named and in this respect you must apply for Street Naming and Numbering at the earliest opportunity for both new or changes to existing properties, including development revisions. Failure to do this in good time can delay the installation of services and/or prevent the sale of properties.

To register the properties on a development and receive correct addressing or to amend an existing address please complete an application form for Street Naming and Numbering. The form can be accessed at:

[https://www.rugby.gov.uk/info/20084/planning\\_control/76/street\\_naming\\_and\\_numbering](https://www.rugby.gov.uk/info/20084/planning_control/76/street_naming_and_numbering) .

INFORMATIVE: 3

The applicant/developer is advised that the development will need to comply with Approved Document B, Volume 2, Section B5 - Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc regarding this can be found at: [www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning](http://www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning) Where compliance cannot be met, the applicant/developer will need to provide details of alternative measures intended to be put in place. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18, Access for Emergency Vehicles. In addition, Warwickshire Fire and Rescue Authority fully endorse and support the fitting of sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

INFORMATIVE: 4

- All public rights of way must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.
- If it is proposed to temporarily close any public right of way during works then an application for a Traffic Regulation Order must be made to Warwickshire County Council's Rights of Way team well in advance.
- Any disturbance or alteration to the surface of any public right of way requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public right of way.

INFORMATIVE: 5

It is advised that changes may be required to the highway layout as part of the more substantial highway works required pursuant to the Potford's Dam Link Road scheme, and the applicants and developers are urged to continue to work positively with the Highway Authority to ensure that any such amendments can be accommodated.

INFORMATIVE: 6

The estate roads including footways, cycleways, and verges are required to be 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.

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 Street Works 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.

Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

**Reference: R20/0363**

**Site Address: FORMER RIVERSIDE CANTONESE, 424 LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HN**

**Description: Erection of 7 new dwellings, blocking up of existing site access points, and re-establishment of existing redundant site access with associated external works and landscaping (resubmission of planning consent R16/1939)**

**Recommendation**

Approval subject to conditions and referral to the National Planning Casework Unit.

This application is presented to Planning Committee under the terms of the scheme of delegation.

**Description of site**

The site is located on the north side of the London Road (A45) within an area of the borough designated as Green Belt. The site is previously developed land and was occupied by a vacant, derelict building that was the subject of a fire a few years ago until prior approval for demolition was granted. Before the fire the building had become unsightly and dangerous. Its last authorised use was as a restaurant falling within Use Class A3 now Use Class E and the site comprised the building, which had been historically extended, with substantial hard standing around it which formed the parking area for the restaurant. There is also an area of overgrown scrub land to the rear. Access to the site is off both the A45 trunk road to the front of the site and via a smaller access to the side of the site off Stretton Road although a dropped kerb is also visible further up Stretton Road at the rear of the building in amongst the existing line of conifers.

To the front of the site is the A45 London Road (trunk road) with Stretton Road to one side. On the other side of the site also adjacent to the A45 is an unused petrol filling station. To the rear of the site are agricultural fields. A number of dwellings (occupied and unoccupied) are also within the immediate vicinity along with other agricultural fields. Ground levels on the site are generally level.

**Description of proposals**

Planning permission is sought for erection of 7 new dwellings, blocking up of existing site access points, and re-establishment of existing redundant site access with associated external works and landscaping.

The proposed site layout is informed by the approved site layout from application R16/1939 and earlier outline planning approval R12/1128. The scale of the dwellings, in terms of cubic volume is comparable to the previous approvals. Vehicular access to and from the site will be via Stretton Road while a gated pedestrian access will allow access from the site to the public footpath at the side of the A45 London Road. The plans also indicate site boundary treatments along the A45 frontage.

The dwelling proposed would be a mixture of 2 storey 5 bedroom dwellings (x2) (Type B dwellings) and 2½ storey 6 bedroom dwellings (x5) (Type A dwellings). The proposed Type A dwellings would be approximately 9 metres high to the ridge and 6.4 metres high to the eaves. The proposed Type B dwellings would be 7.5 metres high to the ridge and 5.3 metres to the eaves. Each dwelling would have an attached garage.

### **Planning History**

R12/1128	Outline application with layout, scale and an element of landscaping being considered for the demolition of the fire damaged former restaurant and replacement with the development of 7 residential dwellings with associated access and landscaping.	
Approval		24/08/2015
R16/1939	Demolition of former GOJI restaurant building and erection 7 detached new dwellings including blocking up existing site access points, re-establishment of existing redundant site access with associated external works and landscaping.	
Approval		14/08/2017
R18/1124	Prior approval for the demolition of the former Goji Restaurant, outbuildings and hardstanding's.	
Not Required		20/07/2018

### **Relevant Planning Policies**

Rugby Borough Local Plan 2011-2031, June 2019

GP3: Previously Developed Land and Conversions

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

NE1: Protecting Designated Biodiversity and Geodiversity Assets

SDC1: Sustainable Design

SDC4: Sustainable Buildings

SDC2: Landscaping

D2: Parking Facilities

National Planning Policy Framework, 2021 (NPPF)

### **Technical consultation responses**

Flood risk authority No comment

Warwickshire Police No objection

WCC Archaeology No objection following submission of archaeological trial trenching report

RBC Environmental Health No objection subject to conditions and informatives. Details relating to noise and elements of contaminated land addressed through submission of additional information.

WCC Highways No objection subject to conditions and informatives

RBC Arboricultural No objection

WCC Ecology No objection

### **Third party comments**

None received.

### **Assessment of proposals**

The main considerations in respect of this application are the principle of development; the impact the proposed development has on the character and appearance of the area; impact on neighbouring properties and highway safety.

## 1 Principle of development

1.1 Policy GP1 of the Local Plan outlines when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

1.2 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.

1.3 Policy GP2 of the Local Plan outlines that new development will be resisted; only where national policy on Green Belt allows will development be permitted. Para 149 (g) of the NPPF outlines that the construction of new buildings in the Green Belt is an exception for limited infilling or the partial or complete redevelopment of previously developed land, subject to there not being greater impact on the openness of the Green Belt.

1.4 The site has benefitted from previous approval for the proposed development which is a material consideration when assessing the principle of development. The original outline approval represented a cumulative volume of 86% percentage increase. The case officer for this application permitted this substantial increase in volume based on the status of the site as a brownfield site and the benefits in terms of re-development of the site, given the substantial levels of ground contamination on the site.

1.5 The original outline application failed to acknowledge that the proposal would represent a form of inappropriate development within the Green Belt, which it would have constituted given the significant percentage increase in volume and site coverage would have had a greater impact upon the openness of the Green Belt and therefore the provision as contained within paragraph 149 would not have applied, which only permits limited infilling or the partial or complete redevelopment of previously development site, where there would not be a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

1.6 The development approved under application R16/1939 approved a reduction from 6,455.75m<sup>3</sup> to 6,184m<sup>3</sup>. The house types in this proposal are the same as that approved under R16/1939. It is therefore considered that the proposed development would not have a greater increase upon the openness of the Green Belt to that which has already been permitted. As these approvals have been given at the site it is considered that this is a material consideration which is weighted against the harm by reason of inappropriateness and openness to outweigh the identified harm.

1.7 The purpose of the planning system and at the heart of the NPPF is a presumption in favour of sustainable development, including promoting sustainable transport. This is further expanded upon in section 9 of the NPPF which also sets out the need to consider the suitability and safety of accesses.

1.8 It is considered that the site is within an unsustainable location and therefore the occupiers of the proposed dwellings would be heavily reliant on the use of the private car. Whilst the NPPF does not suggest occupiers of new development which rely on the car automatically or alone render a location unsustainable, it nevertheless weighs negatively against the development in terms of the environmental dimension. However, taking into consideration its former use as a restaurant and the trips associated with such a use, the previous consented

permission, together with the environmental benefits from the decontamination of the site and the introduction of soft landscaping including amenity grass areas, it is considered that these environmental benefits outweigh the negative environmental impact from the heavy reliance of the private car.

## 2 Character and Design

2.1 Policy SDC1 of the Local Plan states that development should demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.

2.2 The proposed development of the site would have a positive contribution to the character and appearance of the area taking into account the existing abandoned and overgrown nature of the site. The appearance of the proposed dwellings includes a mixture of brickwork and rendered material, reflecting neighbouring properties within the area. This use of different material also assists in breaking up the scale of the dwellings whilst adding interest. Brick course detailing together with external chimney to blank side elevations adds interest within these elevations.

2.3 In order to protect the character of the proposed dwellings and prevent further expansion of the dwellings subject to the granting of any permission a **condition (4 in the draft decision)** removing the permitted development rights of the properties would be applied.

2.4 This application is assessed as complying with Policy SDC1 of the Local Plan.

2.5 Policy SDC4 requires all new buildings meet the Building Regulations requirement of 100 litres of water/person/day unless it can be demonstrated that it is financially unviable. A **condition (16 in the draft decision)** would be applied to the granting of any permission to comply with this requirement.

## 3 Impact on Residential Amenity

3.1 Section 12 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy SDC1 of the Local Plan states that proposals need to ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

3.2 The layout is as stipulated from the original outline approval at the site. Each dwelling is arranged in a manner providing private amenity space, while protecting the amenities of the other dwellings and the wider area. Off road space for storage of bins is also provided at each dwelling.

3.3 It is therefore considered that the amenity of neighbouring residents is maintained and compliant with Policy SDC1.

## 4 Ecological Considerations

4.1 Section 15 of the NPPF states that the planning system:

- should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

4.2 Policy NE1 of the Local Plan states that The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity.

4.3 Warwickshire County Council Ecological Services department comments on the previous approval R16/1939 remain valid, in particular Condition 23 requiring a protected species contingency plan. The document prepared by Gerald Longley (revised 30th April 2018) is still relevant to this application and it is recommended all methods outlined in it are carried out in full. This would be conditioned subject to the granting of any approval (**condition 2**). In line with the requirement for biodiversity net gain the landscaping scheme was requested to be expanded and updated with a combined ecological and landscaping scheme condition recommended. The applicant provided amended plans including planting mix and provision and positioning of bird and bat boxes. Following submission of further revised site plan the requirement for a combined ecological and landscape plan was considered fulfilled.

4.4 It is therefore considered that this proposal will not have an adverse impact on biodiversity. This application is considered in accordance with Policy NE1 and Section 15 of the NPPF.

## 5 Impact on Highway Safety

5.1 Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities, based on the Borough Council's Standards.

5.2 WCC Highways had no objection to the application subject to condition to the granting of any approval. (**conditions 5-12 in the draft decision**).

5.3 The parking provision outlined in the submitted plans of parking spaces both in integral garages and in front of the properties meets the Local Plan parking standards of a five/six bedroom dwellings.

5.4 It is therefore considered that this proposal will not have an adverse impact on highway safety and complies with Policy D2.

## 6 Planning Balance and Conclusion

6.1 The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes "sustainable development" is not simply a matter of location; it involves a wide variety of other considerations such as the three objectives of sustainability. The NPPF at paragraph 8 identifies the three objectives to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advise that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

6.2 In terms of the economic objective, the NPPF places significant weight on the need to

support economic growth through the planning system, and the government has made clear its view that house building plays an important role in promoting economic growth. The NPPF does not, however, identify a straightforward correlation between the construction of houses and ensuing economic growth. Rather, in describing the “economic role” that is to be played by the planning system, paragraph 8 identifies the need to identify and coordinate development requirements, including the provision of infrastructure. The economic benefit of additional dwellings includes jobs created in the construction phase and the new residents would inject money into the Rugby economy and support shops and facilities within the wider area.

6.3 The social objective of sustainability includes supporting strong, vibrant and healthy Communities ensuring that a sufficient number and range of homes can be provided. The proposed dwellings would add to the variety and provision of housing stock in the Rugby area improving the design of the site and creating a safe place.

6.4 The environmental objective includes contributing to protecting and enhancing our natural, built and historic environment. The design of the proposed dwellings will reflect and enhance the surrounding built environment. From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, landscape character and appearance, trees and hedgerows, highway safety, visual amenity and residential amenity have all been considered.

6.5 It is acknowledged that the proposal would represent a form of inappropriate development within the Green Belt and harm the openness of the Green Belt, whilst being within a location where occupiers would be reliant on the private car, it is considered that ‘very special’ circumstances exist in this case to outweigh the identified harm to the Green Belt. These very special circumstances include the previous planning permission for the development of the site, the former use of the site existing ground contamination which requires mitigation and the dangerous and unsightly condition of the site following fire damage and demolition of the building. It is therefore considered, on balance, considering all the points outlined in this report that the proposed development is acceptable.

### **Recommendation**

Approval subject to conditions and referral to the National Planning Casework Unit.

## DRAFT DECISION

**REFERENCE NO:**  
R20/0363

**DATE APPLICATION VALID:**  
03-Jun-2020

**APPLICANT:**

Chris Hong Lin, N/A N/A, 34 Orchard Crescent, COVENTRY, N/A, N/A, N/A

**AGENT:**

Helen Ruffle, Town Planning Expert Town Planning Expert, 2 The Sidings, Old Station Yard, Kingsbridge, TQ7 1FB

**ADDRESS OF DEVELOPMENT:**

FORMER RIVERSIDE CANTONESE, 424, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HN

**APPLICATION DESCRIPTION:**

Erection of 7 new dwellings, blocking up of existing site access points, and re-establishment of existing redundant site access with associated external works and landscaping (resubmission of planning consent R16/1939)

**CONDITIONS, REASONS AND INFORMATIVES:**

**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 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

**CONDITION 2:**

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- Application form
- Existing location and block plan Dwg No.000
- Archaeological Field Evaluation 2020 by Benchmark Archaeology
- Proposed site plan Dwg No. 900 Rev K
- Design and Access Statement
- Gerald Longley Ecological Consultants report revised 30 April 2018
- Blue Acoustics Noise Survey Ref NS208/2 by Timothy Sherlock-Brown 18.11.2020
- Proposed plans and elevations Type B Dwg No.003 Rev C
- Proposed plans and elevations Type A Dwg No.002 Rev C
- Phase I and Phase II Geo-Environmental Investigation Former Restaurant Site Stretton-On-Dunsmore January 2015

**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 as specified on the application form, received by the Council on 3rd June 2020 and on plan Proposed plans and elevations Type B Dwg No.003 Rev C and Proposed plans and elevations Type A Dwg No.002 Rev C received by the Council on 7th May 2020.

REASON:

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

**CONDITION 4:**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A-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:**

Access for vehicles to the site shall not be made or maintained from any public highway other than Stretton Road, Stretton on Dunsmore.

REASON:

In the interest of highway safety.

**CONDITION 6:**

Access for vehicles to the site from the public highway, Stretton Road, Stretton on Dunsmore shall not be made other than at the position identified on the approved drawing number 900 Rev K and at a position whereby the visibility splay requirements stated in condition 9 will be satisfied.

REASON:

In the interest of highway safety.

**CONDITION 7:**

The development shall not be commenced until an access for vehicles has been provided to the site not less than 5.0 metres in width at any point, as measured from the near edge of the public highway carriageway.

REASON:

In the interest of highway safety.

**CONDITION 8:**

The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its whole length as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety.

**CONDITION 9:**

The development shall not be commenced until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 45 metres (to the right of the egress (southerly direction) and 120 metres (to the left of the egress (northerly direction) to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

**REASON:**

In the interest 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 interest of highway safety.

**CONDITION 11:**

The development shall not be commenced until all parts of the existing access within the public highway not included in the permitted means of access has been closed and the kerb and footway has been reinstated in accordance with the standard specification of the Highway Authority.

**REASON:**

In the interest of highway safety.

**CONDITION 12:**

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

**REASON:**

In the interests of public and highway safety.

**CONDITION 13:**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, the garages serving each plot shall not be converted to living accommodation.

**REASON:**

In the interest of highway safety.

**CONDITION 14:**

No development shall commence unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details relating to:

- the control of noise and vibration emissions from demolition and construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the demolition and construction phase

- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- measures to reduce mud deposition offsite from vehicles leaving the site.

Development shall not be carried out other than in accordance with the approved construction management plan.

**REASON:**

In the interests of the amenities of the area, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

**CONDITION 15:**

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (c) to (d) below have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the local planning authority until condition (d) below has been complied with in relation to that contamination.

(c) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.

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

**REASON:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**CONDITION 16:**

The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

**REASON:**

In the interests of sustainability and water efficiency.

**CONDITION 17:**

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 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any non-material variations which do not give rise to additional or different likely significant effect.

**REASON:**

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

**INFORMATIVE 1:**

Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

**INFORMATIVE 2:**

Condition numbers 5 - 12 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 are 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.

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 Street Works 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.

Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting longer than 10 days, three months' notice will be required.

**INFORMATIVE 3:**

Condition numbers 5 - 12 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days' notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. 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. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting longer than 10 days, three months' notice will be required.

**INFORMATIVE 4:**

Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

**INFORMATIVE 5:**

It is a legal requirement that all new properties are numbered and roads named and in this respect you must apply for Street Naming and Numbering at the earliest opportunity for both new or changes to existing properties, including development revisions. Failure to do this in good time can delay the installation of services and/or prevent the sale of properties.

To register the properties on a development and receive correct addressing or to amend an existing address please complete an application form for Street Naming and Numbering. The form can be accessed at:

[https://www.rugby.gov.uk/info/20084/planning\\_control/76/street\\_naming\\_and\\_numbering](https://www.rugby.gov.uk/info/20084/planning_control/76/street_naming_and_numbering) .

**INFORMATIVE 6:**

The applicant is encouraged to incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development. Initiatives could include the installation of an ultra-low emission boiler (<40mg/kWh), increased tree planting/landscaping, solar thermal panels, and the incorporation of electric vehicle charging points on any car parking. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

[https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed\\_1.pdf](https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf) Such measures contribute towards improving air quality.

Further information can be obtained from Environmental Health on 01788 533857 or email [ept@rugby.gov.uk](mailto:ept@rugby.gov.uk)

**Reference: R21/0561**

**Site Address: 111 CRICK ROAD, RUGBY, CV21 4DZ**

**Description: Demolition of existing bungalow and the erection of two detached 4 bedroom dwellings, with associated landscaping**

**Recommendation**

Approval, subject to conditions

The application has been brought to be determined by the Planning Committee as it has received more than 15 letters of objection from households residing in the locality of application site.

**Introduction:**

The application site is located in Hillmorton, Rugby approximately 3.0 miles from Rugby Town Centre. The site currently consists of a large, detached bungalow with detached double garage. There is a good sized driveway to the front of the property with mature garden areas to the front, side and rear. The land level changes within the site, sloping upwards from the Crick Road with Lennon Close boarding the site at the rear. The existing bungalow is somewhat of an anomaly within the streetscene to the north of Crick Road, with the majority of houses consisting of detached two-storey dwellings. Bungalows or 1 ½ storey dwellings can be found to the south side of Crick Road.

**Proposal:**

This application seeks full planning permission for the demolition of existing bungalow and the erection of two detached 4 bedroom dwellings, with associated landscaping.

The application dwellings have a total length of approximately 13.1 metres, width of 11.4 metres and height of 8.3 metres (measured from ground level, not including the lower ground parking).

**Planning History:**

R87/0227/18279/OP	Demolition of existing bungalow and development of two dwellings Approved: 12/08/1987
R87/1889/18279/P	Erection of rear extension and detached garage Approved: 1988

## Technical Responses:

- Warwickshire County Council Ecology Unit – No objection, subject to conditions
- RBC Environmental Health Department – No objection, subject to conditions
- Warwickshire County Council Highways – No objection, subject to conditions
- Warwickshire Fire Safety– No objection, subject to informative
- Warwickshire County Council Archaeology – No objection
- RBC Work Services – No objection
- RBC Trees and Landscaping– No objection, subject to condition
- Severn Trent – No comments received
- Canal & River Trust – No objection

## Third Party Responses:

Neighbours notified and 15+ letters of representation have been received:

- Highways, parking and garages:
  - Parking – access taken from Lennon close – not feasible and will cause no end of trouble and parking nuisances
  - Diminish the amount of parking for Lennon Close residents
  - Garages to rear are too large and out of character, decreases separation to those properties on Lennon Close
  - Garages with living space above are not a feature of this area - any such element should be limited to single storey, external staircase and proposed rooflights will also cause undue overlooking to neighbouring properties
- Daylight/sunlight report
  - Different development shown
  - Height of buildings
  - When estimating the amount of overshadowing, only reports up to 3pm in the afternoon. If the assessors had continued their assessment to 6pm it is obvious from the document that virtually all of the rear of 3 Lennon Close would be in shadow.
- Overlooking/loss of privacy and light
  - The height of the proposed buildings will overlook several gardens in a way that the existing single storey building does not. 1
  - 09 Crick Road – loss of light into eastern window serving living-kitchen. Losing the light from eastern window would have a big negative impact on day-to-day life and family members working from home
  - 109 Crick Road – loss of light into main family bathroom
  - Side window will directly overlook 3, 7 and 9 Lennon Close
- Character, design, materials etc.
  - The height of the proposed dwellings does not reflect the neighbouring building heights and the step-down street scene appearance from the Crick Road frontage

- The western and eastern gables of each respective dwellings are overbearing in consideration of their neighbours and will have an adverse impact on outlook and amenity
- Visual amenity will be eroded due to the expansive rear
- Overdevelopment – the dwellings are too big
- Dwellings do not reflect the existing pattern of development
- Out of character, size and scale
- Insufficient amenity space for the size of dwelling proposed
- The plot ratio does not reflect the existing ratios which exist on neighbouring plots
- Properties are of three storeys; these are far too big and do not reflect the existing context Street scene typified by properties 'gable on' to the highway, this proposal does not reflect the existing pattern
- Dwellings are too big, existing bungalow has been developed in response to the sloping topography down Crick Road.
- Protruding gable to front is not subservient and appears out of proportion with main dwellings
- Ridge heights need to be set at a level between the existing neighbouring dwellings and oriented to match the existing
- Properties do not reflect the local vernacular and are not in keeping
- Excess use of glazing detracts from the current attractive nature of the area.
- Material pallet should reflect the existing. The existing housing is predominately made up of red brick and tiled roof. The proposal incorporates neither of these materials and the colours of the proposed materials are different to those in the immediate area.
- The height of the proposed dwellings is noticeably higher than the existing two-story buildings.
- The rooflines of the existing buildings flow with the natural contours of the landscape. The proposed buildings create a harsh "block" which protrudes above the natural lines
- The application at 78 Crick Road (R19/1521), which is nearly opposite this site, was modified so that the height of the roofline was reduced to that of the existing building.
- Detrimental impact on the appearance of the area which is one of the main routes into Rugby
- Plot cramming
- 
- Other
  - Loss of a bungalow form the housing stock with associated impact on those with disability/ accessibility issues looking to move into the area
  - No need for additional properties given the existing developments that are under way around Rugby including the nearby Houlton site
  - Loss of views over the open countryside from residents on Lennon Close
  - Extension built on 109 Crick Road not represented on plans

- In the deeds for 109 Crick Road, it limits them to two-storeys (not able to put rooms in the roof)
- Concerns over distance to foundations and retaining wall (109 Crick Road)
- Devaluing house prices
- Builder's van and lorries parked everywhere
- Loss of natural habitat for wildlife
- Bats roosting in hedgerow which is to be removed
- The natural hedgerow along the rear of the property currently acts as a sound buffer/absorber
- Increase in noise levels - the new property effectively creating a sound box by its proximity and scale.
- Objections from the 2<sup>nd</sup> consultation
  - Still too large
  - Not in keeping with surrounding area
  - Too modern looking
  - Profit making exercise
  - Bungalows with rooms in the roof if a better option for the site
  - Subsidence from ground works

## **Relevant Planning Policy and Guidance**

### National Planning Policy Framework – 2021

Section 2: Achieving sustainable development

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

### Local Plan (2011-2031) – June 2019:

Policy GP2: Settlement hierarchy

Policy HS5: Traffic Generation and Air Quality

Policy NE1: Protecting designated biodiversity and geodiversity assets

Policy SDC1: Sustainable design

Policy SDC2: Landscaping

Policy D2: Parking facilities

### Supplementary Planning Documents

Sustainable Design and Construction – 2012

## **Determining Considerations**

### 1. Principle of Development

- 1.1. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy. The application site is located within the Rugby Town as defined in Policy GP2 of the Local Plan; as

such there is a principle in favour of development within existing boundaries and as part of allocated sustainable urban extensions.

1.2. Section 2, paragraph 7 of the NPPF states that the planning system should contribute to the achievement of sustainable development. There are three dimensions of sustainable development, those being the economic; social and environmental roles. The planning balance will be carried out by assessing each of these strands:

1.3. Economic Objective: If this proposal were to be approved, it would result in the creation of a number of short-term construction jobs in relation to the erection of the dwelling. On a long-term basis the property would make Council-tax contributions, but this holds very little positive impact in the grand scheme of the proposal.

1.4. Environmental Objective: The presence of a dwelling in such a location would continue the built form along the Crick Road. The development is situated in a sustainable location in Rugby Urban Area with easy access to public transport and is within walking distance of convenience stores (Co-op Crick Road: 0.7 miles, Co-op Houlton: 0.8 miles, Hillmorton Post Office: 0.7 miles and Aldi, Paddock Close: 1.2 miles) and schools (Hillmorton Primary School, St Gabriel's CofE Academy, Houlton School and Ashlawn School). The proposal will also be subject to an air quality neutral/mitigation condition [Condition 15] which encourages the use of ultra-low NOx emission boilers. These factors will assist in mitigating and adapting to climate change and support moving towards a low carbon economy.

1.5. Social Objective: The site is located within Rugby Urban Area which is the primary focus for meeting strategic growth targets. The erection of two dwelling houses will contribute towards providing a sufficient range of homes for future generations and it will be located within close proximity to open green space and local facilities

1.6. This application is therefore considered to comply with Policy GP2 of the Local Plan and Section 2 of the NPPF.

## 2. Character and Design

2.1. Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are situated.

2.2. Section 12 of the NPPF states that planning policies and decisions should ensure that developments add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

2.3. Initially it was felt that the proposed 5-bed dwellings and detached garages were excessive, overbearing and out of character with the area. However, following multiple discussions with the Agent/Applicant an amended scheme was submitted. The design, scale, appearance and layout of the dwellings has changed, and these alterations include:

- reduction in ridge height
- decreased depth of the dwellings
- relocation of plot 2 further away from the boundary with 1,3,5 and 7 Lennon Close
- drop in the ridge of the feature glazed gables
- step down of plot 2 to follow the sloping land levels
- change in materials from buff grey brick to red brick
- obscuring glazing to side elevation windows
- removal of detached garages in favour of undercroft parking

2.4. The ridge height of the dwellings has been reduced from approximately 9.5 metres to 8.3 metres, removing the second floor from proposal. Similarly, the height of the glazed gable feature has been reduced so it appears subservient, and it no longer sits flush with the ridge height of the dwellings. This overall reduction in height better reflects the height of surrounding properties, such as 109 Crick Road which stands at 7.1 metres in height.

2.5. From west to east the Crick Road slopes downwards towards the Oxford Canal and as such consideration has been given to the land levels of the site, setting plot 2 down by 0.5 metres.

2.6. The proposal offers a modern and stylish development and a change in materials ensures they reflect the character of the area, whilst still offering contemporary elements such as large amounts of glazing. **Condition 3** has been recommended to ensure all roof and wall materials are submitted to the LPA prior to above ground development but the Agent/Applicant has already indicated they are happy with red brick.

2.7. Objectors raised concerns in relation to the impact the dwellings would have on the character and appearance of the area and general vernacular of the streetscene. Towards the eastern end of the Crick Road within the vicinity of the application site, there is a range of house types with the majority of two-storey dwellings located on the north side and bungalows/1 ½ storey dwellings located on the south side. The dwellings on the north side are typical of the 1970s era

and this is not necessarily something that should be replicated like-for-like. Paragraph 10.5. of the Local Plan seeks to promote innovative design which helps raise the standard of design more generally in the area and with other modern developments witnessed along the Crick Road such as those built at Houlton, this site offers an opportunity to improve the character and quality of housing in the area. To ensure any future development on site is suitable for the modern design and reflects the density of development on the plot, **Condition 6** to remove Permitted Developments rights has been recommended, along with **Condition 7** to maintain an open frontage. The properties along the northern side are considerably set back (22.0 metres) from the streetscene with soft landscaping which has been reflected in this proposal.

2.8. This application is therefore considered to be in accordance Policy SDC1 of the Local Plan and Section 12 of the NPPF.

### 3. Impact on Residential Amenity

3.1. Section 12 of the NPPF states that planning should always seek a high standard of amenity for existing and future users of developments. Policy SDC1 of the Local Plan states that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

3.2. No.1, 3, 5 and 7 Lennon Close are a row of terraced houses located to the east of the application site. No.1 and 3 overlook the side elevation of the proposed property and No.5 and 7 overlook the proposed private amenity area. The LPA does not have any set guidance on separation distances, but a generally accepted distance between a facing blank first floor gable end of a two storey building is 12.0 metres. Following amended plans, the separation distance in this proposal is approximately 12.8 metres. There is one side elevation first floor window serving a bathroom which will be obscured glazed and **Condition 5** ensures this remains in perpetuity. A further condition **[Condition 4]** will be added to ensure no further windows are added. The conifer trees boarding the site along the boundary with No.1, 3, 5 and 7 Lennon Close are to be removed and replaced with a 2.0 metre high close boarded timber fence.

3.3. No.109 Crick Road is a detached dwelling located to the west of the application site. No.109 Crick Road received planning permission for a *'two storey front and rear extension and porch, together with the formation of a new vehicular access and provision of on-site parking'* in 2016/2017. The extension which has been built extends 3.5 metres from the rear elevation. The proposed dwellings have been sited to continue the built form/layout to the north of Crick Road and only surpass the rear elevation of No.109 Crick Road by approximately 1.0 metre. No.109 Crick Road has two side elevation (east) windows, one serving a bathroom on the first floor and the other serving a kitchen/dining/living area. In accordance with the Sustainable Design and Construction SPD a bathroom is

not considered a habitable room. A habitable room is a bedroom, lounge or dining room.

3.4. A 'Daylight, Sunlight, and Overshadowing Assessment for Surrounding Properties' [1 - 7 Lennon Close and 109 Crick Road] has been submitted with the application which demonstrates that there would be no to negligible impact to all of the surrounding windows under the proposed scheme, with the exception of Window W20 within 109 Crick Road. The assessment states that window W20 could be described as receiving a major adverse impact to its Vertical Sky Component (VSC) value. However, upon further analysis the daylight distribution results show that there would be no loss of daylight distribution across the kitchen/dining/living room under the proposed scheme. The kitchen/dining/living room would receive an average daylight factor of 4.06% which is greater than the minimum target (2.0%) recommended by BS 8206-2:2008 - Lighting for Buildings. Therefore, it has been demonstrated that the proposal should not cause any significant loss of light to neighbouring properties, protecting their amenity.

3.5. This application is therefore considered to be in accordance with Section 12 of the NPPF and Policy SDC1 of the Local Plan.

#### 4. Highway Safety:

4.1. Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy D2 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities.

4.2. For a dwelling consisting of four bedroom units, a minimum of three parking spaces are recommended. Per dwelling the proposal includes one lower ground parking space in the garage, and two further parking spaces on the driveway.

4.3. Warwickshire County Council Highways Department is of a position of no objection, subject three conditions: **Conditions 9, 10 and 11**. These conditions relate to widening of the vehicular access, surfacing of the new vehicular access with bound material and ensuring the parking and turning areas are provided within the site and in accordance with the plans.

4.4. This application is therefore considered to be in accordance with Section 9 of the NPPF and Policy D2 of the Local Plan.

#### 5. Ecological Considerations

5.1. Policy NE1 states that the Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity.

Section 15 of the NPPF states that the planning system should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

5.2. Warwickshire County Council Ecological Services department initially recommended a Preliminary Ecological Appraisal (PEA) for bats and nesting birds be submitted prior to determination due to the demolition of the bungalow. Following receipt of the report, it was confirmed a bat roost was present in the main dwelling. Further surveys were recommended to characterise the species and number of bat(s) using the building as a roost. As such, a Nocturnal Bat Survey Report was submitted and WCC Ecological recommended that mitigation measures be drawn into the plans prior to determination and a License is obtained for the works. **Condition 13** ensures these enhancements measures are submitted prior to commencement and **Condition 14** ensures the development is commenced in accordance with the Bat Method Statement.

5.3. It is therefore considered that this proposal will not have an adverse impact on biodiversity. This application is considered in accordance with Policy NE1 of the Local Plan and Section 15 of the NPPF.

## 6. Landscaping

6.1. Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required.

6.2. RBC Arboricultural Officer was consulted on the application and raised no objection subject to a comprehensive landscaping plan condition **[Condition 12]**.

6.3. There are no protected trees associated with the application site. There is a Leylandii hedge to the north and eastern boundaries which is approximately 4.0metres in height and has been regularly lopped and topped and is generally in poor condition with very limited long term potential.

6.4. The proposed scheme makes reference to tree/shrub/hedge planting to the front and rear and it should be noted that these planting choices should contribute to biodiversity and visual amenity of the local area.

6.5. This application is therefore considered to be in accordance with Policy SDC2 of the Local Plan.

## 7. Environmental Health Considerations

7.1. Policy HS5 states that development throughout the Borough of more than 1,000sqm of floorspace or 10 or more dwellings or development within the Air Quality Management Area that would generate any new floor space must address the impacts of poor air quality and introduce measure to mitigate against it.

7.2. RBC Environmental Health department were consulted on the application and raised no objection recommending two conditions. **Condition 15** has been mentioned above and relates to the development being air quality neutral or providing suitable mitigation measures and **Condition 16** relates unidentified contamination from the historic Hillmorton Sidings landfill site.

7.3. This application is therefore considered to be in accordance with Policy HS5 of the Local Plan.

## 8. Other Matters

8.1. Policy SDC4 states that all new buildings shall meet the Building Regulations requirement of 110 litres of water/person/day unless it can be demonstrated that it is financially unviable **[Condition 8]**.

8.2. Objectors raised concerns in relation to neighbouring properties foundations, retaining walls and subsidence. Boundary wall disputes and issues relating to excavation near neighbouring buildings are matters relating to the Party Wall Act 1996 and Building Regulations.

## 9. Conclusion

9.1. On balance, the dwelling is located in a sustainable location and as such there is a principle in favour of development. The proposal is considered to respect the character of the area, offering a modern and attractive development that mirrors the fall in land levels down the Crick Road, improving the overall diverse character of the streetscene. Following the results of the 'daylight, sunlight, and overshadowing assessment', the dwellings are not considered to adversely affect the residential amenity of the neighbouring properties. Accordingly, the application is to be considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

## 10. Recommendation

10.1. Approve, subject to conditions.

## DRAFT DECISION

**REFERENCE NO:**  
R21/0561

**DATE APPLICATION VALID:**  
21-May-2021

**APPLICANT:**  
Mr Amit Mistry, Cawston Old Farm Barns, Swallowfiel, Cawston, Rugby, CV22 7QR

**AGENT:**  
Mr Joe Chidwick, Format Architects Ltd, 21 Wigginton Road, Tamworth, B79 8RH

**ADDRESS OF DEVELOPMENT:**  
111, CRICK ROAD, RUGBY, CV21 4DZ

**APPLICATION DESCRIPTION:**  
Demolition of existing bungalow and the erection of two detached 4 bedroom dwellings, with associated landscaping

### CONDITIONS, REASONS AND INFORMATIVES:

#### 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: 1

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

#### CONDITION: 2

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

2027-A-L-120-04  
2027-A-L-200-04  
111\_Crick\_Road-Bat\_Method\_Statement  
[Received by the Council on 27/10/2021]

111\_Crick\_Road,\_Rugby\_-\_Daylight\_Assessment\_Report  
[Received by the Council on 21/10/2021]

P2187\_Bat\_Report\_111\_Crick\_Road\_Rugby  
[Received by the Council on 18/10/2021]

210816\_1328\_PEA\_V1  
[Received by the Council on 30/09/2021]

2027-A-L-100  
[Received by the Council on 21/05/2021]

**REASON: 2**

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

**CONDITION: 3**

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

**REASON: 3**

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

**CONDITION 4:**

No new windows shall be formed in the side elevations of the proposed dwellings.

**REASON: 4**

In the interest of residential amenity.

**CONDITION: 5**

The windows to be formed in the first floor side elevations of the proposed dwellings shall not be glazed or reglazed other than with obscure glass.

**REASON: 5**

To protect the residential amenity of neighbouring properties.

**CONDITION: 6**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, D, E, F and G of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

**REASON: 6**

In the interest of residential amenity and the visual amenities of the locality.

**CONDITION: 7**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, no wall, fence, gate or other means of enclosure shall be erected, constructed or placed in front of the dwellings without the prior written permission of the Local Planning Authority.

**REASON: 7**

In the interest of visual amenity.

**CONDITION: 8**

The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

REASON: 8

In the interests of sustainability and water efficiency.

CONDITION: 9

The development shall not be occupied until space has been provided within the site for the parking and turning of cars in general accordance with plan [2027-A-L-120-04] [Received by the Council on 27/10/2021].

REASON: 9

In the interest of highway safety

CONDITION: 10

Notwithstanding the approved plans, the development shall not be occupied until the existing vehicular access to the site has been surfaced with a bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: 10

In the interest of highway safety

CONDITION: 11

Notwithstanding the approved plans, the development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of not less than 5.0 metres in width for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: 11

In the interest of highway safety

CONDITION: 12

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 10 years from the date of planting of any tree/shrub/hedge that tree/shrub/hedge, or any tree/shrub/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON: 12

In the interests of biodiversity and visual amenity.

CONDITION: 13

The development hereby permitted shall not commence until a detailed schedule of enhancement measures (to include all aspects of landscaping including mixed native species

planting and details of any habitat creation such as ponds and species-specific enhancements such as hedgehog highways, bird and bat boxes provided) has been submitted to and approved in writing by the Local Planning Authority. Such approved enhancement measures shall thereafter be implemented in full.

**REASON: 13**

In accordance with NPPF, ODPM Circular 06/2005.

**CONDITION: 14**

The development hereby permitted shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of bats within the site as set out in the documents [Bat Method Statement (27.10.21)] prepared by Elton Ecology, received by the Local Planning Authority on 27/10/2021.

The qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of all works to summarise supervised works and confirm the mitigation measures have been followed and compensatory roosting features were installed correctly.

**REASON: 14**

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

**CONDITION: 15**

Unless non-material amendments are otherwise agreed in writing with the Local Planning Authority, no above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet air quality neutral standards or to provide suitable mitigation, has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

**REASON: 15**

In the interests of air quality.

**CONDITION: 16**

In the event that contamination is found at any time when carrying out the development hereby permitted it shall be reported in writing immediately to the local planning authority. Each of the following subsections a) to c) shall be subject to approval in writing by the local planning authority.

a) An investigation and risk assessment shall be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

b) Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared.

c) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared.

**REASON: 16**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**INFORMATIVE: 1**

It is a legal requirement that all new properties are numbered and roads named and in this respect you must apply for Street Naming and Numbering at the earliest opportunity for both new or changes to existing properties, including development revisions. Failure to do this in good time can delay the installation of services and/or prevent the sale of properties.

To register the properties on a development and receive correct addressing or to amend an existing address please complete an application form for Street Naming and Numbering. The form can be accessed at:

[https://www.rugby.gov.uk/info/20084/planning\\_control/76/street\\_naming\\_and\\_numbering](https://www.rugby.gov.uk/info/20084/planning_control/76/street_naming_and_numbering) .

**INFORMATIVE: 2**

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting the Build Team (Tel: 0345 2667930 / email: [building.over@severntrent.co.uk](mailto:building.over@severntrent.co.uk)).

**INFORMATIVE: 3**

Condition numbers 10 and 11 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515 to request the necessary application form (Form A – VAC). 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. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

**INFORMATIVE: 4**

Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

**INFORMATIVE: 5**

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Concrete should not be left unset overnight, or suitable barriers erected to prevent animals accessing the concrete. Pipework with a diameter greater than 120mm should have the ends closed off overnight to prevent entrapment. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed a Protected Species.

**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 Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE: 7**

The applicant/developer is advised that the development will need to comply with Approved Document B, Volume 2, Section B5 - Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc regarding this can be found at: [www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning](http://www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning) Where compliance cannot be met, the applicant/developer will need to provide details of alternative measures intended to be put in place. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18, Access for Emergency Vehicles. In addition, Warwickshire Fire and Rescue Authority fully endorse and support the fitting of sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

**INFORMATIVE: 8**

As per the condition the applicant is required to incorporate measures to assist in reducing their impact upon the Air Quality as part of this development. In order to achieve air quality neutral standards it is suggested that the approved scheme could include the installation of ultra-low

emission boilers (<40mg/kWh) if gas is used for space/water heating, increased tree planting, green walls and roofs, the incorporation of electric vehicle charging points on any car parking or provision of secure cycle storage. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

[https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed\\_1.pdf](https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf) Such measures contribute as mitigation for air quality purposes.

Should you require any further advice on ensuring your development has a positive contribution on air quality, further information can be obtained from the Commercial Regulation team through 01788 533533 or email [ept@rugby.gov.uk](mailto:ept@rugby.gov.uk)

#### INFORMATIVE: 9

The development is on the A428 Crick Road and is relatively close to existing commercial /industrial operations (boat building/repairs) and licensed premises (Waterside pub). It will therefore be subject to reasonable disturbance from noise, dust, odour, vibration and light associated with the activities. Such activities may extend into the night time period.

#### INFORMATIVE: 10

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

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

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

No work on Sundays & Bank Holidays.

**Reference: R21/0847**

**Site Address: UNIT 11, COTTAGE LEAP, RUGBY, CV21 3XP**

**Description: Change of use of commercial building to form Vocational Training/Education (Use Class F1) including creation of additional first floor floor space within the existing building and alterations externally to the existing building to facilitate the use; demolition of existing single storey ancillary building; erection of additional single storey building; erection/laying out of MUGA; laying out of recreational and amenity area; creational of vehicular parking area and access; and other associated external works.**

**Recommendation**

Approval subject to conditions and informatives

This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as the application proposal includes a departure from the Local Plan.

**Description of site**

Unit 11 Cottage Leap is located within Rugby Town. The site includes a detached warehouse unit with a fenced yard and external stores with additional forecourt car parking. The unit is located within the established industrial area of Butlers Leap and is northeast of Rugby Town Centre. Cottage Leap is accessed via Butlers Leap.

**Description of proposals**

This application seeks full planning permission for the change of use of the commercial building to a vocational training/education (Use Class F1). This includes creation of additional first floor space within the existing building and alterations externally to the existing building to facilitate the use. Demolition of an existing single storey ancillary building and erection of an additional single storey building. Erection of a MUGA, recreational and amenity area and creation of vehicular parking area, access and other associated external works.

The facility will be used to support Avon Park School, Rugby. Avon Park School provides education and support for pupils from across the Midlands region who have a range of complex educational needs, communication difficulties and challenging behaviours. It is currently operating at capacity.

The ground floor would be divided to provide a café area, meeting room, kitchen/food technology area and toilets for students, staff and accessible needs. First floor would provide a staff room and kitchen, ICT suite, therapy room, toilets and classrooms and rooms for specific subjects.

Existing external sheltered areas will be converted to two buildings on either side of an existing materials store at the southeast corner. One building used as gym with facilities and the other an intervention room and common room. The northern boundary of the site is proposed with a multi-use gaming area (MUGA) and landscaped recreation area.

## **Planning History**

R90/1502/20066/P Erection of warehouse and workshop with ancillary office, covered parking areas and external storage area

Approval 14/03/1991

## **Relevant Planning Policies**

Rugby Borough Local Plan 2011-2031, June 2019

DS1: Overall Development Needs

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

ED1: Protection of Rugby's Employment Land

HS5: Traffic Generation and Air Quality

NE1: Protecting Designated Biodiversity and Geodiversity Assets

SDC1: Sustainable Design

D2: Parking Facilities

D1: Transport

National Planning Policy Framework, 2021 (NPPF)

## **Technical consultation responses**

Sport England Proposal did not fall within their statutory or non-statutory remit.

WCC Highways No objection subject to condition

WCC Ecology No objection subject to informatives

RBC Environmental Health No objection subject to conditions and informatives

RBC Development Strategy Comments provided on principle of development.

## **Third party comments**

None received

## **Assessment of proposals**

The main considerations in respect of this application are the principle of development; the impact the proposed development has on the character and appearance of the area; impact on neighbouring properties and highway safety.

### **1 Principle of development**

1.1 Policy GP1 of the Local Plan outlines when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

1.2 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.

1.3 The application site is located within the Rugby town as defined in Policy GP2 of the Local Plan; this is the main focus of all development in the Borough. Development is permitted within existing boundaries and as part of allocated Sustainable Urban Extensions.

1.4 This application complies with Policy GP2 of the Local Plan.

1.5 Policy DS1 of the Local Plan 2019 sets out the overall employment and housing requirements for the Borough. This policy was evidenced by the Employment Land Study 2015.

The site is located within the Butlers Leap Existing Strategically Significant Employment Site as listed in Policy ED1 of the Local Plan 2019 and illustrated on the adopted Urban Policies Map.

1.6 Policy ED1 seeks to retain sites for employment purposes within classes B1 (a, b, c), B2 and B8. It is acknowledged that changes to the Use Classes order have resulted in Class B1 being changed to Class E, which also includes a variety of other commercial, business and service uses.

1.7 Policy ED1 includes '6 tests' to be applied when considering the Change of Use of land or buildings currently used for employment purposes. These are discussed below:

1. *Whether the site is allocated or designated for employment land. Such sites will be given greater protection.*

The site is within a designated area as listed in ED1 and therefore is afforded greater protection.

2. *Whether there is an adequate supply of employment sites of sufficient quality in the locality to cater for a range of business requirements. This would involve an assessment of vacant units or land currently being marketed.*

The agent has provided information on other sites that were considered but not found suitable. The information shows that there are several other units of a similar size available for businesses. It is noted most sites listed were also within designated areas.

3. *Whether the site is capable of being serviced by a catchment population of sufficient size. This may include consideration of whether there is a suitable balance between population and employment in the relevant area settlement, what the impact of employment loss on commuting patterns might be and whether there would be a detrimental impact on the local economy from loss of the employment land. This will be particularly relevant in rural locations.*

The agent has stated that the proposal will result in the minor loss of a Class E unit. The agent does not consider that the loss will impact on the balance between population and employment or be detrimental to commuting patterns in the locality.

Reference is also made by the agent to the remainder of Butlers Leap offering B-use employment opportunities and the loss of this currently vacant unit not resulting in significant adverse impacts. The proposal would employ 21 people (18 full time 6 part time) to facilitate the use, which is stated as an increase over the 20 people previously employed at the site.

Due to its scale, the proposal would not have a significant impact on the balance between population and employment. There may potentially be a limited degree of impact on 'B' use employment commuting patterns, but this is only likely to be in terms of employees travelling to an alternative employment site in or near to the urban area. Due to the current availability of other premises for 'B' type uses in designated areas, it is unlikely there would be a significant impact on the local economy, and the proposal has the benefit of providing jobs, albeit not in a 'B' use.

4. *Whether there is evidence of active marketing. For allocated or designated sites evidence of active marketing should be submitted. This should be for a continuous period of 24 months and should be through a commercial agent with local or subregional practice connected*

*to Rugby Borough, at a price that genuinely reflects the market value in relation to use, condition, quality and location of the floor space.*

The agent advises that the site has been marketed since November 2020. It has been acknowledged that this is short of the continuous 24 month requirement although it is considered by the agent that other factors outweigh non-compliance with Test 4.

Although the site has been marketed for less than the 24 months stated in ED1, a degree of weight can be given to the time it has been marketed for so far. It does not satisfactorily show there is no reasonable prospect of another employment use continuing as required in ED1, although it is an indication of lack of interest and its extended vacancy.

*5. Whether redevelopment of the site for employment use could be brought forward, taking account of site characteristics (including physical factors, accessibility and neighbouring uses). If employment redevelopment is not viable, whether mixed use redevelopment could be brought forward. It must be demonstrated that consideration has been given to alternative layouts and business uses, including smaller premises with short term flexible leases appropriate for SMEs*

The agent has stated that although not in the B or E (g) use class, the site will ultimately continue to be used for employment purposes with more jobs on site compared to the perceived current use.

The proposed use will provide employment, this would be different from providing for the 'B' use sectors the policy seeks to retain. Nonetheless the provision of jobs would provide an economic benefit and carries positive weight in determining the application in line with NPPF paragraphs 8, 31 and 81.

*6. Whether firms are likely to be displaced through redevelopment, whether there is a supply of alternative suitable accommodation in the locality to help support local businesses and jobs and whether this would promote or hinder sustainable communities and travel patterns.*

The agent confirms that the unit is currently vacant and will not displace any local firms or result in the loss of the jobs through redevelopment and refers to the job growth in the former B1c use class being low (35 new jobs for 2011-2031).

As referred to in Test 2, the agent has explored a number of alternative sites. The majority of which are also in the Rugby urban area. Given the availability of other locations, it is unlikely that the proposal would hinder sustainable patterns of transport, and overall would represent a sustainable location for the type of use given the school's requirements.

## 2 Character and Design

2.1 Policy SDC1 of the Local Plan states that development should demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.

2.2 Alterations to the existing main building on site include new window and door openings on the north, east and west elevations. The external alterations to the structures to the rear of the unit are screened by the nature of the site and proposed in matching materials to the existing.

The landscaped recreation area will provide soft landscaping to the existing hardstanding areas. Mesh fencing is proposed surrounding and throughout the site, the colour and material proposed is considered acceptable by the Council.

2.3 This application is assessed as complying with Policy SDC1 of the Local Plan.

### 3 Impact on Residential Amenity

3.1 Section 12 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy SDC1 of the Local Plan states that proposals need to ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

3.2 The proposed MUGA is circa 50metres from Ridge Drive and under 100metres to the properties in Viaduct Close. The old railway is between the site and residential properties. To further assess any noise implications from the proposal from plant, internally generated noise from vocational training activities and the MUGA RBC Environmental Health have recommended a noise assessment condition subject to the granting of any permission (condition 8 in the draft decision) Also an hour's condition to limit potential impacts away from more sensitive times. (condition 10 in the draft decision)

3.3 It is therefore considered that the amenity of neighbouring residents is maintained and compliant with Policy SDC1.

### 4 Ecological Considerations

4.1 Section 15 of the NPPF states that the planning system:

- should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

4.2 Policy NE1 of the Local Plan states that The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity.

4.3 Warwickshire County Council Ecological Services department had no detailed ecological comments regarding the proposal. However, they have suggested a nesting bird note, a bat note and biodiversity enhancements note are attached to any permission granted.

4.4 It is therefore considered that this proposal will not have an adverse impact on biodiversity. This application is considered in accordance with Policy NE1 and Section 15 of the NPPF.

### 5 Traffic Generation and Air Quality

5.1 Policy HS5 states that development throughout the Borough of more than 1,000sqm of floorspace or 10 or more dwellings or development within the Air Quality Management Area that would generate any new floor space must address the impacts of poor air quality and introduce measure to mitigate against it. It is recognised that the current proposal increases floorspace within the Air Quality Management Area and as such policy HS5 is relevant.

5.2 Policy HS5 requires that development within the Air Quality Management Area as defined in Appendix 8 of the Local Plan that would generate any new floorspace must achieve or exceed air quality neutral standards. If air quality neutral standards are not met, points 2, 3 and 4 of the policy details how developments should address the impacts of poor air quality, including mitigation measures.

5.3 The Local Plan defines Air Quality Neutral as “emissions from the development proposal being no worse, if not better, than those associated with the previous use.”

5.4 It is recognised that the current proposal increases floorspace within the Air Quality Management Area and as such policy HS5 is relevant. The proposal introduces new boilers and includes an upgraded car park with two EV charging spaces. Therefore, there will be a material increase of emissions from the proposed development compared with the emissions of the previous use. Within the context of point 1 of the policy, the development is not considered to be air quality neutral. As a result, mitigation as detailed in points 2 to 4 of the policy are required.

5.5 In this instance the following on site mitigation measures is proposed electric charging points and new boilers. No details have been provided on the predicted NOx emissions of the new boilers. Taking into consideration the Air Quality Assessment and Transport assessment submitted into account RBC Environmental Health do not consider a full air quality assessment is necessary, but more detail is needed to demonstrate full consideration of Policy HS5.

5.6 An air quality neutral/mitigation condition is recommended to ensure the development meets air quality neutral standards. The details will be secured by an appropriately worded condition subject to the granting of any permission (condition 6 in the draft decision).

## 6 Impact on Highway Safety

6.1 Policy D1 of the Local Plan states development will be permitted where sustainable modes of transport are prioritised and measures designed to mitigate transport impacts arising from either individual development proposals or cumulative impacts caused by a number of proposal are provided.

6.2 Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities, based on the Borough Council’s Standards.

6.3 A Transport Statement has been submitted to accompany the application. The proposal includes provision of 29 car parking spaces (two disabled, two electric charging spaces) a minibus layover and cycle storage. WCC Highways considered the use outlined in the Transport Statement and Planning Design and Access Statement concluding the specific use impact described is unlikely to be unacceptably detrimental to the safe and efficient operation of the highway and that the facilities provided for parking and movement of vehicles within the site are likely to be adequate. However, some other uses under Class F1 may have greater impacts, such as schools and colleges where students individually make their own way to the site. As a result, the Highway Authority have provided a condition (4 in the appended draft decision) limiting the use of the site within the use class.

6.4 On the basis WCC Highways have raised no objection to the application subject to condition, it is therefore considered that this proposal will not have an adverse impact on highway safety and complies with Policy D2.

## 7 Planning Balance and Conclusion

7.1 Paragraph 38 advises that Local Planning Authorities should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.

7.2 Paragraph 95 emphasizes the importance of providing school places to meet the needs of existing and new communities. To do so, “Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.

7.3 Policy ED1 affords flexible provisions to allow alternative uses in some circumstances. Although not fully satisfying the marketing length described in ED1 and having regard to the greater protection afforded by designated employment sites, the availability of other suitable sites is restricted by the specific needs of the use. Most other potential future opportunities are also likely to be within designated employment areas and also result in displacing a ‘B’ type use opportunity.

7.4 The proposed development represents a sustainable location for the school’s needs and makes a positive contribution to job provision. It is considered that the circumstances, requirements and benefits of the proposal are specific enough to not significantly undermine the objectives and integrity of policies DS1 and ED1 subject to condition restricting the use to that stated in the application.

### **Recommendation**

Approval subject to conditions and informatives

## DRAFT DECISION

**REFERENCE NO:**  
R21/0847

**DATE APPLICATION VALID:**  
02-Aug-2021

**APPLICANT:**

c/o Agent, Witherslack Group Ltd Witherslack Group Ltd, c/o Agent, c/o Agent, SK8 5AF

**AGENT:**

Connor Wigley, Broadgrove Planning and Development Ltd, Broadgrove, Sinclair House, 11 Station Road, Cheadle Hulme,

**ADDRESS OF DEVELOPMENT:**

UNIT 11, COTTAGE LEAP, RUGBY, CV21 3XP

**APPLICATION DESCRIPTION:**

Change of use of commercial building to form Vocational Training/Education (Use Class F1) including creation of additional first floor floor space within the existing building and alterations externally to the existing building to facilitate the use; demolition of existing single storey ancillary building; erection of additional single storey building; erection/laying out of MUGA; laying out of recreational and amenity area; creation of vehicular parking area and access; and other associated external works.

**CONDITIONS, REASONS AND INFORMATIVES:**

**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 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

**CONDITION 2:**

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- Application form
- Site location plan Dwg No. 20-001-006 Rev B
- Existing site layout Dwg No. 20-001-002 Rev E
- Existing floor plans Dwg No. 20-001-001 Rev C
- Proposed floor plans Dwg No. 20-001-003 Rev H
- Existing and proposed elevations Dwg No. 21.020(2-)001 Rev B
- Existing and proposed elevations Dwg No. 21.020(2-)002 Rev B
- Air Quality Assessment by Miller Goodall Report number: 102532V2
- Planning, Design and Access Statement by Broadgrove Planning & Development Ltd
- Transport Statement by Vectio Consulting dated 11th June 2021 Ref VCO366 R1.3 received by the Local Planning Authority on 2nd August 2021
- Proposed site layout Dwg No. 20-001-004 Rev M received by the Local Planning Authority on 25th October 2021

**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 as specified on the Planning, Design and Access Statement received by the Council on 2nd August 2021 and on plan Existing and proposed elevations Dwg No. 21.020(2-)002 Rev B received by the Council on 2nd August 2021 and on plan Proposed site layout Dwg No. 20-001-004 Rev M received by the Council on 25th October 2021 .

**REASON:**

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

**CONDITION 4:**

Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order (2015) (as amended), or any Order revoking and re-enacting that Order with or without modification, the unit shall be used only as a non-residential vocational training centre in conjunction with the existing school known as Avon Park School, St Johns Avenue, Rugby, as described in Chapter 4 of the approved Planning, Design and Access Statement 044/008 CW dated July 2021. No other use under Class F1 of the General Permitted Development Order (2015) (as amended) shall take place.

**REASON:**

In the interest of highway safety and protecting the amenity of the area.

**CONDITION 5:**

The development shall not be occupied until space has been provided and marked out within the site for the parking and manoeuvring of motor vehicles and bicycles in accordance with drawing number 20-001-004 Rev M.

**REASON:**

In the interest of highway safety.

**CONDITION 6:**

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, no above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet the air quality mitigation requirements of policy HS5 has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

**REASON:**

In the interests of air quality.

**CONDITION 7:**

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the local planning authority until condition (d) below has been complied with in relation to that contamination.

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, existing or proposed property and buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with UK Government and the Environment Agency's Land Contamination Risk Management (LCRM) 8th October 2020.

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

(c) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.

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

**REASON:**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**CONDITION 8:**

Prior to commencement of above ground works a noise assessment shall be undertaken by a suitably qualified person and be submitted in writing to and approved by the Local Planning Authority. It shall assess the existing and predicted noise levels that could adversely affect

existing noise sensitive receptors and consider nearby commercial receptors. Regard shall be had to noise from any air handling and extraction plant, from tools associated with the vocational training and predicted noise from use of the MUGA including LAFmax from shouts/whistles and ball impact/fence ring. Regard may be had to BS8233:2014 and BS4142:2014+A1: 2019 and the World Health Organisation (WHO) Guidelines for Community Noise. The report should include recommendations for any necessary acoustic mitigation works, to protect the existing residents both inside their dwellings and their external amenity spaces, having regard to current guidance for the residential development. Any recommended works shall be completed prior to occupation of the development and should be maintained thereafter.

**REASON:**

In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority

**CONDITION 9:**

No development shall commence unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details relating to:

- the control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase
- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- measures to reduce mud deposition offsite from vehicles leaving the site.

Development shall be carried out in compliance with the approved Construction Management Plan, unless otherwise approved in writing by the Local Planning Authority.

Regard shall be had to the recommended mitigation measures show in Appendix D of the Miller Goodall Air Quality Assessment (for) 11 Cottage Leap, Rugby, CV21 3XP report date 15 June 2021 report number 102532V2.

**REASON:**

In the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

**CONDITION 10:**

The proposed development shall only be open and used on Monday to Friday between the hours of 0800-1630.

**REASON:**

In the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

**INFORMATIVE 1:**

As per the condition the applicant is required to incorporate measures to assist in reducing their impact upon the Air Quality as part of this development. In order to achieve air quality neutral standards it is suggested that the approved scheme could include the installation of ultra-low emission boilers (<40mg/kWh) if gas is used for space/water heating, increased tree planting, green walls and roofs, the incorporation of electric vehicle charging points on any car parking or provision of secure cycle storage. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

[https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed\\_1.pdf](https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf) Such measures contribute as mitigation for air quality purposes.

Should you require any further advice on ensuring your development has a positive contribution on air quality, further information can be obtained from the Commercial Regulation team through 01788 533533 or email [ept@rugby.gov.uk](mailto:ept@rugby.gov.uk)

**INFORMATIVE 2:**

Any external lighting should be installed to ensure there is no glare or excessive light spill that may affect any properties off site. Information can be obtained from the Institute of Lighting Professionals on types and positioning of lighting to minimise off site effects.

**INFORMATIVE 3:**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) making them a European Protected Species. It is a criminal offence to disturb, obstruct 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 0208 261089. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 02080 261089 for advice on the best way to proceed.

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

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

**INFORMATIVE 4:**

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Enhancements could include bat and bird boxes which may be used by a variety of species, native species planting and enhancement of existing of hedges and wild flower planting, habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates are also welcomed. Warwickshire County Council Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

**AGENDA MANAGEMENT SHEET**

**Report Title:** Planning Appeals Update

**Name of Committee:** Planning Committee

**Date of Meeting:** 10 November 2021

**Report Director:** Chief Officer - Growth and Investment

**Portfolio:** Growth and Investment

**Ward Relevance:**

**Prior Consultation:**

**Contact Officer:** Richard Holt  
Development and Enforcement Manager  
01788 533687  
richard.holt@rugby.gov.uk

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** No

**Forward Plan:** No

**Corporate Priorities:** This report relates to the following priority(ies):  
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
[Corporate Strategy 2021-2024](#)  
 This report does not specifically relate to any Council priorities but

**(C) Climate**  
**(E) Economy**  
**(HC) Health and Communities**  
**(O) Organisation**

**Summary:** This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 1 July 2021 to 30 September 2021.

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

**Planning Committee - 10 November 2021**

**Planning Appeals Update**

**Public Report of the Chief Officer - Growth and Investment**

**Recommendation**

The report be noted.

**1. Introduction**

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.

**2. Appeals determined**

During the last quarter from 1 July 2021 to 30 September 2021 a total of one planning appeal was determined, of which one was allowed, costs award refused.

A total of zero enforcement appeals were determined.

A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

**3. Appeals outstanding/in progress**

As at 30 September 2021 there were five planning appeals and three enforcement appeal still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

**Name of Meeting:** Planning Committee  
**Date of Meeting:** 10 November 2021  
**Subject Matter:** Planning Appeals Update  
**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

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

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Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

## APPENDIX A

<b>Location</b>	<b>Full development description</b>	<b>Application number</b>	<b>Case Officer</b>	<b>PINS Reference</b>	<b>Decision date</b>	<b>Decision description</b>	<b>Appeal Decision</b>	<b>Appeal Decision Date</b>
LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, LONG LAWFORD	Development of 149 dwellings with associated landscaping, public open space and infrastructure, including an amended junction between the A428 Coventry Road and Back Lane.	R17/1089	Karen McCulloch	APP/E3715/W/21/3268629	10th December 2020	Refusal	Allowed / Costs Award Refused	1st September 2021

Location	Full development description	Application number	Case Officer	PINS Reference	Stage Description	Appeal Type	Decision date	Decision description	Decision level
TREETOPS, SHILTON LANE, COVENTRY, CV7 9LH	Provision of 4 no. traveller pitches and amenity block.	R18/1941	Chris Bates	APP/E3715/W/19/3243785	Appeal Lodged	Written Representations	19th July 2019	Refusal	Committee
LAND TO REAR OF DUNSMORE GARAGE, COVENTRY ROAD, THURLASTON	Erection of 4 detached dwellings with associated car parking and landscaping.	R20/0281	Frances Keenan	APP/E3715/W/20/3265719	Appeal Lodged	Written Representations	30th October 2020	Refusal	Delegated
LAND TO THE WEST OF HEATH LANE, BRINKLOW, RUGBY, WARWICKSHIRE, CV23 0NX	Erection of a stable block.	R20/0335	Chris Davies	APP/E3715/W/21/3276383	Appeal Lodged	Written Representations	10th December 2020	Refusal	Committee
LAND AT FOSSE CORNER (JUNCTION OF MILLERS LANE AND FOSSE WAY), MONKS KIRBY	Change of use of land to use as a residential caravan site for 2no. gypsy families, including siting of 2no. static caravans and 2no. touring caravans together with laying of hardstanding and erection of 2no. stable/utility buildings (retrospective). Permission sought for a temporary period of 3 years.	R20/1062	Chris Davies & Lucy Davison	APP/E3715/W/21/3278838	Appeal Lodged	Hearing	30th June 2021	Refusal	Committee
COTTAGE FARM, HEATH LANE, BRINKLOW, RUGBY, CV23 0NX	Demolition of existing equestrian buildings and erection of 4no. dwellings.	R20/1073	Sam Burbidge	APP/E3715/W/21/3274080	Appeal Lodged	Written Representations	24th March 2021	Refusal	Delegated

## APPENDIX B

Nature of problem	Location	Case No.	PINS reference	Appeal Hearing type ENF	Case Officer
Unauthorised Gypsy and Traveller encampment and associated works	LAND AT TOP ROAD, TOP ROAD, BARNACLE	ENF/2020/0058	APP/E3715/C/20/3251933 (325194, 325195, 325196, 325197, 3255440, 3255441, 3255442, 3255443, 3255444)	Hearing	Nigel Reeves
Unauthorised Gypsy and Traveller encampment site	LAND ADJACENT TO MILLERS LANE, FOSSE WAY, MONKS KIRBY	ENF/2020/0360	APP/E3715/C/21/3267184	Written Representations	Hitesh Tosar
Alleged rebuilding of stable	BARN MEADOW FARM, CALCUTT LANE, STOCKTON, RUGBY, CV23 8HY	ENF/2020/0101	APP/E3715/C/21/3273997	Written Representations	Chris Davies

**AGENDA MANAGEMENT SHEET**

**Report Title:** Delegated Decisions - 23 September 2021 to 20 October 2021

**Name of Committee:** Planning Committee

**Date of Meeting:** 10 November 2021

**Report Director:** Chief Officer - Growth and Investment

**Portfolio:** Growth and Investment

**Ward Relevance:** All

**Prior Consultation:** None

**Contact Officer:** Dan McGahey  
Search and Systems Officer  
01788 533774  
daniel.mcgahey@rugby.gov.uk

**Public or Private:** Public

**Report Subject to Call-In:** No

**Report En-Bloc:** No

**Forward Plan:** No

**Corporate Priorities:** This report relates to the following priority(ies):  
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
[Corporate Strategy 2021-2024](#)  
 This report does not specifically relate to any Council priorities but

**Summary:** The report lists the decisions taken by the Chief Officer for Growth and Investment under delegated powers.

**Financial Implications:** There are no financial implications for this report.

<b>Risk Management Implications:</b>	There are no risk management implications for this report.
<b>Environmental Implications:</b>	There are no environmental implications for this report.
<b>Legal Implications:</b>	There are no legal implications for this report.
<b>Equality and Diversity:</b>	There are no equality and diversity implications for this report.
<b>Options:</b>	
<b>Recommendation:</b>	The report be noted.
<b>Reasons for Recommendation:</b>	To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers.

**Planning Committee - 10 November 2021**

**Delegated Decisions - 23 September 2021 to 20 October 2021**

**Public Report of the Chief Officer - Growth and Investment**

**Recommendation**

The report be noted.

**Name of Meeting:** Planning Committee

**Date of Meeting:** 10 November 2021

**Subject Matter:** Delegated Decisions - 23 September 2021 to 20 October 2021

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>

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

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Exempt information is contained in the following documents:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

# DECISIONS TAKEN BY THE CHIEF OFFICER FOR GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 23/09/2021 To 20/10/2021

APPENDIX

## Delegated

### 8 Weeks PA Applications

#### Applications Refused

R21/0884 8 Weeks PA Refusal 11/10/2021	KILMORE HOUSE, COVENTRY ROAD, WOLVEY, HINCKLEY, LE10 3LD	Erection of a swimming pool building
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R21/0591 8 Weeks PA Refusal 18/10/2021	7, Old Rectory Close, CHURCHOVER, RUGBY, CV23 0EN	Erection of a 3-bedroom dwelling situated on land to the rear of 7 Old Rectory close. Vehicular and pedestrian access to the proposed site from Church Street. Associated parking proposed on site.
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#### Applications Approved

R21/0618 8 Weeks PA Approval 23/09/2021	103, FLAT, VICTORIA STREET, RUGBY, CV21 2HW	Conversion of 1no. flat into 2no. flats
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R21/0716 8 Weeks PA Approval 23/09/2021	7, LARCHFIELDS, WOLSTON, COVENTRY, CV8 3JL	Single Storey Rear Extension
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## Delegated

### 8 Weeks PA Applications Applications Approved

R21/0774 8 Weeks PA Approval 23/09/2021	BROOK HOUSE, 20, BROOKSIDE, STRETTON-ON- DUNSMORE, RUGBY, CV23 9LY	Removal of small overhang porch and replacement with a larger porch
R21/0274 8 Weeks PA Approval 24/09/2021	MANOR FARM, MAIN STREET, EASENHALL, RUGBY, CV23 0JA	Proposed refurbishment of existing agricultural buildings and conversion to residential use.
R21/0298 8 Weeks PA Approval 24/09/2021	MILLHOLME PARC FARM, LAND TO THE SOUTH OF FLECKNOE ROAD, FLECKNOE ROAD, BROADWELL, RUGBY, CV23 8BA	Erection of a temporary rural workers dwelling for a period of three years
R21/0330 8 Weeks PA Approval 24/09/2021	ABBAY FARM, HINCKLEY ROAD, WOLVEY, HINCKLEY, LE10 3HQ	Barn conversion to form no.1 residential dwelling with erection of a conservatory and porch
R21/0669 8 Weeks PA Approval 24/09/2021	7, MAPLE GROVE, RUGBY, CV21 2QS	Retrospective application for an erected timber framed gazebo in the rear garden of 7 Maple Grove. This structure contains an eaves height of 2.275m and a

## Delegated

### 8 Weeks PA Applications Applications Approved

total height of 3.4m.

R21/0676  
8 Weeks PA  
Approval  
24/09/2021

adja. Sheriff House, Hillbrow  
Playing Field, Barby Road,  
Rugby, CV225DU

Proposed footpath to the edge of  
the Hillbrow playing field

R21/0854  
8 Weeks PA  
Approval  
24/09/2021

6, THE GREEN, DUNCHURCH,  
RUGBY, CV22 6NX

Replacement of the shop  
frontage including installation of  
an awning.

R21/0546  
8 Weeks PA  
Approval  
28/09/2021

49, HILLMORTON ROAD,  
RUGBY, CV22 5AB

Demolition of existing rear  
building with the erection of new  
single storey rear extension.

R21/0675  
8 Weeks PA  
Approval  
28/09/2021

10, BIRCH DRIVE, RUGBY,  
CV22 7TQ

Single storey rear extension to  
property.

R21/0895  
8 Weeks PA  
Approval  
28/09/2021

Unit 1b, Stepnell Park, Lawford  
Road, Rugby, CV21 2UX

Insertion of 16 high-level vents  
including the provision of security  
bars and mirror film to existing  
double access doors.

## Delegated

### 8 Weeks PA Applications Applications Approved

R21/0727 8 Weeks PA Approval 29/09/2021	9, DUN COW CLOSE, BRINKLOW, RUGBY, CV23 0NZ	Removal of existing window and installation of two new windows to east elevation and installation of new patio doors to south elevation.
R21/0773 8 Weeks PA Approval 30/09/2021	APPLE TREE HOUSE, 10, OXFORD ROAD, MARTON, RUGBY, CV23 9RT	Construction of 2 timber carports
R21/0307 8 Weeks PA Approval 01/10/2021	1A, A ONE SOCIAL CLUB, MARKET STREET, RUGBY, CV21 3HG	Full Planning permission for the demolition of existing social club. Erection of 6no. New flats, together with access road, parking & associated works. This application follows on from Outline approval R15/0605.
R21/0800 8 Weeks PA Approval 01/10/2021	21, BEACONSFIELD AVENUE, RUGBY, CV22 6BY	Loft conversion and erection of dormer feature to the rear roof of the dwelling house.
R20/0824 8 Weeks PA Approval	LILAC, OXFORD ROAD, RYTON- ON-DUNSMORE, COVENTRY, CV8 3EA	Alteration to existing flat roof to a hipped roof

## Delegated

### 8 Weeks PA Applications

#### Applications Approved

04/10/2021

R21/0657  
8 Weeks PA  
Approval  
04/10/2021

6, Medhurst Close, Dunchurch,  
Rugby, CV22 6QQ

Erection of a first floor side  
extension and garage  
conversion.

R21/0890  
8 Weeks PA  
Approval  
04/10/2021

HOSPITAL OF ST CROSS,  
BARBY ROAD, RUGBY, CV22  
5PX

Siting of mobile endoscopy unit  
on temporary basis  
(approximately 12 month period).

R21/0870  
8 Weeks PA  
Approval  
05/10/2021

40, CATESBY ROAD, RUGBY,  
CV22 5JL

Erection of a single storey rear  
and side extension

R21/0764  
8 Weeks PA  
Approval  
06/10/2021

THE OLD MANOR HOUSE,  
Rugby Road, HARBOROUGH  
MAGNA, RUGBY, CV23 0HL

External and internal alterations  
to partially convert and partially  
rebuild existing barns to form  
garages, workshop and home  
offices along with erection of  
connecting oak framed carport  
structure and provision of  
external storage area.

R21/0852  
8 Weeks PA

108, BAY TREE HOUSE, MAIN  
STREET, RUGBY, CV21 1HW

Erection of new double garage

## Delegated

### 8 Weeks PA Applications Applications Approved

Approval  
06/10/2021

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R20/0654 8 Weeks PA Approval 07/10/2021	HONEYSUCKLE COTTAGE, 26 BOND END, MONKS KIRBY, RUGBY, CV23 0RD	Erection of a two storey rear extension.
R21/0754 8 Weeks PA Approval 07/10/2021	4, SHEARWATER DRIVE, RUGBY, CV23 0WY	Single storey rear / side extension
R21/0776 8 Weeks PA Approval 07/10/2021	OAKDENE, RUGBY ROAD, BRETTFORD, RUGBY, CV23 0LB	Conversion of existing garage into residential annexe
R21/0842 8 Weeks PA Approval 07/10/2021	56, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AX	First floor side extension over existing garage and playroom.
R21/0849 8 Weeks PA Approval 07/10/2021	115, OVERSLADE LANE, RUGBY, CV22 6EE	Material alterations to planning permission reference R19/1219 (Erection of a two storey side and rear extension and a single storey rear extension, dated 28

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## Delegated

### 8 Weeks PA Applications Applications Approved

April 2020) including installation of a rear dormer, and conversion of the loft to an ensuite bedroom (partially retrospective).

R21/0127  
8 Weeks PA  
Approval  
08/10/2021

39, LIME TREE AVENUE,  
RUGBY, CV22 7QT

Demolition of existing detached garage, erection of two storey front extension, two storey part single storey side extensions, single storey rear extension, new detached garage, provision of entrance gates and various external alterations.

R21/0781  
8 Weeks PA  
Approval  
08/10/2021

15, STAVELEY WAY, RUGBY,  
CV21 1TP

Proposed conversion of existing garage to a habitable room and new porch

R21/0787  
8 Weeks PA  
Approval  
08/10/2021

117, OVERSLADE LANE,  
RUGBY, CV22 6EE

Proposed extensions and alterations to existing dwelling including remodelling

R21/0733  
8 Weeks PA  
Approval  
11/10/2021

45, SANDFORD WAY,  
DUNCHURCH, RUGBY, CV22  
6NB

Single storey front extension to property.

## Delegated

### 8 Weeks PA Applications Applications Approved

R21/0537 8 Weeks PA Approval 12/10/2021	LANG HILLS, SOUTHAM ROAD, DUNCHURCH, RUGBY, CV22 6NW	Proposed single storey rear and side extensions
R21/0560 8 Weeks PA Approval 12/10/2021	28, SCHOOL LANE, STRETTON- ON-DUNSMORE, RUGBY, CV23 9ND	Outline planning application for single storey detached bungalow with all matters reserved.
R21/0650 8 Weeks PA Approval 12/10/2021	1, SCHOOL LANE, STRETTON- ON-DUNSMORE, RUGBY, CV23 9NB	Erection of a car port and front canopy
R21/0892 8 Weeks PA Approval 12/10/2021	24, RAILWAY TERRACE, RUGBY, CV21 3LJ	Reinstatement of shop frontage and other alterations to the retail unit.
R20/0901 8 Weeks PA Approval 13/10/2021	Keepers Cottage, Newnham Fields Farm, Newnham Paddock, Coal Pit Lane, Willey, Rugby, CV23 0RX	Demolition of the existing ancillary buildings and the extension of the main property to form a four bedroom dwelling , erection of a detached garage and associated parking and amenities.

## Delegated

### 8 Weeks PA Applications Applications Approved

R21/0550 8 Weeks PA Approval 13/10/2021	19, ARNOLD DRIVE, RUGBY, CV23 9FU	Single storey rear extension
R21/0174 8 Weeks PA Approval 14/10/2021	TOFT HOUSE, SOUTHAM ROAD, DUNCHURCH, RUGBY, CV22 6NR	Change of use from B&B to residential forming two x one bedroom flats
R21/0600 8 Weeks PA Approval 14/10/2021	ST BRIDES, COVENTRY ROAD, RUGBY, CV22 7RY	Erection of Single Storey Rear Extension
R21/0645 8 Weeks PA Approval 14/10/2021	104, GROVE ROAD, ANSTY, COVENTRY, CV7 9JE	Proposed garage conversion, new porch, side and rear extensions and new boundary fencing
R21/0819 8 Weeks PA Approval 14/10/2021	104, AVON MILL INN, NEWBOLD ROAD, RUGBY, CV21 1DH	Variation of Condition 2 of planning permission reference R19/0777 (Demolition of existing Public House and erection of coffee shop with drive through facility, approved 27 November 2019) to update the previously approved design and layout so

## Delegated

### 8 Weeks PA Applications Applications Approved

that it accords with the latest EMEA design model.

R21/0844  
8 Weeks PA  
Approval  
14/10/2021

33, HILLMORTON ROAD,  
RUGBY, CV22 5AB

New and replacement folding doors to side & rear elevation

R21/0490  
8 Weeks PA  
Approval  
15/10/2021

Telecommunications site,  
Cawston Lane Pumping Station,  
Cawston Lane, Cawston, Rugby,  
CV22 7SA

Removal of the existing 25m high monopole and the erection of a new replacement 25m high monopole with increased width to structurally support new headframe and antennae within the existing compound

R21/0644  
8 Weeks PA  
Approval  
15/10/2021

118, CYMBELINE WAY, RUGBY,  
CV22 6LA

Erection of a rear ground floor extension to residential dwelling and alteration of a flat roof side extension to a mono pitched roof

R21/0755  
8 Weeks PA  
Approval  
15/10/2021

88, CRAVEN ROAD, RUGBY,  
CV21 3JX

Change of use of an existing 3 bedroom house (C3) into a 7 person HMO (sue generis) along with alterations to the existing property in order to accommodate this proposed change.

## Delegated

### 8 Weeks PA Applications Applications Approved

R21/0799 8 Weeks PA Approval 18/10/2021	HOLLY TREE LODGE, HILLMORTON LANE, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BA	Proposed single storey rear extension to dwelling.
R21/0802 8 Weeks PA Approval 19/10/2021	63, BAWNMORE ROAD, RUGBY, CV22 6JN	Single storey wrap around extension to the rear and side of dwelling house.
R21/0869 8 Weeks PA Approval 19/10/2021	LONGHAM MEADOW FARM, HILL ROAD, GRANDBOROUGH, RUGBY, CV23 8DL	Erection of a new steel portal frame barn
R21/0858 8 Weeks PA Approval 20/10/2021	BRINKLOW MARINA CATHIRON LANE BRINKLOW CV23 0JH	This planning application is for retrospective approval for the construction of a Marina reception/ security building, and approval for the construction of a new facilities unit which will house washing and changing facilities for visitors to Brinklow Marina.
R21/0897 8 Weeks PA		

## Delegated

### 8 Weeks PA Applications

#### Applications Approved

Approval 20/10/2021	AXE AND COMPASS, LUTTERWORTH ROAD, WOLVEY, HINCKLEY, LE10 3HG	Erection of a single storey side extension (resubmission of planning permission reference R17/1594, dated 24/10/17).
R21/0909 8 Weeks PA Approval 20/10/2021	8, PERMIAN CLOSE, RUGBY, CV21 1XE	Erection of a single storey rear extension, together with extension and enclosure of existing porch.

### Certificate of Lawfulness Applications

#### Applications Approved

R21/0867 Certificate of Lawfulness Approval 23/09/2021	19, Yew Tree Hill, Brinklow, Rugby, CV23 0NP	Certificate of Lawfulness for erection of 3m single storey rear extension.
R21/0735 Certificate of Lawfulness Approval 24/09/2021	THE LAURELS, MAIN STREET, HARBOROUGH MAGNA, RUGBY, CV23 0HS	Certificate of lawfulness for use of land at the rear of The Laurels as residential amenity space

## Delegated

### Certificate of Lawfulness Applications Applications Approved

R21/0786 Certificate of Lawfulness Approval 24/09/2021	OLCOTE, MAIN STREET, BIRDINGBURY, RUGBY, CV23 8EL	Certificate of Lawfulness for a single storey rear extension
R21/0907 Certificate of Lawfulness Approval 04/10/2021	1, Fallow Field Close, Rugby, CV22 7PN	Certificate of proposed development for a single storey rear extension.
R21/0741 Certificate of Lawfulness Approval 07/10/2021	DOWER COTTAGE, CHURCH HILL, WOLVEY, HINCKLEY, LE10 3LB	Single storey rear extension
R21/0801 Certificate of Lawfulness Approval 07/10/2021	8, ULVERSTON, RUGBY, CV21 1EE	Single storey extension to the NW side of existing dwelling house
	8, HART CLOSE, RUGBY, CV21 3TP	Certificate of lawfulness for erection of retrospective single storey rear extension to the

## Delegated

### Certificate of Lawfulness Applications Applications Approved

R21/0950  
Certificate of  
Lawfulness  
Approval  
15/10/2021

property.

R21/0977  
Certificate of  
Lawfulness  
Approval  
19/10/2021

97, GLEBE CRESCENT,  
RUGBY, CV21 2HQ

Certificate of Lawfulness for a  
proposed loft conversion with  
gable end build up and rear  
dormer along with proposed  
skylights.

### Discharge of Conditions Applications Approved

R20/0472  
23/09/2021

RYTON LODGE, OXFORD  
ROAD, RYTON-ON-  
DUNSMORE, RUGBY, CV8 3EJ

Change of use of agricultural land  
to open storage associated with  
industrial use together with  
regrading of site levels and  
formation of swale

R20/1054  
01/10/2021

1, MEADOW CLOSE,  
STRETTON-ON-DUNSMORE,  
RUGBY, CV23 9NL

Proposed agricultural barn with  
associated external works. New  
gate and boundary wall to  
existing field.

## Delegated

### Discharge of Conditions Applications Approved

R20/0740	LAND TO REAR OF 36 WARREN ROAD, BOWEN ROAD, RUGBY	Proposed detached dwelling
06/10/2021		
R21/0071	Adjacent to Forge Cottage, 26, Main Street, Willoughby, Rugby, CV23 8BH	Conversion of redundant barn and outbuildings to create one residential unit. New detached garage structure, driveway and new access onto the highway. Minor works to two adjacent Listed properties.
08/10/2021		
R20/1054	1, MEADOW CLOSE, STRETTON-ON-DUNSMORE, RUGBY, CV23 9NL	Proposed agricultural barn with associated external works. New gate and boundary wall to existing field.
12/10/2021		
R19/1419	WEBB ELLIS INDUSTRIAL ESTATE, WOODSIDE PARK, RUGBY, CV21 2NP	Erection of 12 no. new build apartments comprising 4 no. 1-bed and 8 no. 2-bed flats.
19/10/2021		

### Listed Building Consent Applications Applications Approved

## Delegated

### Listed Building Consent Applications

#### Applications Approved

MANOR FARM, MAIN STREET,  
EASENHALL, RUGBY, CV23  
0JA

R21/0277  
Listed Building Consent  
Approval  
24/09/2021

Listed Building Consent for  
proposed refurbishment of  
existing agricultural buildings and  
conversion to residential use.

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R20/0826  
Listed Building Consent  
Approval  
07/10/2021

HONEYSUCKLE COTTAGE, 26,  
BOND END, MONKS KIRBY,  
RUGBY, CV23 0RD

Listed Building consent for  
erection of a two storey rear  
extension.

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### Non Material Amendment Applications

#### Applications Approved

R21/0547  
34, COTON PARK DRIVE,  
RUGBY, CV23 0WN

Non-Material  
Amendment agreed  
27/09/2021

Removal of existing conservatory  
and the erection of a new single  
storey rear extension measuring  
out by 5.5m.

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R20/0580  
3 , Meadow Road, Wolston, CV8  
3HL

Non-Material  
Amendment agreed  
28/09/2021

Proposed single storey rear  
Conservatory

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## Delegated

### Non Material Amendment Applications Applications Approved

R20/0572	REAR OF, 58, Manor Road, Rugby, CV21 2TG	Conversion of former motorcycle MOT garage into two residential flats.
Non-Material Amendment agreed 05/10/2021		

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R20/0341	SHOULDER OF MUTTON INN, BROOKSIDE, STRETTON-ON- DUNSMORE, RUGBY, CV23 9LY	Proposed conversion of former public house and coach house into 2no. dwellings and all other associated works including minor demolition and extensions
Non-Material Amendment agreed 06/10/2021		

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### Prior Approval Applications Prior Approval Applications

R21/0841	LAND TO NORTH OF MARTON ROAD, BIRDINGBURY, RUGBY, CV23 8EH	Proposed 18.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.
Telecoms Prior Approval Required and Refused 23/09/2021		

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R21/0452	MARSTON MILL FARM, PRIORY ROAD, WOLSTON, COVENTRY, CV8 3FX	Prior Approval for the conversion of existing redundant steel portal framed building to one no. 3bed dwelling. To include provision of photovoltaic panels and battery storage for electrical supply, and
Prior Approval change of use Required and Approved 27/09/2021		

## Delegated

### Prior Approval Applications

### Prior Approval Applications

a solar and air-sourced heat recovery system for heating and hot water provision and an underground water storage tank to harvest rainwater.

R21/0453  
Prior Approval change  
of use  
Required and Approved  
27/09/2021

MARSTON MILL FARM,  
PRIORY ROAD, WOLSTON,  
COVENTRY, CV8 3FX

Prior Approval - change of use for conversion of existing redundant agricultural building to Flexible Commercial Use (Class R), providing a shared office, kitchen and welfare facilities, a meeting/training room and a workshop/storage space for tools and light construction equipment.

R20/0850  
Prior Approval change  
of use  
Required and Refused  
29/09/2021

SOWE FIELDS FARM,  
LENTONS LANE, ALDERMANS  
GREEN, COVENTRY, CV2 1PA

Prior approval for change of use of Agricultural building to 2 no.dwellinghouses (Class Q)

R20/0851  
Prior Approval change  
of use  
Required and Refused  
29/09/2021

SOWE FIELDS FARM,  
LENTONS LANE, ALDERMANS  
GREEN, COVENTRY, CV2 1PA

Prior approval for change of use of Agricultural building to 1 no.dwellinghouses (Class Q)

Barn adjacent to Nethercote

## Delegated

### Prior Approval Applications

#### Prior Approval Applications

Barn, Nethercote Road,  
Nethercote, Flecknoe, CV23 8AS

R21/0876  
Prior Approval change  
of use  
Required and Refused  
30/09/2021

Prior Approval change of use -  
Alterations, including removal of  
structures on the east and west  
elevations, and re-use of  
agricultural building to form  
dwelling.

R21/0885  
Telecoms Prior  
Approval  
Required and Approved  
11/10/2021

LAND TO EAST OF NEWBOLD  
ROAD, RUGBY, CV21 2LX

Proposed 20 metre high  
monopole supporting 12 no.  
antenna apertures and 2 no.  
transmission dishes, the  
installation 7 no. equipment  
cabinets and development  
ancillary thereto

R21/0896  
Telecoms Prior  
Approval  
Required and Approved  
14/10/2021

LAND TO WEST OF DAVENTRY  
ROAD, DUNCHURCH, RUGBY,  
CV22 6NT

Proposed 20.0m Phase 8  
Monopole C/W wraparound  
Cabinet at base and associated  
ancillary works.

R21/1029  
Agriculture Prior  
Approval  
Not Required  
14/10/2021

LAND NEAR LODGE FARM,  
VICARAGE LANE,  
DUNCHURCH, RUGBY, CV22  
6QR

Prior notification of intention to  
erect a secure storage shed and  
use for forestry purposes.