



6 August 2021

PLANNING COMMITTEE - 18 AUGUST 2021

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 18 August 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 21 July 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 – 1 July 2021 to 28 July 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). 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).

Planning Committee – 18 August 2021

Report of the Executive Director

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	R20/0968	Wolvey Campus, Leicester Road, Wolvey, Hinckley, LE10 3HL Outline application with all matters reserved, aside from access into the site, for residential development.	3
2	R20/0991	Former Railway Bridge (known as Bridge 22), over A423, adjacent to The Old Station Yard Industrial Estate Demolition of existing brick arch bridge, removal of deck, arches and piers, and erection of steel truss bridge installed on existing abutment to be used for cycling and walking.	39
3	R21/0501	Ansty Business Park, Pilot Way, Coventry, CV7 9JU Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works	55
4	R21/0525	Rolls Royce, Coombe Fields Road, Coventry, CV7 9JR Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Coombe Fields Road, access road, car parking, cycle parking, lorry parking, service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings.	67

Reference: R20/0968

Site Address: Wolvey Campus, Leicester Road, Wolvey, Hinckley, LE10 3HL

Description: Outline application with all matters reserved, aside from access into the site, for residential development

Recommendation

1. Planning application R20/0968 be granted subject to:
 - a. The conditions and informatives set out in the draft decision notice appended to this report;
 - b. The completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.

2. The Executive Director (in consultation with the Planning Committee Charmain) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the head of terms within this report.

1.0 Background

- 1.1 The application is being reported to Planning Committee for determination because the proposed development falls within the definition of a major development.

2.0 Description of Proposals

- 2.1 This application seeks permission for residential development with all matters reserved apart from access for up to 90 dwellings. The proposal includes an indicative layout.

3.0 Description of Site

- 3.1 The site is 3.74 hectares in area, situated on the outskirts of Wolvey which is around 11 miles northwest of Rugby, with Hinckley situated 5 miles north of the site and Nuneaton 6 miles to the northwest. The site is currently occupied by Galliford Try Construction Limited who are national building contractors and are due to officially vacate the site this year. Numerous single and two storey office and storage buildings are located on the site which this application seeks to demolish/remove.

4.0 Planning History

- 4.1 None relevant

5.0 Technical consultation responses

Natural England	No comments
Historic England	No comments
RBC Environmental Health	No objection subject to conditions
RBC Housing	No objection subject to S106 contribution
RBC Parks and Grounds	No objection subject to S106 contribution
RBC Tree Officer	No objection subject to conditions
RBC Trees and Landscaping	No objection subject to conditions
Warwickshire Fire & Rescue	No objection subject to conditions/informatives
WCC Archaeology	No objection as previous disturbance across the site would most likely have destroyed any archaeological remains if they were present prior to construction of Wolvey Campus
WCC Flood Risk Management	No objection subject to conditions
WCC Highways	No objection subject to conditions and informatives and a S106 contribution
WCC Ecology	No objection subject to conditions
WCC Infrastructure	No objection subject to financial contributions
WCC Public Rights of Way	No objection subject to S106 contribution
NHS West Leicestershire CCG	Request S106 to mitigate impact on nearby GP practice
Ramblers	No objection

6.0 Third Party Consultation Responses:

Wolvey Parish Council are supportive of the scheme.
No objections have been received from neighbouring occupiers or local residents

7.0 Development Plan and Material Considerations

7.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 The Statutory Development Plan for the area relevant to this application site comprises the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below:

7.3 Rugby Borough Local Plan 2011-2031, June 2019

GP1:	Securing Sustainable Development
GP2:	Settlement Hierarchy
GP3:	Previously Developed Land and Conversions

DS3:	Residential Allocations
DS6:	Rural Allocations
H1:	Informing Housing Mix
H2:	Affordable Housing Provision
HS1:	Healthy, Safe and Inclusive Communities
HS4:	Open Space, Sports and Recreation
HS5:	Traffic Generation and Air Quality, Noise and Vibration
NE1:	Protecting Designated Biodiversity and Geodiversity Assets
NE2:	Strategic Green and Blue Infrastructure
NE3:	Landscape Protection and Enhancement
SDC1:	Residential Amenity
SDC2:	Landscaping
SDC3:	Heritage
SDC4:	Sustainable Buildings
SDC5:	Flood Risk Management
SDC6:	Sustainable Drainage
SDC9:	Broadband and Mobile Internet
D1:	Transport
D2:	Parking facilities
D4:	Planning Obligations

7.4 Material Considerations

National Planning Policy Framework, 2021 (NPPF)
National Planning Practice Guidance (NPPG)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)
National Design Guide (2019)
Emerging Wolvey Neighbourhood Plan

8.0 Assessment of proposals

8.1 Key Issues

Section 10 Green Belt
Section 11 Design, Layout and Landscaping
Section 12 Biodiversity

8.2 This is an outline scheme with all matters reserved except for access. A Landscape Strategy Plan has been submitted which sets structural landscaping for the site, meaning that development is framed around the perimeter with landscaping, providing a 'structure'. The intention is that a detailed layout, set within the frame of the boundary landscaping, is submitted at reserved matters stage.

9.0 Principle of development

9.1 Policy GP1 of the Local Plan seeks to secure sustainable development in accordance with adopted policies. Policy GP2 sets out the settlement hierarchy which places Rugby as the main focus for all developments in the borough in sustainability terms. Policy GP3 supports the reuse of previously developed land

subject to the visual impact on the surrounding landscape and properties, the impact on existing services, and impact on heritage or biodiversity assets. Main rural settlements are at the second tier in terms of sustainable development as part of the hierarchy. Whilst outside of the village boundary of Wolvey but in the Green Belt, it is in close proximity to the services of the village. The development pack for Wolvey Campus, as part of Examination Library to the Local Plan shows that, in terms of walking distance, the village hall is 590 metres away, the nearest convenience shop and Post Office are 510 metres away, the surgery and nearest bus stop is 610 metres away, all of which are within a reasonable walking distance. Whilst the Primary school is 860 metres away, this is estimated to be an average 12 minute walk, which is not considered to be unreasonable. The fact that the site was allocated in the Local Plan also means that it has been determined that it is within a sustainable location and conforms with policy GP2 of the Local Plan (in terms of the settlement hierarchy). As such the development is considered to be sustainable development.

- 9.2 Policy DS3 sets out how sites within the Main Rural Settlements will contribute to the borough's overall housing need and Wolvey Campus is allocated for around 85 dwellings as part of DS3.12. Development within 6 of the 9 Main rural settlements plays a supplementary role to Rugby Town in delivering strategic housing growth targets for the borough. The development of the site not only deals with the needs of Wolvey, therefore, but is partially contributing to housing delivery for the borough as a whole. The strategy for distributing housing development across the Borough is based on firstly, the need to maximise housing delivery at Rugby Town as the most sustainable location in the borough, and secondly, to provide an alternative housing market in selected Main Rural Settlements which are at the second tier of the settlement hierarchy in sustainability terms. In achieving this, smaller rural villages which are in less sustainable locations, receive greater protection from speculative development that would be harmful to their respective character and function, providing the Council's 5-year housing supply is maintained. Development of this site is also part of the Council's 5-year housing land supply and approving this scheme will contribute to maintaining that supply.
- 9.3 Whilst the scheme is an allocated site, it remains within the Green Belt. The site was discussed extensively at the hearings as part of the Examination in Public of the Local Plan. The Inspector stated that the Employment Land Study suggested an available supply of employment land within the Borough and that whilst the scheme is an allocated site, it remains within the Green Belt and was "a suitable location for housing". He noted the exceptions to national Green Belt policy, including the redevelopment of previously developed land (either redundant or continuous use) "which would not have a greater impact on the openness of the Green Belt or the purposes of including land within it." He went on to state that he was satisfied that there is the potential "for an application for its development to be favourably considered against national Green Belt policy." He noted that the site is within an area of high landscape sensitivity, but "the redevelopment of the

existing commercial buildings would provide an opportunity to reduce the impact of the site on the surrounding landscape” through the application of policies [NE3] and SDC1. He emphasised that development of the site should protect or enhance the biodiversity of the Wolvey Rush Local Wildlife Site and preserve the setting of the adjacent row of listed cottages. For the reasons outlined in this section, the site is in principle suitable for development.

10.0 Green Belt

10.1 National policy on Green Belt is set out within the Framework at section 13 and paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Exceptions to the inappropriate development are listed in paragraph 149 of the Framework where a number of exceptions are set out. Paragraph 149 (g) of the Framework allows for circumstances where limited infilling or ‘the partial or complete redevelopment of previously developed land, whether redundant or in continuing use’.

10.2 Previously developed land (PDL) is defined in Annex 2 of the Framework as follows:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.”

It is considered that the site benefits from this definition and is PDL.

10.3 There are caveats to developing PDL set out in two points within paragraph 149 (g). Development would need to:

-not have a greater impact on the openness of the Green Belt than the existing development; or

-not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”

10.4 In the present case, the proposed development contributes 18 units of affordable housing. As a result, the second point of 149 (g) is engaged and it is necessary to determine whether or not the proposed development would cause substantial harm to the openness of the Green Belt to determine if it is inappropriate development or not. If the site can be developed in a way that does not cause substantial harm to openness, and it continues to provide affordable housing, it would not be inappropriate development in Green Belt terms.

Effect on Openness

- 10.5 The consideration of openness should be tested in line with policy including the NPPF. Openness is commonly measured both spatially and visually. Volume comparisons between what is present in the un-redeveloped situation compared with the proposed development helps to determine impact. If the volumes of the existing structures on site, are broadly in line with the volumes of the proposed structures, even if arranged differently in a spatial sense, then the impact on openness is generally considered reasonable.
- 10.6 The volume of the proposals at pre-app stage was 28,499m³ which represented a 12% increase on the existing 25,066m³ calculated volume. This included volumes of the storage facilities on site, including shipping containers. Whilst shipping containers are not fixed to the ground, and capable of being considered to be temporary structures, these become immune from enforcement action because of the length of time in situ (more than four years). A 12% increase on existing volume levels at pre-app stage was considered beyond the definition as 'broadly in line' with existing on site volumes and it was requested to be reduced. In the current scheme, equivalent volumes have now been reduced to 9.2% above that of the existing volumes at 27,037m³. The difference in volume from the existing and proposed situation is considered reasonable and would not result in substantial harm to the openness of the Green Belt. Whilst a small increase, the volume would be in general terms spread and flattened, mainly at two stories in height, with the occasional higher landmark building spread over the developed footprint, which occupies 75% of the site. Broadly speaking, in spatial terms, the volumes are not substantially different to cause substantial harm to openness; the volume will simply be arranged differently.
- 10.7 Whilst volumetric comparisons are considered broadly in line between existing and proposed volumes, parts of the developed footprint have no volume in themselves i.e. they are tarmac with no existing structures upon them. These are open (albeit occupied by parked cars when the site was in full use). This is to be considered in a visual sense, both internally and when viewing the site externally. The removal of the 1950's three storey buildings (which are in clustered groups) would benefit openness in a visual sense internally, which weighs in favour of the scheme. The open tarmac areas in the proposal would have volume in the form of two storey houses, which could restrict openness. However, the overall effect of flattening and spreading the volume is compensated for due to the relationship of the developed and landscaped areas and the central green corridor. This is a key improvement both visually and in terms of biodiversity, which contains substantial landscaping, SuDs and children's play areas. This feature is a key improvement to openness which improves the existing poor design and instead plans for 'beauty', an emerging theme in the new NPPF. Coupled with the retention and enhancement of boundary landscaping, since very little parts of the site are visible externally, as confirmed with the LVIA the overall effect on openness against paragraph 149 (g) criteria 2 is minimal. It is not considered to result in substantial harm. It is therefore concluded that this proposal benefits from the exception in 149 (g) and is not inappropriate development within the Green Belt. Even if it was considered that

this test is failed, the fact that the site is an allocation site within the adopted Local Plan means that very special circumstances would exist to allow development on this site in line with the adopted plan.

11.0 Design, Layout and Landscaping

- 11.1 Since all matters in relation to design and layout are to be determined at the reserved matters stage, the main issue to consider at this stage relates to the landscaping providing an overall design framework to the layout of the scheme. An illustrative Masterplan has been submitted which demonstrates how the proposed scheme could be delivered on the site, which occupies a relatively low position in elevation, not close to any highly sensitive vantage points or key vistas. A substantial number of mature trees are located predominantly along the site boundaries, providing a natural barrier to redevelopment. New tree and grassland planting to the northern boundary is proposed adjacent to the listed cottages providing a green buffer between the new development and the listed building, thus enhancing its current setting. The masterplan layout seeks to break up the vast area of hardstanding and large building mass, and to increase green infrastructure across the site. A new green corridor will be created running north to south across the site, with green 'fingers' incorporating a pedestrian network, with new connections into the existing public footpath network and into Wolvey Local Wildlife Reserve. A new central spine links development plots to the east and west with key nodal points providing an opportunity for public squares or shared surfaces. Green streets are proposed to soften up hard linear road infrastructure and provide amenity space for the residents. The green infrastructure corridor also proposes SuDs, ecology habitats and wildlife connectivity corridors. A public square or green pocket where the willow trees were located (which have to be removed due to the substation needing to be removed) in the south west corner of the site is also envisaged. The green corridor defines two large development plots which are subdivided into smaller development zones, which allows plots to develop character zones. The green infrastructure is made up of multiple layers of pedestrian routes, green spaces, corridors, wildlife habitats, social interaction spaces and play zones. New wildlife habitats are proposed enhancing the existing habitats around the perimeter of the site. Natural play zones are incorporated into the green open spaces.
- 11.2 Policies SDC2 and NE3 of the Local Plan relate to Landscape Protection and Enhancement, and seek to integrate landscape planning into the design of the development at an early stage, consider landscape context, enhance key landscape features, address the importance of habitat biodiversity features ensuring their long term management and maintenance, and expanding these features through means such as buffering. Policy SDC2 specifically refers to the need to provide sufficient planting around the perimeter of the site to minimise visual intrusion on neighbouring uses. The site is generally of commercial character with the majority of the existing footprint developed with office and storage buildings with landscaping at present restricted to the perimeter of the site. Established hedges and groups of mature trees create a buffer to the

surrounding open countryside, which is to be strengthened in the proposals, showing a significant improvement on the existing situation. Wolvey Parish belongs to a landscape character called the High Cross Plateau which is characterised by village farmlands, sparsely populated, characterised by wide rolling ridges and valleys. The site and surroundings are mainly pastoral, hedgerow landscaping normally associated with village settlements. The River Anker is part of the flood zone water network, extending into meadow lands that follows the valley bottom. The LVIA confirms that the impact on the landscape is minimal, due to the tree screening around the perimeter.

11.3 The local building vernacular is of red clay brick with clay pantile pitched roofs with Flemish bond brick coursing with a diapering pattern. Materials as suggested to be controlled in the reserved matters by condition 7. The indicative design focusses around the developable area being split into two zones with a central green space corridor to house a number of key elements including blue and green infrastructure, natural play features, a frontage for properties to look onto and opening up of the existing culvert. The key aim is to improve the biodiversity and habitat to this central feature. The Landscape and Ecological Management Plan will ensure key landscape biodiversity features are enhanced and managed as controlled by condition 10. Severance is avoided by maintaining a primary route through the green space. Conditions 8 and 9 relate to tree specification, and tree protection which will assist in maintaining boundary trees. The design significantly improves the site, and it is considered that the proposal as it stands conforms with policies SD2 and NE3 of the Local Plan because it integrates landscape planning into the design and provides a context for the reserved matters.

12.0 Biodiversity

12.1 Paragraph 170 of the Framework states that decisions should minimise impacts and provide a net gain for biodiversity including establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 states harm to biodiversity should be avoided, adequately mitigated, or as a last resort, compensated for. This is known as the mitigation hierarchy which is reflected in policy NE1 of the Local Plan.

12.2 Wolvey Local Wildlife Reserve, which is located on the former village cricket grounds, sits adjacent to the western boundary and is located within Flood Zones 2 and 3. The flood zone runs along the River Anker to the south of the site. A small portion of the site is also within Zones 2 and 3 but will not contain development within it, just landscaping. WCC Ecology support the de-culverting of the currently culverted stream running beneath the site, because this will provide wildlife habitat and a green corridor. The stream flows into the River Anker Valley and Wolvey Trout Pits Local Wildlife Site. WCC Ecology note that the boardwalk to the Wolvey Wetland Reserve may require upgrading as it would be used more frequently by residents of the site. This can be secured via S106 agreement. There are 12 buildings on site which have been assessed for their

potential to support roosting bats. A bat survey is required prior to demolition, covered by condition 9.

- 12.3 A baseline for the biodiversity loss needs to be established so that the requirement for offsetting can be set within a Section 106 agreement that sets a maximum capped payment arrived at via a Biodiversity Impact Assessment (BIA). At the reserved matters stage, when the layout is known, a revised BIA will be calculated, and the payment may be reduced depending upon the amount of biodiversity net gain incorporated into the detailed design. The greater the amount of on-site mitigation, the lower the biodiversity offsetting payment will be, so this incentivises the developer provide net gain on site.
- 12.4 A BIA calculation has been undertaken as a baseline assessment by WCC Ecology which can act as a basis for biodiversity offsetting as part of the scheme when further detailed plans are submitted at the reserved matters stage. The final biodiversity offsetting payment is normally spent within the immediate vicinity of the site.
- 12.5 Hedgehogs are a priority species due to their continued decline and are listed on Schedule 41 of the NERC Act 2006 making them a material consideration in planning applications. A 'Hedgehog Highway' scheme where a series of 13 square cm holes are incorporated into the layout where walls, gates and fences are located, thereby enabling the free movement of hedgehogs through the site. It is suggested that this is incorporated through the Landscape and Ecological Management Plan (condition 10) and condition 14. Condition 8 requires a newt mitigation scheme to be submitted. A Construction Management Plan is suggested in condition 23 which seeks to ensure protected species are safeguarded during construction.
- 12.6 Subject to the above, it is considered that the proposal would have an acceptable impact on habitats and species and provide a biodiversity net gain. As a result, the proposal complies with the Framework and policy NE1.
- 13.0 Trees
- 13.1 Paragraph 170 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees into the proposed development. The main advantage with the existing site is that its boundary has a good level of tree screening, providing a good quality green buffer zone around the perimeter which serves as an effective green screen as viewed from Church Hill, Leicester Road and the surrounding open countryside. This is highlighted for retention and enhancement.
- 13.2 An arboricultural survey was submitted with the application which illustrates that numerous Category A and B trees are present which are high quality and worthy of retention. The indicative masterplan has been informed by the survey recommendations and seeks to retain as many Category A and B trees as

possible. Category C & U trees are proposed to be removed but additional tree planting is proposed as mitigation (175 trees being planted to compensate for the loss of 32 trees). Root protection areas are avoided as a result of careful design. The trees to be removed are not significant in the wider area as the existing perimeter trees screen the site. The Tree Officer considers that the proposed mitigation planting and landscaping will improve and enhance the site through the provision of 'green corridors' and 'green streets.' The most notable tree loss is G36 which is a group of mature Willow partially visible from Leicester Road. Their removal is unavoidable due to the need to remove the sub-station, but significant internal planting will mitigate the loss.

- 13.3 Condition 11 requires a specification for all tree planting to be approved by the Local Planning Authority, and condition 12 requires an arboricultural method statement to be submitted and approved. This will ensure trees capable of retention are identified and managed in line with the LEMP. As a result of these safeguards the proposal is not considered to be in conflict with policies NE3 or SDC2 of the Local Plan or the Framework.
- 14.0 Open Space, Sport and Recreation and Play Provision
- 14.1 Policy HS4 of the Local Plan seeks to ensure that residential development above 10 dwellings contribute or provides towards the attainment of the Council's open space standards. Off-site contributions to open space sport and recreation are necessary as part of this scheme and the developer has agreed to pay the appropriate amount according to the Open Space Calculator in line with the policy. Other typologies will be incorporated into the reserved matters. The proximity to the Local Wildlife site means a contribution to its upgrade is appropriate as it would be used by residents of the new development. The open space contribution, together with the details of the relevant projects can be secured via a Section 106 contribution. It is considered that the proposal conforms with policy HS4 as a result.
- 15.0 Heritage
- 15.1 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings and requires special regard to be had to the desirability of preserving a listed building or any of its features of special architectural or historic interest. The Court of Appeal decision in the case of *Barnwell vs East Northamptonshire DC 2014* made it clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise.' Policy SDC3 of the Local Plan states that development affecting the significance of designated heritage assets and their settings will be expected to preserve or enhance their significance.

- 15.2 Chapter 16 of the National Planning Policy Framework (NPPF) sets out government advice on conserving and enhancing the historic environment. Paragraph 194 of the NPPF requires Local Planning Authorities to identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting). Paragraph 199 of the NPPF states that when considering harm to the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is 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. Paragraphs 202 states that where less than substantial harm to the significance to a designated heritage asset occurs, this harm should be weighed against the public benefit of the proposal.
- 15.3 The setting of a heritage asset is defined in the NPPF glossary 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.”* Case law has concluded that the setting of a listed building does not just relate to physical and visual factors but includes social, historical and economic factors. It is considered that the information submitted is sufficient to make the appropriate assessment in the planning balance.
- 15.4 A Historic Environment Desk-based assessment accompanied the application. The site does not contain any nationally designated heritage assets, such as listed buildings. Two heritage assets have the potential for their settings to be changed as a result of the proposals: The Church of St. John the Baptist (Grade II*) which is a 12th Century Baptist Church located 260m south west of the site, which has high significance and Three Roofs Cottage (Grade II), which have moderate significance, are located adjacent to the northern boundary. The back gardens of the cottages back onto the site boundary shielded by a band of mature trees. The site makes a negligible contribution to the significance to the Church of St. John the Baptist and is set some distance away. The original setting of the Three Roofs Cottage was changed from when the site was originally developed into the existing industrial use. Whilst there would be visual change to the setting, this would not be harmful. There are no historical or functional connections between the existing site and the historic assets, nor any physical impact. There are limited views between the site and the designated heritage assets. In addition there is a clear division between the rear of the existing building and the redevelopment site. The proposals show a high quality contextual design, which improves on the existing and has recognised the historic environment features in the vicinity, which has influenced the massing and façade treatment of the proposals. It is judged that the overall proposals

would make a positive regenerative contribution to the character of the local area and setting. The redevelopment of the site would result in neutral impact upon the Grade II and II* listed buildings closest to the site via a change in their setting which would cause no harm to their significance. No harm is identified in terms of the NPPF as a result.

- 15.5 It is considered that the proposal does not significantly conflict with Sections 16 or 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant sections of the NPPF or policy SDC3 of the Local Plan in terms of heritage.
- 16.0 Drainage and Flooding
- 16.1 The Framework seeks to steer new development to areas with the lowest risk of flooding. Policy SDC5 requires the submission of a Flood Risk Assessment for sites over 1 hectare in Flood Zone 1. Paragraph 169 of the Framework and Policy SDC6 require Sustainable Drainage Systems to be used in major developments, which should take account of advice from the Local Lead Flood Authority, have appropriate minimum operational standards, have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and provide multi-functional benefits where possible. When determining planning applications, paragraph 167 of the Framework states that local planning authorities should ensure that flood risk is not increased elsewhere, which is why applications should be supported by a site-specific flood risk assessment.
- 16.2 The majority of the site lies north of the identified Flood Zones associated with the River Anker which flows south of the site. A hydraulic modelling exercise has been undertaken to inform the de-culverting of the existing watercourse through the site.
- 16.3 The Long-Term Flood Risk Information mapping identifies the majority of the site is at 'very low' risk from surface water flooding. A Surface Water Drainage Strategy has been provided which demonstrates that adequate attenuation is provided, with the site discharging at the QBar greenfield runoff rate up to, and including the 1 in 100 year plus 40% climate change event. Surface water flows are proposed to discharge into the re-naturalised channel on site. The information submitted is sufficient for The Local Lead Flood Risk Authority (LLFA) to raise no objection to the scheme subject to conditions. Condition 16 requires a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development to be submitted to and approved by the Local Planning Authority. Condition 17 requires a maintenance plan in addition. It is therefore considered that the conditions will control surface water drainage and mitigate the impacts of the proposal in terms of flooding. As a result it is considered that the proposal does not conflict with policies SDC5 and 6 of the Local Plan and that impacts associated with flooding and SuDs is satisfactory.

17.0 Transport

17.1 Policy D1 seeks to ensure that transport impacts will be mitigated and that safe and convenient access to the site can be achieved. Policy D2 seeks to ensure adequate car parking can be achieved on site.

17.2 The change of use from an industrial site to a housing site was considered at the point of allocating the site and discussed at the hearings into the Local Plan. For the current scheme, the Highway Authority reviewed the traffic modelling work commissioned by the applicants. The site is currently served by the 74 bus a bus stop in Wolvey Square at 600m away, with a second stop in Wolvey Heath. The 74 bus runs from Coventry to Nuneaton. WCC highways have requested conditions, S106 and S278 contributions/agreements for bus stop improvements, road safety, and sustainable travel initiatives to encourage future residents to travel more sustainably, together with requiring revised visibility splays and the reconfiguration of the access as proposed. It is considered that these will mitigate any impacts of the development which are not thought to be severe. Paragraph 111 of the Framework states that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe’. Neither conditions apply in this case and as a result the proposals do not conflict with Policy D1 of the Local Plan.

17.3 As this is an outline application layout of the housing is not being considered at this stage (other than the access). A layout that has adequate car parking to confirm with policy D2, in accordance with the Parking Standards contained within Annex 5 of the Local Plan as well as minimum cycle parking can be achieved at the reserved matters stage. The proposal is therefore considered compliant with policy D2 of the Local Plan.

18.0 Housing Mix

18.1 Policy H1 states that a mix of market houses and types should be provided consistent with the latest Strategic Housing Market Assessment (SHMA), although an alternative mix will be considered where market factors demonstrate that this would better meet market demand.

18.2 The table below shows the mix recommended in the current Strategic Housing Market Assessment:

Market	1-bed	2-bed	3-bed	4-bed
Policy H1	5-10%	25-30%	40-45%	20-25%

18.3 As layout is not being considered at this stage, the exact housing mix has not been established. However, condition 5 ensures that housing mix at the reserved matters stage complies with this policy. An acceptable housing mix at the

reserved matters stage is therefore capable of being met and there is consequently no conflict with policy H1.

19.0 Affordable Housing

19.1 Policy H2 relates to affordable housing which seeks to provide 30% on green field sites and the applicant has agreed to conform with this policy in full. The Housing Officer has expressed a preference for affordable housing that has a discounted market sales rate to run in perpetuity with the land, so that each successive owner has to pass on the discount and meet nomination conditions. The local plan contains a recommended housing mix for social housing as follows:

Affordable	1-bed	2-bed	3-bed	4-bed
Policy H2	30-35%	30-35%	20-25%	5-10%

19.2 Suitable clauses can be inserted into a Section 106 agreement to fully comply with policy H2 and secure permanent affordable housing at 30%, as well as reference to the need to have regard to the housing mix for affordable housing within condition 5. As a result this aspect of the proposal is acceptable.

20.0 Impact on amenity

20.1 Policy SDC1 states that new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded and should add to the overall quality of the areas in which they are situated.

20.2 As the application is in outline form and layout is not being considered at this stage, it is considered that a scheme within the developable area is capable of being provided with sufficient separation distances from neighbouring properties. Impacts on light, privacy and amenity would not affect neighbouring properties, particularly as this site has a degree of separation from the main village.

20.3 Environmental Health recommend condition 25 which controls sound insulation across the site in accordance with submitted details relating to glazing and trickle ventilation. Condition 26 is also suggested in relation to contamination with condition 24 relating to the need for a dust mitigation scheme.

20.4 Subject to conditions it is considered that a scheme could be designed that would have no significant detrimental impact on residential amenity or noise, in accordance with policy SDC1.

21.0 Public Right of Way

21.1 The site is surrounded by a number of public footpaths which provide pedestrian connectivity to the surrounding countryside. A public footpath runs along the eastern boundary and connects the site to Wolvey Village. A footway exists at the side of Leicester Road as an alternative. A private footpath runs along the Wolvey Wildlife Reserve, creating a circular route with the highway pedestrian footpath along Leicester Road, and has the potential to link into the site. A S106

request is made by WCC Public Rights of Way team to seek a financial contribution to support the ongoing maintenance of public rights of way within a one and a half mile radius of the site. The rights of way to be considered are R8-R14a, R19-R23, R36, R46a, R273-R276, R287-R290, and R312.

22.0 Air Quality

22.1 The applicant has agreed to a condition requiring the reserved matters to incorporate measures to improve air quality to control on-site emissions. This includes measures such as the installation of ultra-low emission boilers, cycle parking, and electric vehicle charging points. Landscaping also would contribute to this policy in addition. Wolvey Campus is not close enough to the Rugby Gyrotory to warrant a strategic transport contribution to mitigate its impact, nor are the transport trips significant enough to warrant such as requirement. The site is also not close to sources of exceedances in air quality terms to justify an air quality assessment. As a result, subject to a suitably worded condition, Environmental Health raise no objection to the scheme subject to condition 27 and informative 7 which relate to air quality matters. As a result, it is considered that the scheme is therefore policy compliant with HS5.

23.0 Healthy Safe and Inclusive Communities

23.1 Policy HS1 relates to the need to create healthy, safe and inclusive communities when considering development proposals and HS2 relates to Health Impact assessments. The level of housing proposed does not trigger the need for a Health Impact Assessment, however, the NHS Clinical commissioning group has asked for a pro-rata contribution towards health services which would include mitigating the impact of the proposal upon doctors' surgeries. This complies with the need to secure improved health services and facilities. The financial contribution can be secured via a Section 106 agreement and as a result it is considered that the proposal is compliant with policies HS1 and HS2.

24.0 Archaeology

24.1 The County Archaeologist raises no objection to the development as a result of the existing historic use of the site. Any archaeological remains would not have survived and as a result it is not necessary for a condition relating to archaeology be imposed.

25.0 Sustainable Buildings

25.1 Policy SDC4 refers to the need to ensure that all new dwellings should meet the Building Regulations requirement of 110 litres of water per person a day unless it can be demonstrated that it is financially unviable. It is considered that this can suitably be controlled by condition as per condition 29. Condition 31 also relates to the need for an energy statement in line with this policy.

26.0 Broadband

- 26.1 Policy SDC 9 relates to the need to ensure new development facilitates and contributes to the provision of broadband infrastructure. Condition 30 ensures the development at the detailed matters stage complies with policy SDC9.
- 27.0 Fire and Rescue
- 27.1 Warwickshire Fire and Rescue have requested a condition relating to the provision of fire hydrants, which is suggested in condition 28 together with informatives associated with compliance with Building Regulations which is suggested in informative 6. Both of these are considered necessary for Fire and Rescue safety reasons.
- 28.0 Wolvey Neighbourhood Plan
- 28.1 Policy GP5 seeks to support communities in the preparation of Neighbourhood Plans, and once made will be used alongside the policies of the Local Plan. The Wolvey Plan is currently at Regulation 16 stage, and is still therefore emerging. It sets out the development aspirations in the longer term has limited weight in the development management process, but it is a material consideration. The emerging plan identifies Wolvey Campus as appropriate for new housing and policies seek to protect the character of Wolvey village whilst recognising the need for further growth and development. The plan seeks to ensure that new development should sit comfortably within the existing settlement pattern, and be respectful of their surroundings, be of high quality including materials, and should consider height, scale and massive to make a positive contribution to the street scene. The proposals as submitted do not conflict with these emerging policies.
- 29.0 Planning Conditions and Obligations
- 29.1 Policy D4 relates to planning obligations which reflects paragraphs 55, 56 and 57 of the Framework, which collectively set out the need to consider whether financial contributions and planning obligations could be sought to mitigate the impact of development and make otherwise unacceptable development acceptable.
- 29.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) clarifies that obligations should only be sought when they are: (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; (c) fairly and reasonably related in scale and kind to the development. If a requested planning obligation does not comply with all of these tests, then it is not possible for the Council to require it. It is within this context that the Council has made and received a number of requests for planning obligations as detailed below. It is considered that these requests meet the necessary tests and are therefore CIL compliant:

Contribution	Requirement	Trigger
Affordable Housing	30% of the total number of dwellings. Discount market sales, shared ownership or private intermediate dwellings plus normal nomination rights. Affordable housing to run with the land in perpetuity	Not applicable
NHS CCG	<u>GP Surgery Impact</u> Meet patient demand for access to health care services	Upon first occupation of development
Warwickshire County Council	<u>Libraries</u> To ensure the development provides for infrastructure for libraries.	Upon first occupation of development
Warwickshire County Council	<u>Public Rights of Way</u> Maintenance of public rights of way within one and a half miles radius of the site. The rights of way to be considered are: R8-R14a, R19-R23, R36, R46a, R273-R276, R287-R290, R312	Upon first occupation of development
Warwickshire County Council	<u>Monitoring</u> Monitoring fee for WCC to monitor the S106 for administration of County Council Obligations	Upon signing of agreement
to Warwickshire County Council (Highways)	<u>Sustainable Travel Packs and Road Safety</u> Sustainable Welcome Packs for each dwelling, promoting sustainable living road safety education in the vicinity.	Upon first occupation of development
to Warwickshire County Council (Highways)	<u>Commuted Sum for Bus Stops and Real Time Information</u> Once bus stops installed as a result of condition 22 (under a S278 Agreement) provision of a commuted sum to provide real time information and long terms maintenance of two bus stops.	Prior to occupation of first dwelling
Open Space, Sports & Recreation/Play Space	<u>Natural and Semi-Natural</u> Upgrading or provision of surrounding facilities/activities associated with open space within the Natural and Semi-Natural typology, such as upgrade and improvements to the adjacent Wolvey Rush Local Wildlife Site or similar. Payment in line with Open Space calculator and reserved matters details.	Upon occupation of 50% of the dwellings
Open Space, Sports & Recreation/Play Space	<u>Sports Pitch Contribution</u> Upgrading or provision of surrounding sports facilities/activities associated with the typology of sport and recreation, such as upgrading the Wolvey Sports Pavilion or similar.	Upon occupation of 50% of the dwellings
Open Space, Sports & Recreation/Play Space	<u>Children's Play Area Contribution</u> Upgrading or provision of surrounding children's play facilities/activities associated with the typology of children's play.	Upon occupation of 50% of the dwellings

	Payment for this item is required only if the reserved matters do not provide a children's play area(s) on site to approximately 422 square metres ¹ in area in accordance with the Open Space Calculator	
Open Space, Sports & Recreation/Play Space	<p><u>Amenity Green Space Contribution</u> Upgrading or provision of surrounding facilities/activities associated with the typology of amenity green space.</p> <p>Payment for this item is required only if the reserved matters do not provide amenity green space on site to approximately 1058 square metres in area in accordance with the Open Space Calculator.</p>	Upon occupation of 50% of the dwellings
Biodiversity Offsetting	<p><u>Biodiversity Offsetting</u> A biodiversity offsetting payment to mitigate the impact of biodiversity that cannot be delivered on-site (pro-rata with unit numbers). Final calculated amount dependent upon level and type of onsite biodiversity provision.</p> <p>Submission of revised BIA at reserved matters stage together with recalculated biodiversity offsetting payment to mitigate biodiversity impacts and provide overall biodiversity net gain.</p>	<p>Revised BIA at submission of reserved matters stage</p> <p>Offsetting payment prior to commencement</p>

30.0 Planning Balance and Conclusion

30.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) outlines that this means “approving development proposals that accord with an up-to-date development plan without delay”. The Local Plan was adopted in June 2019 and is up to date. The principle of development was established as a result of the allocation of the site via policy DS3.12.

Planning Balance

30.2 To determine whether the development accords with the Local Plan it is necessary to undertake a planning balance exercise having regard to economic, social and environmental objectives.

Economic

30.3 The development represents an economic investment in the village at a time of economic uncertainty. Investment benefits are likely to arise from money being invested in construction in terms of jobs, materials and new household economic spending which may increase the viability of existing local retail uses, services and businesses. This would have a positive impact on the local economy and weigh in favour of the proposal.

Social

- 30.4 From a social perspective, there is a significant need for new housing within the Borough. The proposal would contribute ensuring the Council's current five-year housing land supply position is maintained, particularly as this was identified as an allocated site. It also is consistent with the Government's objective of significantly boosting the supply of homes. The provision of affordable housing at 30%, secured via legal agreement also weighs in favour of the proposal.

Environmental

- 30.5 The potential adverse impacts in relation to amenity, highway safety, traffic, parking, air quality, noise, landscape and biodiversity, flood risk, drainage, trees, health, carbon emissions, water consumption, construction disruption and broadband have all been considered. The site benefits from the exemption of being PDL in the Green Belt and the proposals do not have a substantial impact on openness and are therefore not inappropriate development in the Green Belt. Where potential impacts are identified, these can be mitigated through conditions and a Section 106 agreement, all of which weigh in favour of the proposal as these matters are capable of being mitigated.
- 30.6 Transport modelling established that the impact of the proposal on the highway network, is not severe. There is no evidence to suggest severe transport impact in line with paragraph 111 of the NPPF or conflict with policies D1 or D2 of the Local Plan, nor is there an objection from the Highway Authority. This neutralises the weight to be given to transport impacts.

Conclusion

- 30.7 On balance, it is concluded that the benefits of the proposed development are sufficient to clearly and demonstrably outweigh the harm that could be interpreted from impacts, including impacts associated with the Green Belt. Overall, it is considered that the proposal would be a sustainable form of development and consequently accords with policy GP1 of the Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved without delay in accordance with paragraph 11 (c) of the Framework.

Recommendation

1. Planning application R20/0968 be granted subject to:
 - a. The conditions and informatives set out in the draft decision notice appended to this report; and
 - b. The completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.

2. The Executive Director (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within the report.

Approval subject to a Section 106 agreement, conditions and informatives.

DRAFT DECISION

REFERENCE NO:

R20/0968

DATE APPLICATION VALID:

10 November 2020

APPLICANT:

Legal and General UK Property Fund

AGENT:

Mr Michael Burrow Savills (UK) Limited

ADDRESS OF DEVELOPMENT:

WOLVEY CAMPUS, LEICESTER ROAD, WOLVEY, HINCKLEY

APPLICATION DESCRIPTION:

Description: Outline planning application with all matters reserved except for access for the demolition of existing buildings and the erection of residential dwellings (Use Class C3) including the retention and amendment of the existing access off Leicester Road and associated infrastructure, public open space and landscaping

CONDITIONS, REASONS AND INFORMATIVES:**CONDITION 1:**

The development hereby permitted must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON

To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 3:

Details of the following reserved matters must be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and will be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout
- b - Appearance
- c - Scale

d - Landscaping

REASON:

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

CONDITION 4:

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority, the reserved matters submitted under condition 3 will be in general accordance with the plans below:

1. Site Location Plan – reference: (00) 001 AN Revision D
2. The distribution of land uses shown on Figure 22 – Proposed Green Infrastructure Network Plan as contained within the Design, Access & Sustainability Statement

REASON:

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

CONDITION 5:

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing by the Local Planning Authority, the development will consist of no more than 90 dwellings with a housing mix in accordance with the requirements of policies H1 and H2 of the Local Plan. [Informative 2 shows the current Housing mix at the date of this permission].

REASON:

To deliver a wide choice of high quality market housing in line with policy H1 and H2 of The Local Plan.

CONDITION 6:

No above ground development will commence until a Phasing Plan has been submitted to and approved by the Local Planning Authority. The Phasing Plan will provide details of the sequence and timing of development across the entire site, including:

- (a) Residential dwellings
- (b) The provision of all major infrastructure including accesses, roads, cycle paths, footpaths and open space
- (d) Biodiversity improvements
- (e) Landscaping, green and blue infrastructure and children's play areas.

The development must be carried out in accordance with the approved Phasing Plan unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

To ensure the proper development of the site.

CONDITION 7:

No above ground development within a phase will commence unless and until full details in relation to that phase of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks, roof tiles, boundary walls and fencing, details of internal roads and paved areas of that phase have been submitted to and approved in writing by the Local Planning Authority. The development of the relevant phase must be carried out in accordance with the approved details.

REASON:

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

CONDITION 8:

No above ground development including demolition or site clearance will commence until a detailed schedule of great crested newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and further survey if deemed necessary) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures must be implemented in full prior to first occupation of the development and retained thereafter in perpetuity.

REASON:

To ensure that protected species are not harmed by the development

CONDITION 9:

No above ground development including demolition will commence unless and until a further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists – Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation plan must be carried out and maintained thereafter in full.

REASON:

To ensure that protected species are not harmed by the development

CONDITION 10:

Unless non-material variations which do not give rise to additional or different likely significant effects are otherwise agreed in writing, no above ground development within a phase will commence until a Landscape and Ecological Management Plan (LEMP) relating to the relevant phase ensuring long-term management of the site within each phase of development has been submitted to and approved in writing by the Local Planning Authority (with advice from Warwickshire County Council Ecological Services). The LEMP will set out detailed scaled plans and accompanying text for the relevant phase showing:

- a) Description and evaluation of features to be managed
- b) Details of habitat creation measures within the site (such as native species planting, wildflower grassland creation, tree and hedgerow enhancement)
- c) Ecological trends and constraints on site that might influence management
- d) Aims and objectives of management
- e) Appropriate management options for achieving aims and objectives
- f) Prescriptions for management actions
- g) Preparation of a work schedule including timing of works including a timetable for the implementation of all the planting, works and ecological and landscape enhancement/creation measures
- h) Details of the body/organisation responsible for the implementation of the plan and a scheme securing future management, maintenance, and retention measures
- i) Ongoing monitoring and remedial measures
- j) Revised BIA calculations in accordance with the current DEFRA metrics applied locally.
- k) Details of the location, number and type of bat, bird boxes/bricks, amphibian and reptile hibernacula, measures for retaining any standing deadwood and tree cavities
- l) A hedgehog highway scheme to allow hedgehogs to be able to pass freely through all boundary treatments, including the number and location of 13 square centimetre holes or gaps in walls and fences
- m) Dark corridors for biodiversity protection to work in combination with an approved lighting strategy as part of condition 13

The LEMP will include details of the legal and funding mechanism by which the long term management of the plan will be secured by the developer within the relevant phase with the management bodie(s) responsible for its delivery. The agreed scheme must be fully implemented prior to occupation of the relevant phase of development and retained thereafter.

REASON: To protect and enhance landscape and biodiversity, to ensure that protected species are not harmed by the development and in the interest of visual amenity.

CONDITION 11:

No development within a phase will take place until a specification of all proposed tree planting for the relevant phase of development has been submitted to and 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 within the relevant phase 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 LPA seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted must be planted at the same place, unless the Local Planning Authority gives its written consent to any variations. Tree planting for the relevant phase of development must be carried out in accordance with the approved specification.

REASON:

In the interests of biodiversity and visual amenity.

CONDITION 12:

No works, demolition or development will take place until a final arboricultural method statement and tree protection plan for the protection of the retained trees (such method statement and plan to be in accordance with sections 5.5 & 6.1, BS5837:2012 Trees in relation to design, demolition and construction – Recommendations) has been submitted to and approved in writing with the Local Planning Authority. This arboricultural method statement and tree protection plan must include details and positioning of tree protection fencing, to create construction exclusion zones, ground protection measures, and an auditable system of monitoring. The approved arboricultural method statement and tree protection plan will be implemented in full prior to any works, demolition or development taking place. Protective fencing and measures must remain in place until the completion of all construction works. No retained tree or hedgerow will be cut down, uprooted, or destroyed, nor will any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Prior to any works, demolition or development taking place, a site meeting between the applicant, the Local Planning Authority arboricultural officer and designated arboricultural consultant responsible for the site will take place to inspect tree protection measures for the relevant phase of development.

REASON:

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

CONDITION 13:

No phase of development will take place unless and until full details of all external lighting for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The details will include the full specification of the type, design, location, angle, fall, spread and intensity of the lighting together with a lighting assessment which sets out a strategy and measures to:

- minimise the impact of lighting, particularly within the landscaped areas within the relevant phase, informed by the Landscape and Ecological Management Plan,
- minimise the impact of lighting to sensitive receptors and measures to prevent light spillage,
- identify those areas/features within the relevant phase that are sensitive for bats and other nocturnal species that are likely to cause disturbance in or around

their breeding sites and resting places or along important routes used to access key areas of their territory,

- show how and where the external lighting will be installed through provision of appropriate lighting contour plans and technical specifications.

The lighting relating to a phase will be installed in accordance with the specifications and locations set out in the strategy prior to occupation of that phase and the approved details must be maintained thereafter in perpetuity.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality, and to protect biodiversity of the defined landscaping areas.

CONDITION 14:

No phase of development will commence unless and until details of all proposed walls, fences railings and gates for the relevant phase of development have been submitted to and approved in writing by the Local Planning Authority. The details must be informed by the Landscape and Ecological Management Plan with regards to the implementation of the Hedgehog Highway Scheme across the relevant phase to ensure all boundary treatments are permeable by ground dwelling species such as Hedgehogs, including the provision of 13cm sized holes and a route plan. The details will be incorporated into elevation plans, and other details showing the position, materials, appearance and height of boundary treatments. No dwelling within a phase will be occupied until the approved boundary treatments for that phase have first been provided in accordance with the approved details.

REASON:

In the interest of visual amenity and biodiversity with particular emphasis upon hedgehogs and the need to allow them to move freely through the site.

CONDITION 15:

No phase of development will commence until full details of earthworks, site levels, finished floor levels of all buildings and ground levels of all access roads, parking areas, footways, pedestrian links and cycle ways, including proposed grading and contours and a schedule of implementation relating to that phase of development have been submitted to and approved in writing by the Local Planning Authority. Development will not be carried out in each phase other than in accordance with the approved details for that phase.

REASON:

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

CONDITION 16:

No phase of development will take place until a detailed surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to

and approved in writing by the Local Planning Authority in consultation with the Local Lead Flood Authority. The scheme must be implemented in accordance with the approved details before the construction of more than 80% of the dwellings within the relevant phase of development. The scheme to be submitted must:

- a) Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDs Manual' CIRIA C753
- b) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- c) If discharging to a drainage system maintained/operated by other authorities (Environment Agency, internal drainage board, highway authority, sewerage undertaker, or Canals and River Trust) evidence of consultation and the acceptability of any discharge to their system should be presented for consideration.
- d) Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact on the exceedance event.

REASON:

To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity.

CONDITION 17:

No development within a phase will take place until a detailed maintenance plan for the relevant phase of development together with the name of the party responsible (including contact name) has been submitted to and approved by the Local Planning Authority giving details of how surface water drainage systems within the relevant phase is to be maintained and managed for the lifetime of the development. The management plan for the relevant phase must be implemented in accordance with the approved details.

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 18:

No phase of development will commence until drainage plans for the disposal of foul sewage relating to that phase of development have been submitted to and approved in writing by the Local Planning Authority. The plans must be implemented in accordance with the approved details before the development within the relevant phase is first brought into use.

REASON:

To ensure the development is provided with a satisfactory means of drainage.

CONDITION 19:

Full details of the siting, design and materials of the proposed bin stores, together with all types of open, secure and covered cycle parking and cycle stores (having regard to Appendix 5 of the Local Plan relating to minimum cycle parking standards) within a phase of development must be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the relevant phase of development. Any communal cycle parking within a phase of development must be provided in accordance with the approved details prior to first occupation of the relevant phase of development. The bin and cycle parking within a phase of development must be provided in accordance with the approved details prior to the first occupation of the dwelling to which the bin and cycle parking relates. The cycle parking and the bin stores must be retained thereafter.

REASON:

In the interest of visual and residential amenity and to provide adequate cycle parking.

CONDITION 20:

No dwelling within a phase will be occupied until the location, make and model of the electric vehicle charging points for the relevant phase of development have been submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points must be provided in accordance with the approved details prior to first occupation of the dwelling to which the electric vehicle charging point relates and retained thereafter for the charging of vehicles in accordance with the approved details.

REASON:

To ensure the proper development of the site, to reduce air pollution, to lower carbon emissions and in the interests of visual amenity.

CONDITION 21:

No dwelling within a phase will be occupied until a pedestrian/cycle network plan and associated details showing pedestrian/cycle routes for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle network must be constructed prior to the construction of more than 80% of the dwellings within each phase. The pedestrian/cycle network must be maintained in accordance with the approved details in perpetuity thereafter.

REASON:

To ensure the proper development of the site and to promote more sustainable forms of travel.

CONDITION 22:

No occupation of development will occur until:

a) Works to remodel the existing vehicular access to the site have been provided in general accordance with drawing number 15474-HYD-XX-XX-DR-TP-0001 Revision P1.05. All parts of the existing access not included in the remodelled access have been closed and the kerb, footway and verge have been reinstated in accordance with the standard specification of the Highway Authority.

b) Visibility splays have been provided to the vehicular access to the site in accordance with drawing number 15474-YD-XX-XX0DR-TP-0002 Revision P1. No structure, tree or shrub is to 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

c) Bus stop and pedestrian crossing works have been provided in accordance with a scheme submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme to be submitted will be broadly in accordance with drawing number 15474-HYD-XX-XX-DR-TP-0003 Revision P1 and is to include:

- (i) provision of a raised boarding area;
- (ii) specialist paving;
- (iii) a bus stop clearway marking box;
- (iv) a 'No Parking Except Buses' sign (between 0700-1900)

REASON:

In relation to highway safety.

CONDITION 23:

No development will commence unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This is to include details of the point of access from the public highway and details relating to:

- (1) Days and hours of construction and deliveries;
- (2) The control of noise and vibration from construction activities including groundworks, plant/generators and the formation of infrastructure as well as arrangements to monitor noise emissions from the development site during the construction phase;
- (3) Any temporary site compound and its layout, including buildings/structures, lighting, fencing and storage of materials;
- (3) The parking of vehicles of site operatives with parking plan, contractors and visitors during the construction phase;
- (5) Measures to prevent deleterious material being carried onto the highway network including mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase and wheel washing facilities;
- (6) Timing of heavy goods vehicle movements during the construction phase, a HGV routing plan, swept path analysis for HGV turning to/from and within the site;
- (7) A point of contact for site management and their contact details (including out of hours);

- (8) Construction Site Access position and control measures;
- (9) Storage of Plant and materials used in constructing the development;
- (10) Pollution prevention measures
- (11) Pre-commencement checks and updated surveys as appropriate by a suitably qualified ecologist for protected species, including bats, nesting birds, amphibians, reptiles, hedgehogs, and appropriate working practices and safeguards for wildlife to be employed whilst works are taking place on site.
- (12) Measures to protect hedgehogs and other protected species.

Development must not be carried out other than in accordance with the approved construction management plan unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

In the interests of health and safety, the amenities of the area and to ensure any protected species which may be present are not harmed by the development.

CONDITION 24:

A dust mitigation scheme must be submitted to and approved by the Local Planning Authority prior to demolition of the existing buildings, structures and hardstanding areas on site including car parking areas. This is to include arrangements to control and monitor dust emissions from the development site during the demolition and construction phase and will incorporate the construction dust mitigation measures identified in appendix B – Construction Dust Mitigation of the Hydrock Wolvey Campus Air Quality Assessment dated 5 November 2020 doc ref: 15465-HYD-XX-XX-RP-Y-2001 project no C-15465-C status S2 issue no P02 S2 Final. Development must not be carried out other than in accordance with the approved dust mitigation scheme unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

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

CONDITION 25:

Unless non-material variations which do not give rise to additional or different likely significant effects are otherwise agreed in writing with the Local Planning Authority, the recommended sound insulation values for glazing and trickle ventilation as per the Hydrock Wolvey Campus Noise Planning Report, dated 6 November 2020, doc ref: 15465-HYD-ZZ-RP-Y-1001 project number C-15465-C, status S2 document record Issue no. P02 revision record P03 for a phase of development must be implemented and fitted before any properties in the relevant phase of development are occupied and retained thereafter in accordance with the details of the report. The limits for any plant and machinery (extract systems, air handling or air source heat pumps) must be applied to any equipment fitted to the dwellings.

REASON:

In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority; and to ensure the avoidance of significant adverse effects of noise on the occupants of the proposed development.

CONDITION 26:

No development other than that required to carry out as part of an approved scheme of remediation can commence (in any phase of the development) until conditions (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development will 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 will 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 site. The contents of the scheme will be subject to approval in writing by the Local Planning Authority. The investigation and risk assessment will be undertaken by competent persons and a written report of the findings will be produced. The written report will be subject to approval in writing by the Local Planning Authority. The report of the findings will 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 will be prepared and subject to approval in writing by the Local Planning Authority. The scheme will include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme will 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 will 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 will 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 will be prepared and subject to approval in writing by the Local Planning Authority.

d) In the event that previously unidentified contamination is found at any time when carrying out the approved development hereby permitted that was not previously identified, it will be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment will be undertaken in accordance with the requirements of condition (a) and where remediation is necessary a remediation scheme will be prepared in accordance with the requirements of condition (b) which will be subject to approval in writing by the in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report will be prepared, which will 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 27:

Unless non-material variations which do not give rise to additional or different likely significant effects are otherwise agreed in writing with the Local Planning Authority, the measures specified in the Hydrock Wolvey Campus Air Quality Assessment (for Legal and General UK property Fund) 5 November 2020 (doc ref: 15465-HYD-XX-XX-RP-Y-2001) must be implemented prior to occupation of any dwelling in the relevant phase of development and retained thereafter in perpetuity. The specified measures to meet the air quality mitigation requirements of policy HS5 for this scheme are as follows and these measures will be reflected within the reserved matter details:

- 1 plug in electric vehicle charging point per allocated space per dwelling
- 1 electric charging point per 10 unallocated parking spaces
- all gas-fired boilers (or technological equivalent) to meet a minimum standard of <math><40\text{mgNO}_2/\text{kWh}</math>
- 1 cycle space per dwelling

REASON:

In the interests of air quality.

CONDITION 28:

The development of each phase of development hereby permitted will not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site within the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. The relevant phase of development will not be occupied until the scheme has been implemented

unless non material variations which do not give rise to additional or different likely significant effects are agreed in writing by the Local Planning Authority.

REASON:

In the interest of fire safety.

CONDITION 29:

The dwellings approved as part of each phase of the reserved matters must 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 30:

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority, no dwelling will be occupied within the relevant phase of development until broadband infrastructure at a minimum standard of superfast speed has first been installed in that phase and made available for use by the occupants of the relevant dwellings on site.

REASON:

To ensure an up-to-date communication system fit for the digital age is in place for residents in accordance with policy SCC9 of the Local Plan.

CONDITION 31:

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority, no building will be occupied in the relevant phase of development until an Energy Statement for that phase of development has been submitted to and approved in writing by the Local Planning Authority. The Energy Statement will include full details, supported by calculations, demonstrating what measures will be incorporated into the design of the buildings, including ways to reduce greenhouse gases and carbon emissions, incorporate renewable and low carbon energy and deliver sustainable design. No dwelling will be occupied in that phase until the measures relevant to that phase of development have been provided in accordance with the approved details.

REASON:

To reduce carbon emissions.

INFORMATIVE 1:

This development is subject to a s106 legal agreement.

INFORMATIVE 2:

For the avoidance of doubt, in relation to condition 4, this condition seeks to control the distribution of residential and green infrastructure land use areas and does not seek to fix the internal design and layout for the scheme.

INFORMATIVE 3:

The adopted Local Plan 2019 refers to the SMHA housing mix for both market housing and affordable housing as follows:

MARKET HOUSING:

1-bed: 5-10%
2-bed: 25-30%
3-bed: 40-45%
4/4+ bed: 20-25%

AFFORDABLE HOUSING:

1-bed: 30-35%
2-bed: 30-35%
3-bed: 20-25%
4/4+ bed: 5-10%

INFORMATIVE 4:

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.

INFORMATIVE 5:

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.

INFORMATIVE 6:

Warwickshire Fire and Rescue Authority draws your attention to the need for the development 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. Further

information can be found at: www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning

Where compliance cannot be met, please provide details of alternative measures to put in place directly to them. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles. 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. Warwickshire Fire and Rescue Authority requests that access to the site during construction and upon completion is maintained free from obstructions such as parked vehicles, to allow emergency service vehicle access.

INFORMATIVE 7:

Condition 27 requires mitigation measures in order to comply with policy HS5 of the Local Plan. Measures to assist in reducing the development's impact upon Air Quality Management include the installation of an ultra-low emission boilers (<40mg/kWh), ground source heat pumps or all electric water and heating systems, increased tree planting/landscaping, solar thermal panels, green walls and roofs, and the incorporation of electric vehicle charging points within garages and car parking areas. 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 Such measures contribute towards improving air quality.

Further information can be obtained from Environmental Health on 01788 533857 or email ept@rugby.gov.uk

INFORMATIVE 8:

Any external lighting installed as part of this development will be designed in such a manner that it will not cause light nuisance to nearby neighbouring properties through glare or overspill.

INFORMATIVE 9:

Suitable drainage provision and method of foul sewage disposal should be applied during the design and construction phase. The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition)-Drainage and Waste Disposal.

INFORMATIVE 10:

Condition number 22 requires work to be carried out within the limits of the public highway. The applicants are advised to engage with the Highway Authority at an early stage of design for the reserved matters relating to the internal layout of the site, and in terms of S278 requirements. The applicant/developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant/development should note that feasibility drawings of works to be carried out within the limits of the public highway

which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings will be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement (in respect of conditions 22 and 23) should be made to the Planning and Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

In accordance with the Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution.

Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV25 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting more than 10 days, three months' notice will be required.

INFORMATIVE 11:

Asbestos

Prior to any demolition, redevelopment or refurbishment works taking place an appropriate Asbestos Survey should be undertaken by an asbestos licensed/authorised company/person and any recommendations implemented. For pre-demolition assessment the asbestos survey is fully intrusive and will involve a destructive inspection, as necessary, to gain access to all areas. Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with; asbestos removal activities fall under the remit of the HSE.

INFORMATIVE 12:

Impacts from existing activities

The development is adjacent to farmland and will be subject to reasonable disturbance from noise, dust, odour, vibration and light associated with farming practices. These practices may at times extend into the night or early hours, such as harvest.

INFORMATIVE 13:

The Landscape and Ecological Management Plan should detail how the site will be kept free of litter moving forward on an ongoing basis in order to protect the biodiversity and the amenity of the site from impacts of litter as a result of the development.

Reference: R20/0991

Site Address: Former Railway Bridge (known as Bridge 22), over A423, adjacent to The Old Station Yard Industrial Estate

Description: Demolition of existing brick arch bridge, removal of deck, arches and piers, and erection of steel truss bridge installed on existing abutment to be used for cycling and walking

Recommendation

Approval, subject to conditions

Introduction:

The application has been brought to be determined by the Planning Committee as it is a major application.

Bridge 22 is a three span brick arch bridge which carried the former Rugby to Leamington Railway line over the A423. Railway Paths Limited (RPL) owns the former railway land including Bridge 22. The railway is no longer in use and Sustrans are proposing to build a new walking and cycling greenway along the alignment of the disused railway. Sustrans has secured £5.7m of funding to bring 6.5 miles of the Lias Line into use as part of the National Cycle Network. The full extent of the disused railway or Lias Line straddles three authorities being Rugby Borough Council, Warwick District Council and Stratford-on-Avon District Council.

Bridge 22 is not in a straight or level position to the road and the head room under the central arch over the road is low. In order for high vehicles heading north to navigate the bridge, they need to move across onto the southbound lane.

Planning permission for the overall project was granted by Stratford-on-Avon DC (lead planning authority) in March 2021; by Rugby BC in April 2021 and Warwick DC have given approval in principle pending the outcome of the public consultation. Demolition of Bridge 24 was granted by Rugby BC in July 2021.

Location:

The bridge is located 0.5 miles south of the village of Marton on the A423 and 9.5 miles south-west of Rugby Town Centre. The bridge site is adjacent to the former Marton Station which is now an industrial estate: Old Station Yard. The entrance to the industrial estate is immediately north of the bridge.

Proposal:

This application seeks full planning permission for the demolition of existing brick arch bridge, removal of deck, arches and piers, and erection of steel truss bridge installed on existing abutment to be used for cycling and walking.

The new bridge will be a full through steel truss girder bridge designed to Highways England current standard CD 353 design criteria for footbridges. The deck will have a minimum clear width of 4m between the parapets.

Planning History:

- R20/0914 The change of use of the disused Lias Line from an historic disused railway line to a cycle/ pedestrian route to be laid in a sealed surface with associated ancillary development.
Approved: 28/04/2021
- R20/0991 Demolition of existing brick arch bridge, removal of deck, arches and piers, and erection of steel truss bridge installed on existing abutment to be used for cycling and walking (Bridge 22)
Approved: 22/07/2021

Technical Responses:

- Warwickshire County Council Ecology Unit – No objection, subject to condition
- RBC Environmental Health Department – No objection, subject to condition
- Warwickshire County Council Highways – No objection, subject to conditions
- Highways England – No objection
- RBC Trees and Landscaping – No objection, subject to conditions
- Warwickshire County Council Archaeology – No comments received
- Warwickshire Police – No objection
- Cadent Gas – No objection
- Warwickshire Fire Safety – No objection
- Warwickshire County Council Flood Risk – No objection

Third Party Responses:

Marton Parish Council – supports the application

Over the past 10 years bridge 22, at the south entrance to the village of Marton, has been damaged on numerous occasions due to being hit by vehicles. It is currently a low, narrow bridge which restricts large vehicles and risks serious accidents as lorries have to drive under it in the centre of the road, straddling both carriageways and causing other vehicles to stop unpredictably.

As such, Marton Parish Council is in full support of replacing the bridge with a steel truss construction bridge providing more clearance, safer road use and better visibility for traffic.

We have also seen correspondence between the applicant and Warwickshire County Council Highways regarding drainage problems caused by a significant dip in the road under the bridge, which is a related safety concern. Highways have agreed to regrade the road, reducing the dip, “in the future” and we strongly feel this work should be completed before or at the time of the bridge alteration to ensure the increased clearance promised in the planning application is not reduced in future by any road levelling. Obviously, this would negate the important safety improvement made by the bridge replacement and we hope you might be able to consider adding this as a condition of the scheme.

Neighbours notified and a site notice has been posted. No letters of representation have been received.

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 13: Protecting green belt land

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Local Plan (2011-2031) – June 2019:

Policy GP1: Securing sustainable development

Policy GP2: Settlement hierarchy

Policy NE1: Protecting designated biodiversity and geodiversity assets

Policy NE3: Landscape protection and enhancement

Policy SDC1: Sustainable design

Policy SDC2: Landscaping

Policy SDC3: Protecting and enhancing the historic environment

Supplementary Planning Documents

Sustainable Design and Construction – 2012

Determining Considerations

1. Principle of Development

1.1. Policy GP1 of the Local Plan states that when considering development proposals, a positive approach will be taken on development that reflects the

presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

- 1.2. This is reflected in Section 2 of the NPPF which states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development.
- 1.3. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy. The bridge itself is located within the Countryside and only part of the site lies within the Green Belt which is for access only. New development in the Green Belt will be resisted; only where national policy on countryside locations and Green Belt allows will development be permitted.
- 1.4. Until its closure in approximately 1991 (the Lias Line closed in stages between 1961 and 1991) Bridge 22 carried the former Rugby to Leamington Railway line over the A423. The A423 is a busy road, and the main section leads from central Banbury to the A45 near Coventry. Over the years there has been numerous bridge strikes, due to the bridge not being in a straight or level position to the road, meaning the head room under the central arch over the road is low. Between May 2010 and February 2019 there has been 16 incidents where impacts to the bridge have been serious enough to require an engineer to inspect the bridge. When the bridge is hit often damage is caused and to repair the damage, the road needs to be closed which is costly and disruptive to local residents and businesses. The diversion route suitable for HGVs for a road closure on the A423 is approximately 20 miles longer than using the A423. The location of the damage to the underside of the bridge usually means that a full road closure is required as a single lane closure is not possible. The bridge has been repaired approximately three times in the past 10 years which has addressed relatively small impact sites where bricks are loosened or dislodged. However, this has not addressed deterioration resulting from frequent and continued impacts.
- 1.5. The Principal Inspection Report from April 2021 has determined that the bridge is in fair condition and despite multiple defects it remains robust. There are three vertical fractures through the south parapet that have been repaired several times but continue to open up, presumably as a result of the regular vehicle impacts to the central arch, south elevation. These defects can be monitored but the concern is that the regular impacts will cause internal damage that will not be visible during inspections, therefore cannot be easily monitored. Currently there is no visible signs of long term damage to the central arch, apart from the obviously missing bricks at the impact sites.
- 1.6. A supplementary Cost and Repair Statement was submitted in December 2020 which details the net present value of the cost of repairing and maintaining the

bridge, for the next 25 years. The net present value of the future repairs is calculated as £896,315 + VAT. The budgeted cost for the removal of the bridge and replacement of it with ramps is £320,000 + VAT. The cost of the removal of the bridge is significantly less than the ongoing repair.

1.7. In summary, avoiding bridge strikes will:

- Increased safety of road users (removal of the piers will also improve visibility for users of Old Station Yard Industrial Estate)
- Avoid disruption from repair works to road users
- Reduce ongoing repair costs
- Increase safety for Lias Line bridge users
- Prevent disruption to local businesses and traffic flow when large lorries are forced to turn around in the road because they will not fit under the bridge

1.8. As shown in figure 1, only part of the site lies within the Green Belt which is for access only. The demolition of Bridge 22 and the erection of the new bridge will occur outside the Green Belt. The access road to Old Station Yard and Old Station Yard itself are also located outside the Green Belt.

Figure 1: Green Belt Boundary



1.9. Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purpose of including land within it. Paragraph 150(b) includes 'engineering operations' and although the Framework does not provide a specific definition of engineering operations, the Council is of the view that the complexity of the works involved in this proposal need to be overseen by an

engineer. In terms of openness, again, the Framework does not provide a specific definition of openness, but, in the Green Belt context, it is generally held to refer to freedom from development as well as any visual impact. As no development is occurring within the Green Belt and the area of land is used for access purposes only, the proposal would preserve the Green Belt's openness and would not conflict with the purposes of including land within it.

1.10. Overall, the demolition of Bridge 22 and the installation of a new steel truss bridge is designed to link in with wider proposals to create the new Lias Line greenway. The Lias Line will expand the walking/cycling network in this location and encourage the recycling and re-use of underused land with wider sustainability, health and recreational benefits. The demolition of the bridge will also ensure the health and safety of the greenways users is protected from vehicles on the highway striking the bridge. This application is therefore considered to comply with Policy GP1, GP2 of the Local Plan and Section 2 and 13 of the NPPF.

2. Railway Heritage

2.1. Policy SDC3 states that development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance. Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

2.2. The Ministry of Housing, Communities & Local Government guidance on the historic environment provides a definition for non-designated heritage assets. They are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

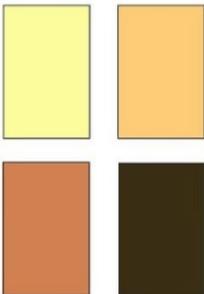
2.3. The Lias Line was a railway running from Rugby to Leamington Spa. A 15-mile branch line built by the London and North Western Railway, opened in 1851 and closed in stages between 1961 and 1991. Running parallel to the Oxford Canal for much of its route, the Lias Line is a good representation of transport that typifies the Industrial Revolution. The line was acquired by the charity Railway Paths in 1998 to be used as part of the National Cycle Network managed by Sustrans. The Local Planning Authority considers Bridge 22 to be a non-designated heritage asset.

2.4. Along the Rugby to Leamington (Lias Line) three of the ten bridges will be impacted by the proposals to enhance the Cycle Route (NCN41). These are

bridges Bridge 22 (RBC), Bridge 24 (RBC) and Bridge 29 (Hunningham Railway Bridge – Warwick District Council).

- 2.5. The Heritage Impact Assessment has determined that Bridge B22 is only of 'moderate overall significance and importance'. It is not a designated heritage asset, and the planned replacement is considered to be of 'limited harm'. As mentioned above, the bridge has suffered several serious strikes from vehicles over the years which has caused costly and disruptive repairs and road closures.
- 2.6. The proposed demolition of the bridge and replacement with a new steel lattice bridge is regrettable and counts against the scheme. However, the loss of Bridge 22 will not detract from the historical value of the line as a whole. The overall group entity and identity of the historical contribution the line has made to the area between Rugby and Leamington will be retained. The new bridge pays homage to its previous industrial railway heritage using traditional colours: stone, cream, light brown and dark brown (see example in figure 2) and incorporating signs/metal work referencing its intended use.

Figure 2: London North Western Railway (LNWR) colours:



- 2.7. **Condition 3** will be attached to the decision notice to ensure that no above ground development shall commence (except demolition) unless and until full details of the colour, finish and texture of all new materials to be used on the steel truss bridge have been confirmed by the Local Planning Authority.
- 2.8. This application is therefore considered to be in accordance Policy SDC3 of the Local Plan and Section 16 of the NPPF.

3. Character and Design

- 3.1. 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.

- 3.2. The proposed design intends to demolish all three brick arches and both piers in the verge will be demolished to just below ground level. Both abutments will be retained and shaped to form abutments for the new steel truss deck.
- 3.3. Consideration was given to removing the central arch only, to retain as much of the existing bridge as possible. However, this idea risks compromising the integrity of the remaining brick arches. It was also agreed this design would lead to an awkward mix of conflicting historic/modern design and would not be aesthetically pleasing.
- 3.4. Initially it was felt the new steel truss girder bridge did not reflect an exemplar design and did not represent the industrial heritage of the railways. However, following multiple discussions with the Agent/Applicant an amended scheme was submitted. The bridge now includes an arch/curve which gives the bridge more of an historic feel and metal cut fret designs of a cyclist, walker, wheelchair user and horse rider, along with directional signs to Rugby and Leamington. This design gives interest to the bridge when travelling under and over it and allows the bridge to become an attractive focal point when entering the Borough from the south. It combines its old and new uses with a mix of engineering and art.
- 3.5. **Condition 10** will be attached to the decision notice to ensure the siting, design and materials of the signs and cut out fret figures is approved by Local Planning Authority prior to the bridge first being brought into use.
- 3.6. The demolition of the bridge will impact on the character of its locality; however, the new bridge maintains the openness of the area, by constructing a lighter weight structure that is less intrusive in the rural landscape. The steel truss bridge will be less bulky than the traditional brick bridge, utilising a single span without piers and offering an open, simple, and clean design that has the ability to be seen through.
- 3.7. This application is therefore considered to be in accordance Policy SDC1 of the Local Plan.

4. Amenity

- 4.1. 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.
- 4.2. The industrial units on Old Station Yard are the closest neighbouring properties to the application site, approximately 140 metres to the east. The permanent

caravans parked a Lairhillock Park are a further 280 metres to the east and utilise a separate entrance to one included in the site location plan. The users of Old Station Yard will experience disruption as a result of the bridge demolition and installation, but this is only considered to be temporary, and the removal of the brick piers will increase visibility for drivers exiting the access road.

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

5. Environmental Health Considerations

5.1. Section 15 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The expectation is that any potentially adverse noise impacts from a development should be mitigated and reduced to a minimum in the interests of protecting the health and quality of life of nearby residents.

5.2. RBC Environmental Health Officer is of no objection following the subsequent submission of a more detailed Construction and Environmental Management Plan (CEMP) prior to commencement (condition 6). The plan will include details regarding, the control of noise and vibration emission, dust and mud deposition.

5.3. The application is therefore considered to be in accordance with Section 15 of the NPPF.

6. Highway Safety:

6.1. Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users.

6.2. The A423 will need to be closed during the demolition and while the material is removed from the carriageway. Prior to the demolition a crash deck or protective surface will be installed below the bridge, then the bridge will be brought down on to this surface. Crane pads are also proposed to minimise any damage being caused to the highway when the new bridge is lifted in.

6.3. The A423 will need to be closed for around two weeks to allow for the demolition and two day for the craning in of the new steel bridge deck.

6.4. Warwickshire County Council Highways Department are of a position of no objection, subject to two condition and six informatives. Condition 4 involves the submission of a suitable signage and white lining scheme. It is noted within their response that any white lining and signage in connection with the existing Bridge

22 needs to be removed from the carriageway approaching the bridge and the wider highway network, as the new bridge will have no height restrictions. The second condition: **condition 5**, ensures that all works to Bridge 22 are completed in accordance with the construction management plan (CMP).

6.5. The issue of drainage and the dip in the road raised by Marton Parish Council was discussed with Warwickshire County Council Highways Department and the works necessary to resolve this issue do not fall under the scope of this application. It would be considered unreasonable to request a condition associated with these works.

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

7. Trees & Landscaping

7.1. Policy SDC2 states that the landscape aspects of a development form an integral part of the overall design and a high standard of appropriate hard and soft landscaping will be required. Proposals should ensure that new planting comprises of native species which are of ecological value and appropriate for the area. Policy NE3 has a similar purpose ensuring that significant landscape features are protected and enhanced.

7.2. There are a number of trees, groups of trees and hedgerows around the bridge, but no protected trees on site. There will be a minimal amount of loss to implement the works which is considered insignificant given the overall site context. Those trees that are removed will be replaced.

7.3. RBC Arboricultural Officer is of a position of no objection subject to the provision of a finalised arboricultural method statement (**condition 8**) and tree protection plan (**condition 9**) to ensure retained trees are protected from damage during the construction phase and details of replacement planting are approved prior to development commencing.

7.4. This application is considered in accordance with Policy SDC2 and NE3 of the Local Plan.

8. Ecological Considerations

8.1. 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.

8.2. The whole Lias Line lies within National Character Area profile 96: Dunsmore and Feldon, as defined by Natural England. Much of the Line comprises dense/continuous scrub, semi-natural woodland, scattered trees, semi-improved neutral grassland, ephemeral/short perennial and tall ruderal vegetation, areas of standing water, short stretches of species-poor hedgerow and bare ground. The Line runs adjacent to fields of pasture and arable land with field hedgerows and small blocks of woodland.

8.3. Warwickshire County Council Ecological Services Team have been extensively involved in the proposal and were commissioned by Sustrans and Railway Path Limited to provide technical support for the project. The planning application has been accompanied by a Ecological Construction and Environmental Management Plan (E-CEMP) and Landscape and Ecological Management Plan (LEMP) which links in with the main line application. These documents have been approved by WCC Ecology and are included in **Condition 2**. Therefore, WCC Ecology have only recommenced one condition **[Condition 7]** that is a combination of a Biodiversity Management Plan (BMP) and Biodiversity Offsetting to ensure that there is no net biodiversity loss as a result of the development.

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

9. Conclusion

9.1. In terms of the planning balance, it is acknowledged that the demolition of Bridge 22 that is in a structurally sound and “fair condition” is disappointing and will cause harm to the significance of the non-designated heritage asset. However, the new bridge with its homage to the railway industry, coupled with references to its new use, would bring several benefits including highway safety improvements and wider Lias Line improvements. It would generate quality green infrastructure and help to deliver healthy, safe and inclusive communities. On a wider level, the loss of Bridge 22 will not detract from the historical value of the line as a whole which includes 28 other bridges. The railways contribution to the history of the area between Rugby and Leamington can still be fully understood. 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:
R20/0991

DATE APPLICATION VALID:
16-Nov-2020

APPLICANT:

Mr Paul Thomas, Railway Paths, Hanover House, 30-32 Charlotte St, Manchester, M1 4FD

AGENT:

Clary Elliott, Clary Elliott Engineering, 33 Chestnut Avenue, Cross Gates, Leeds, LS15 8ED

ADDRESS OF DEVELOPMENT:

Former Railway Bridge (known as Bridge 22), over A423, adjacent to The Old Station Yard Industrial Estate

APPLICATION DESCRIPTION:

Demolition of existing brick arch bridge, removal of deck, arches and piers, and erection of steel truss bridge installed on existing abutment to be used for cycling and walking

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:

12064RPU22PA03 Rev B Existing Elevations
12064RPU22PA01 Rev B Proposed site plan
12064RPU22PA05 Rev C Site Block Plan
Drg PAR 14-01 Metal railings detail
12064RPU22PA04 Rev C Site Location Plan
DAS Appendix F - PEA Report
DAS Appendix G - Ecological Impact Assessment
DAS Appendix K- EclA Badger Annex
DAS Appendix M - Arboricultural Impact Assessment
Bridge 22 Demolition and Replacement Design and Access Statement
[Received by the Council on 16/11/2020]

M022_B22_Cost_and_Repair_Statement
[Received by the Council on 17/12/2020]

Main_Line_BIA_v.19.1.V2b_FINAL
[Received by the Council on 28/04/2021]

SDC_LEMP
Lias_Line_E-CEMP_v003_210521
Lias_LEMP_FINAL_v2_310321_(2
[Received by the Council on 18/06/2021]

M022-B22-CMP-01_RPL_Construction_Management_Plan_Rev1
M022_B24_2021_Principal_Inspection
Lias_Line_Heritage_Impact_Assessment v3
[Received by the Council on 24/06/2021]

12064RPU22PA02_Proposed_elevation-rev_C
[Received by the Council on 22/07/2021]

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 (except demolition) unless and until full details of the colour, finish and texture of all new materials to be used on the steel truss bridge 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 development shall commence until a suitable signage and white lining scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme should detail the extent of the proposed alterations along with timescales for the completion of the works. Development shall be carried out in compliance with the approved scheme.

REASON: 4

In the interest of highway safety

CONDITION: 5

The proposed demolition and construction works shall be carried out in strict accordance with the submitted construction management plan (CMP) at all times and the highway gullies and pipes shall be cleared after completion of the works as detailed in the submitted CMP.

REASON: 5

In the interest of highway safety

CONDITION: 6

As detailed in document number M022-B22-CMP-01 dated 11th November 2020 submitted with the application, prior to the commencement of any works, a more detailed Construction and Environmental Management Plan shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

- the control of noise and vibration emissions from construction activities
- 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 and Environmental Management Statement.

REASON: 6

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

CONDITION: 7

Within 12 months of commencement a Biodiversity Management Plan (BMP) and a scheme to ensure that there is no net biodiversity loss as a result of the development scheme should be submitted to and approved in writing by the Local Planning Authority (in consultation with Warwickshire County Council Ecology). The BMP is to include a detailed schedule of habitats and protected species mitigation, and biodiversity enhancement measures including habitat management and long-term monitoring. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity offsetting metric as applied in the area in which the site is situated at the relevant time and the Scheme shall include:

1. Proposals for on-site mitigation (full details of which will be provided in relation to each phase of development) and/or for off-site offsetting;
2. A methodology for the identification of any receptor site(s) for offsetting measures;
3. The identification of any such receptor site(s);
4. The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and
5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).

The approved Scheme and the mitigation and enhancement measures in the approved BMP shall be implemented in full within 12 months of the written approval of the Scheme and the BMP.

REASON: 7

To ensure a net biodiversity gain in accordance with NPPF, ODPM Circular 2005/06.

CONDITION: 8

No works, demolition or development shall take place until a further arboricultural method statement and tree protection plan for the protection of the retained trees (such method statement and plan to be in accordance with sections 5.5 & 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. This arboricultural method statement and tree protection plan must include details and positioning of tree protection fencing, any ground protection measures to create construction exclusion zones and an auditable system of monitoring. The approved arboricultural method statement and tree protection plan shall be implemented in full prior to any works, demolition or development taking place. Protective measures must remain in place until the completion of all construction works. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Prior to any works,

demolition or development taking place, a site meeting between the applicant, the Local Planning Authority arboricultural officer and designated arboricultural consultant responsible for the site will take place to inspect tree protection measures.

REASON: 8

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

CONDITION: 9

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 LPA gives its written consent to any variations. Development shall be carried out in compliance with the approved specification.

REASON: 9

In the interests of biodiversity and visual amenity.

CONDITION: 10

Full details of the siting, design and materials of the proposed signs and cut out user figures on the steel truss bridge shall be submitted to and approved in writing by the Local Planning Authority. The signs and cut out user figures shall be provided, in accordance with the approved details before the bridge is first brought into use.

REASON: 10

In the interest of visual amenity.

INFORMATIVE: 1

The development for which planning permission is hereby permitted requires that a bridge, or part thereof, be constructed over the public highway. This permission does not authorise the construction of the bridge over the public highway and before any works are commenced the developer must obtain from the Highway Authority a licence granted under Section 176 of the Highways Act 1980 for constructing the building or part thereof over the public highway.

INFORMATIVE: 2

Prior to commencement of the development, the applicant is required to enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.

INFORMATIVE: 3

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. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

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

Section 169 of the Highways Act 1980 restricts the placing of scaffolding or other structure that obstructs the highway, in connection with any building or demolition work on or over the highway, which would project over the highway in such a manner that it would obstruct safe and convenient passage along the street, without the appropriate consent of the Highway Authority.

INFORMATIVE: 6

Condition number 4 requires works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement should be made to Minor Works and Forestry, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution.

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

INFORMATIVE: 7

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: R21/0501

Site Address: Ansty Business Park, Pilot Way, Coventry, CV7 9JU

Description: Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works

Recommendation

Approval subject to conditions and informatives

1. Background:

- 1.1. This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development.

2. Proposal:

- 2.1. This is a full planning application for the creation and establishment of land for biodiversity-rich habitats. It is required to provide biodiversity offsetting mitigation for approved planning applications at the Rolls-Royce site in Ansty (now known as Prospero Ansty). These applications were approved subject to conditions requiring that any residual loss of biodiversity (as calculated through a Biodiversity Impact Assessment) must be offset through biodiversity enhancements elsewhere. The biodiversity offsetting mitigation proposed on this land is therefore essential to ensure that the requirements of these conditions can be met.

- 2.2. The mitigation works include:

- Enhancement of large areas of grassland into species-rich meadow habitats;
- Creation of wetland habitats including pond and reed-bed creation, and limited re-profiling works;
- Withybrook watercourse enhancements, including small scale habitat creation measures and bank reprofiling works;
- Extensive woodland/scrub thicket planting in order to improve habitat complexity and connectivity with adjacent habitats; and
- Installation of multiple faunal enhancements (i.e. bird/bat boxes and hibernacula).

3. Site Description:

- 3.1. The application site comprises of three pasture fields covering 10.68 hectares of land to the north of Central Boulevard in Ansty Park and to the south of the M6 Motorway. The pasture fields are grazed by horses year-round resulting in a uniformly short and species poor sward. The field boundaries are defined by scrub-like hedgerows and treelines. Dense and scattered scrub is limited to a few distinct areas across the site, most notably adjacent to the public footpath which runs along the western boundary.

- 3.2. A stretch of the Withybrook watercourse and associated tributary runs along the eastern southern boundary of the site. For the most part, the brook is a relatively deep sided and fast-flowing watercourse, largely over shaded by a mature bordering treeline and understory scrub. Although the bank remains dominated by Ivy in parts, several pockets of entirely bare bankside exists, especially within areas where horses have been able to access the water-level, and as such, a high level of disturbance has occurred. Sections of all three fields are located within flood zones 1, 2 and 3 (where 3 is medium to high risk, 2 is low risk and 1 is very low risk). They scale down from flood zone 3 in the southwest to flood zone 1 in the north and east.
- 3.3. To the south and southeast of the application site is Ansty Business Park which benefited from outline planning permission for 124,484 square metres of B1 floorspace for use as a High Technology Park. A substantial part of this land has now been developed and occupied with a limited number of plots remaining. Areas of strategic landscaping have been incorporated around the perimeter of the site with further ornamental landscaping throughout the Park. The Rolls-Royce site in Ansty (now known as Prospero Ansty) is located adjacent to this. Four original buildings remain on this site but many of the buildings have been demolished ahead of the redevelopment of the site. Outline planning permission including up to 160,000 square metres of B1 floorspace for B1 and B2 floorspace has been granted on this land. A new manufacturing facility by Meggitt has already been occupied with a further office building by Cadent under construction.
- 3.4. Beyond the M6 motorway to the north and the east of the site is open countryside used for agriculture.

4. Relevant Planning History:

- 4.1. R19/1540
Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car & cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision & replacement of utilities & service infrastructure and other associated works.
Approved 16th June 2021.
- 4.2. R19/1512
Erection of building and use for purposes within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with ancillary research and development facilities (Use Class B1(b)), staff gym and studio, associated surface and multi-storey car park, cycle parking, access road, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling and associated works.
Approved 3rd July 2020.
- 4.3. R20/0094
A new commercial headquarters building providing B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space, associated car parking, lorry parking, cycle parking, service areas, external plant and machinery, structural landscaping, drainage, SUDs,

and other supporting infrastructure including new access roads, together with any necessary demolition and ground remodelling.

Approved 14th August 2020.

5. Technical Consultation Responses:

Coventry City Council	No objection
Environment Agency	No objection subject to informative
Highways England	No objection
RBC Environmental Health	No objection subject to informative
RBC Trees and Landscape	No objection
WCC Ecology	No objection subject to conditions
WCC Highways	No objection subject to informative
WCC Flood Risk Management	No objection subject to informative
WCC Rights of Way	No comment

6. Third Party Comments

Combe Fields Parish Council	No objection
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7. Assessment of proposals

7.1. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below.

7.3. Rugby Borough Local Plan 2011-2031, June 2019

Policy GP1	Securing Sustainable Development	Complies
Policy GP2	Settlement Hierarchy	Complies
Policy NE1	Protecting Designated Biodiversity and Geodiversity Assets	Complies
Policy NE2	Strategic Green and Blue Infrastructure	Complies
Policy NE3	Landscape Protection and Enhancement	Complies
Policy SDC1	Sustainable Design	Complies
Policy SDC5	Flood Risk Management	Complies
Policy SDC6	Sustainable Drainage	Complies
Policy SDC2	Landscaping	Complies

7.4. Material Considerations

National Planning Policy Framework (NPPF or “the Framework”) 2021

National Planning Practice Guidance (NPPG)

Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

7.5. Key Issues

Section 8	Settlement Hierarchy and Green Belt
Section 9	Principle of Development

Section 10	Ecology
Section 11	Flood Risk and Drainage
Section 12	Landscape and Visual Impact
Section 13	Climate Change
Section 14	Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

Settlement Hierarchy

- 8.1. Policy GP2 of the Local Plan outlines a sequential settlement hierarchy which seeks to ensure that development is directed to the most sustainable locations within the Borough. In this case the application site is located within the West Midlands Green Belt which is classified as being the least sequentially preferable location for development. The policy consequently sets out that development will be resisted in such areas unless permitted by national policy on Green Belts.

Green Belt

- 8.2. National policy on Green Belts is set out within the Framework at section 13. Paragraph 147 is particularly relevant and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 8.3. Paragraph 150 of the Framework lists certain forms of development that are not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include the material change of use of land and engineering operations.
- 8.4. In this case the proposal seeks to change the use of the land from open pasture agricultural land to land for biodiversity enhancement together with habitat creation. This change of use would include the: enhancement of large areas of grassland into species-rich meadow habitats; creation of wetland habitats including pond and reed-bed creation; woodland/scrub thicket planting in order to improve habitat complexity and connectivity with adjacent habitats; and installation of multiple faunal enhancements (i.e. bird/bat boxes and hibernacula).
- 8.5. The proposal would further involve engineering operations including the: excavation of six water bodies to a maximum depth of 1.5m deep; linear 'scrape' approximately 750mm deep; widening a small section of the Withybrook water course by about 3 metres to create areas of shallow water; bank reprofiling works along parts of the Withybrook water course; creation of two hibernacula mounds 1m high and 2m diameter; and creation of landscape mounding up to a maximum of 2.5m above existing ground level.
- 8.6. In line with national policy, the proposed change of use of land and engineering operations would not be inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

Impact on Openness

- 8.7. In regard to preserving openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness is a broad policy concept which has variously been defined by the Courts as "unbuilt on land" or "the state of being free

from built development, the absence of buildings – as distinct from the absence of visual impact”. The Courts have also established that the concept of openness can have a spatial aspect as well as a visual aspect. However, it is not necessarily a statement about the visual qualities of the land. Equally, the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of the location of a new building there. In essence, even if new buildings have a limited visual impact they can still reduce openness. Furthermore, it is necessary to acknowledge that the planting of trees and vegetation does not amount to development and the presence of such features within the landscape do not necessarily reduce openness. However, the impact on openness is not necessarily confined to works which amount to development for the purposes of the 1990 Act. In certain circumstances it can therefore be argued that planting impacts on openness.

- 8.8. In regard to the change of use of the land, it is acknowledged that the appearance of the land would change from short and species poor sward used for horse grazing to areas of habitats including meadows, woodland/scrub thicket planting and ponds. The proposed planting and works would invariably have a degree of impact on openness in that they would reduce longer range views once established. However, it is considered that the arrangement of trees and plants would be viewed as a natural feature in the landscape which is free from built development. Indeed, the presence of such areas of planting can be found throughout the Green Belt with examples of this in the immediate area surrounding the site. It is also acknowledged that agricultural land can be used to create meadows and woodlands (where that use is ancillary to the farming of land for other agricultural purposes in the case of woodlands). The principle of meadows and planting on agricultural land in the Green Belt is therefore accepted. On balance it is consequently considered that the proposed change of use would not result in an unacceptable loss of openness.
- 8.9. In regard to the engineering operations, it is considered that the physical height and extent of the proposed works would not individually or cumulatively harm openness. The limited areas of landscape mounding up to a maximum of 2.5m above existing ground level would be situated to the northern boundary of the site adjoining the M6 motorway. The graded nature of these mounds is such that they would appear as natural features. Equally, the proposed works to create ponds and shallow pools along the Witybrook water course would not result in physical intrusions above the surface which would harm openness. They would instead appear as natural features which form part of the landscape.

Purposes of Including Land in the Green Belt

- 8.10. Paragraph 138 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.11. It is considered that the proposed change of use of the land and engineering operations would not result in conflict with these purposes of including land within the Green Belt. In fact, the change of use of the land for the purposes of biodiversity off-setting would actually safeguard the land from built development and thereby assist in ensuring that the land continues to serve the five purposes of including land in the Green Belt.

Conclusions on Green Belt

- 8.12. Having regard to the spatial and visual aspects of development it is considered that the proposed development wouldn't impact on the openness of the Green Belt and the purposes of including land within it. Accordingly, the proposed development would not be inappropriate development in the Green Belt.

9. Principle of Development

- 9.1. The application site falls within land designated as Strategic Green and Blue Infrastructure in policy NE2 of the Local Plan. The policy seeks to ensure that proposals within these areas contribute to the creation of a comprehensive strategic green and blue infrastructure network. This is to be achieved through the protection, restoration and enhancement of existing and potential assets in these areas. In this case the proposal is specifically for biodiversity enhancements to green and blue infrastructure assets. It is therefore considered that the principle of development is acceptable given that it accords with policy NE2.
- 9.2. Furthermore, the principle of developing the site for biodiversity enhancement and associated works (including habitat creation) has primarily been established through the approval of an Off-Site Biodiversity Management Plan required by condition 11 of the Cadent development on Prospero Ansty (R19/1512). The proposal is also key to ensuring that recently approved planning applications at Prospero Ansty, including an outline permission for the redevelopment of the Rolls-Royce site (R19/1540), can be developed in a manner which ensures that there would be no net loss of biodiversity. The proposed development is therefore a critical enabler for the nearby re-development of Rolls-Royce Ansty. Moreover, the proposal would not result in built development and is of a type and nature that is compatible with this countryside location. Overall, the principle of development is considered acceptable.

10. Ecology

- 10.1. Paragraphs 174 and 180 of the Framework and policy NE1 of the Local Plan set out the need to protect and enhance biodiversity including protected habitats and species.
- 10.2. The application site itself supports a number of habitats of intrinsically low ecological value including heavily grazed species-poor pastureland. Features of increased ecological value include boundary hedgerows/treelines and the Withybrook watercourse which extends along the entirety of the eastern boundary of the site and is bordered by areas of dense vegetation on either side. These habitats are generally in a poor condition due to heavy-overshading, dense growth or otherwise species poor assemblages.
- 10.3. The proposals for the site are to be solely undertaken for the purposes of maximising biodiversity. This would be achieved through the incorporation of a wide range of habitats, both new and created. All of these have been designed to elevate the sites ecological value and its contribution to the biodiversity of the local area.
- 10.4. The proposals would seek to enhance large areas of grassland, create wetland style habitats, create large areas of scrub planting, as well as undertake enhancement works to existing linear features including hedgerows/treelines and the Withybrook watercourse. The proposals would incorporate a number of additional measures, targeted specifically at increasing opportunities for faunal species including the provision of bat and bird boxes and hibernacula.

- 10.5. The long-term protection and maintenance of the site would be secured through adherence to the Off-Site Biodiversity Management Plan (8508-OSBMP-Plot1A-vf1, received 05/05/2021) which was submitted with the application. This Plan has previously been approved for condition 11 of R19/1512 and will also be required by condition 12 of the Prospero Ansty outline permission (R19/1540). The Plan includes provisions for a Management and Implementation Schedule (MIS) which includes details of a long-term management plan of no less than 30 years, the body/organisation responsible for the implementation of the plan together with relevant legal and funding mechanisms, details and timings of maintenance, provisions for ongoing monitoring and remedial measures. Adherence to the Off-Site Biodiversity Management Plan is required by condition 4.
- 10.6. The Ecological Statement submitted with the application sets out a suite of precautionary working principles to ensure that any impact upon identified protected or notable species would be avoided. Moreover, the proposal would provide bat and bird boxes together with hibernacula will provide enhanced roosting opportunities for bats, nesting opportunities for birds and hibernation opportunities in the long-term for reptiles and amphibians.
- 10.7. WCC Ecology has assessed the scheme and are satisfied that the proposals would result in a significant uplift in biodiversity. They have further considered the potential impact of the works on protected species including great crested newts and water voles. They are satisfied that there would be no harm to these subject to adherence to reasonable avoidance measures and precautionary working measures being followed (conditions 2 and 3).
- 10.8. The proposals for the site are to be solely undertaken for the purposes of maximising biodiversity. The biodiversity works together with the management of this would be secured via condition together with a timetable of implementation. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring a net biodiversity gain. As a result, the proposal complies with the Framework and policies NE1 and NE2.

11. Flood Risk and Drainage

- 11.1. Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.
- 11.2. A stretch of the Witherbrook watercourse and associated tributary runs along the eastern southern boundary of the site. Sections of the site are located within flood zones 1, 2 and 3 (where 3 is medium to high risk, 2 is low risk and 1 is very low risk). They scale down from flood zone 3 in the southwest to flood zone 1 in the north and east. The land is currently agricultural open pasture and drains naturally.
- 11.3. The Flood Risk Assessment (FRA) submitted with the application confirms that the site is at risk from fluvial flooding given that it is located within Flood Zone 1, 2 and 3. The existing surface water drainage arrangements, i.e. natural runoff, would not change. The proposed ponds within the site are for habitat creation and would not be connected to a drainage scheme. The spoil from the proposed pond excavation and watercourse widening would be mounded to the north of the site in flood zone 1. The proposed widening of the watercourse into three small pools would provide slightly more flood volume than is currently the case (289 cubic metres of flood volume).

- 11.4. As this development does not consist of buildings or infrastructure, only landscape and habitat creation, the objective is to assess the proposals and ensure that the design does not negatively impact the flood water flow regime within the site which would result in additional flooding within, upstream or downstream of the proposed site. The proposal consequently ensures any excavated soil is only deposited to the northern part of the site in flood zone 1. Planting and grassland improvements have been designed to have a minimal and insignificant effect on the flow of floodwater through the site. Overall, the FRA outlines that the nature of the development is such that it would not have a negative effect on the existing floodplain or exacerbate flood risk in the area.
- 11.5. The Environment Agency (EA) and WCC FRM have considered the findings of the FRA. They have both raised no objection to the proposed development with the EA welcoming the 289 cubic metre increase in flood volume capacity.
- 11.6. It has been found that the findings of the FRA are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. It has been established that the proposed development is an acceptable type of development within the various different Flood Zones and would be low risk in respect of flooding and causing flooding elsewhere. Furthermore, the channel improvements to the watercourse will provide a total increase of flood volume capacity. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

12. Landscape and Visual Impact

- 12.1. Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on landscape character.
- 12.2. The proposal would take advantage of existing features and create new habitat features which are appropriate to this location. The Council's Landscape and Arboricultural Officer has considered the proposals and raised no objection to the development. It is consequently considered that the proposal would integrate positively with the local landscape and not result in detrimental visual harm. As a result, the proposal complies with the Framework and policies NE3, SDC1 and SDC2.

13. Climate Change

- 12.3. Paragraph 131 of the Framework sets out that trees can help mitigate and adapt to climate change.
- 12.4. The proposal includes provisions for new tree planting together with other habitat planting. As a result, the proposal would make a positive contribution towards mitigating and adapting to climate change in accordance with the Framework.

14. Planning Balance and Sustainability of Development

- 13.1. Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) means "approving development proposals that accord with an up-to-date development plan

without delay". The Local Plan was adopted in June 2019 and is therefore considered to be an up-to-date development plan.

- 13.2. In this case the application site is located in the Green Belt. Policy GP2 of the Local Plan is therefore relevant and sets out that development will be resisted in such areas unless permitted by national policy on Green Belts. In this case, it has been found that the proposed development would not be inappropriate development in the Green Belt and is therefore permitted by national policy. Furthermore, the proposed use of the land for biodiversity enhancements and habitat creation means that it complies with policy NE2 of the Local Plan which seeks to create a Strategic Green and Blue Infrastructure Network.
- 13.3. The proposal has been found to be acceptable in relation to other relevant policies in the Local Plan concerning ecology, flood risk, drainage, landscape and visual Impact and climate change. No adverse impacts were identified for the majority of potential issues. However, in respect of protected species, it is possible to use a condition to mitigate against the potential adverse impacts that could be caused to them. On balance, it is clear that the proposal would give rise to a number of benefits including ecological and environmental enhancements which would outweigh any harm.
- 13.4. Overall, it is considered that the proposal would constitute sustainable development and consequently accords with policy GP1 of the Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved without delay in accordance with paragraph 11(c) of the Framework.

15. Recommendation:

- 15.1. Planning application R21/0501 to be granted subject to:
 - a. The conditions and informatives set out in the draft decision notice appended to this report.

DRAFT DECISION

REFERENCE NO:
R21/1540

DATE APPLICATION VALID:
05-May-2021

APPLICANT:

Manse Opus (Ansty) LLP & Rolls-Royce Plc, Opus Studios, 5-7 High Street, Henley-in-Arden, B95 5AA

AGENT:

David Lock Associates, 50 North Thirteenth Street, Central Milton Keynes, MK9 3BP

ADDRESS OF DEVELOPMENT:

Ansty Business Park, Pilot Way, Coventry, CV7 9JU

APPLICATION DESCRIPTION:

Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works

CONDITIONS

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development hereby approved shall not be carried out other than in accordance with the plans and documents detailed below:

<u>Plan Description</u>	<u>Plan Reference</u>	<u>Date Received</u>
Landscape Location Plan	MAN013-001	05/05/2021
Landscape Concept Plan Parcel 2	CHOIR1-BCA-EX-XX-DR-L-0020-F	05/05/2021
Landscape Planting Plan Parcel 2 (1 of 3)	CHOIR1-BCA-EX-XX-DR-L-00026-C	05/05/2021
Landscape Planting Plan Parcel 2 (2 of 3)	CHOIR1-BCA-EX-XX-DR-L-00027-C	05/05/2021
Landscape Planting Plan Parcel 2 (3 of 3)	CHOIR1-BCA-EX-XX-DR-L-00028-A	05/05/2021
Parcel 2 Land – Ecology Works – Proposed Pool Widening to Withybrook Watercourse	CHOIR1-BCA-EX-XX-DR-L-00031	05/05/2021
Hibernacula Details	CHOIR1-BCA-EX-XX-DR-L-00024	05/05/2021
Proposed Construction Access and Vegetation Removal	1983-19-30-veg-clearance-dwg-C	05/05/2021

<u>Report Description</u>	<u>Report Reference</u>	<u>Date Received</u>
Ecology Briefing Note	8505	05/05/2021
Off-Site Biodiversity Management Plan	8508-OSBMP-Plot1A-vf1	05/05/2021
Flood Risk Assessment	IPD-20-542-R-050-A	05/05/2021
Parcel 2 - Flood Increase Volume	N/A	05/05/2021
Planning Statement (including Appended Construction Statement)	N/A	05/05/2021
Proposed Mounding and Excavation	CHOIR1-BCA-EX-XX-DR-L-00025-F	05/05/2021
Typical Section Through Ponds	CHOIR1-BCA-EX-XX-DR-L-00023	05/05/2021

REASON:
For the avoidance of doubt.

CONDITION 3:

The development hereby approved shall not be carried out other than in accordance with the detailed mitigation measures, including timescales, for the safeguarding of protected species set out within the site within the Ecology Briefing Note (8505, received 05/05/2021).

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

CONDITION 4:

The Off-Site Biodiversity Management Plan (8508-OSBMP-Plot1A-vf1, received 05/05/2021), including associated measures and the Management and Implementation Schedule, shall be implemented upon commencement of the development.

REASON:
To protect and enhance biodiversity and in the interests of visual amenity.

INFORMATIVES

INFORMATIVE 1:

Environmental Health advise that to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: Monday – Friday 7.30 a.m. – 6.00 p.m.; Saturday 8.30 a.m. – 1.00 p.m.; and No work on Sundays and Bank Holidays.

INFORMATIVE 2:

The Environment Agency advise that the proposed works may also need separate consent under Environmental Permitting Regulations. This replaces the process of applying for a Flood Defence Consent. You may need an environmental permit for flood risk activities if you want to do work:

- in, under, over or near a main river (including where the river is in a culvert):
- on or near a flood defence on a main river;
- in the flood plain of a main river; or

- on or near a sea defence.

For further information on how to apply please see online <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

INFORMATIVE 3:

WCC FRM advise that any connection or works to an Ordinary Watercourse, including temporary crossings, will require Ordinary Watercourse Land Drainage Consent from WCC as Lead Local Flood Authority. Applications and advice can be found at the following link: <https://www.warwickshire.gov.uk/watercourse>

INFORMATIVE 4:

WCC Highways advise that a Public Right of Way (R31) runs in close proximity to the proposed development. Please be advised that R31 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 construction.

STATEMENT OF POSITIVE ENGAGEMENT

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the NPPF.

Reference: R21/0525

Site Address: Rolls-Royce, Combe Fields Road, Coventry, CV7 9JR

Description: Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, access road, car parking, cycle parking, lorry parking, service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings.

Recommendation

Approval subject to conditions, informatives and referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

1. Background:

- 1.1 This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development which is required to be referred to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

2. Proposal:

- 2.1 This is a full planning application for the redevelopment of part of the Rolls-Royce site in Ansty. The application site totals 16.28 hectares and includes existing private highways and land required for essential infrastructure.
- 2.2 The main built elements of the proposal would be provided on just over 5.3 hectares of land and seeks to provide a commercial headquarters building for a nationwide packaging company called Kite Packaging. Kite Packaging is one of the UK's leading packaging suppliers, and the fastest growing business in the sector. It's an employee-owned business with seven sites around the UK. The facility would support a B8 commercial storage and distribution use, with ancillary office functions.
- 2.3 In economic terms the proposal represents a major investment which would provide a base for up to 211 employees and would have a positive impact on the region and the local economy and prosperity of the Borough.
- 2.4 The facility would be provided in one single, three-storey building. It would have a gross external floor area of 28,361sq.m and gross internal floor area of 27,900sq.m. The B8 commercial storage area would occupy 25,504 sq.m of the unit, with 2,396 sq.m proposed for ancillary office use (Use Class E(g)). The maximum height of the building would be 17.10m to a +106.1 AOD.
- 2.5 Access to the site would be secured off two separate points to achieve separate car park and HGV access. To achieve this the existing spine road to the south of the site would be widened and a new roundabout constructed. A new estate road would then be constructed off this roundabout to the east providing access to a car park to the north of the site. The HGV access would be located to the southeast of the site. It would take the form of a priority junction with a right hand ghost turning lane in the centre of the existing spine road. The new and enlarged roads and accesses would then allow access onto the existing access roads in Ansty Business

Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.

- 2.6 A total of 281 car parking spaces would be provided of which 28 would have electric vehicle charging points. There would be 60 covered cycle spaces. A surface yard would be provided to the south of the proposed building which would provide a total of 40 HGV parking spaces.
- 2.7 In order to create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. It is proposed to temporarily store soil arisings from these earthworks on land immediately west of Plot 5. The existing site slopes gently up to the south. At the north-eastern corner of the site the existing level is around 85.6m AOD, this rises to around 87m AOD at the north-western corner. Along the southern boundary the land rises up to around 93.6 AOD in the middle and drops to 91.3 AOD to one corner and 88 AOD in the other corner. The proposed earthworks would result in a finished floor level of 89.00m AOD meaning some parts of the site would be raised above existing levels whilst other parts would be lowered. As a result, the ridge height of the proposed building would be 106.1m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building and 105m AOD for the MTC buildings.
- 2.8 Surface water runoff from the site that cannot be infiltrated to the ground would be drained, via the strategic surface water sewer, to a balancing pond located to the south of the application site. Water would then be discharged from these ponds at a controlled rate which would be 50% less than current brownfield discharge rates.
- 2.9 The southern boundary of the wider Prospero Ansty site would be screened by strategic woodland and structural landscaping, which would include evergreen species to provide year-round screening. This would predominately be 20m wide with a small 14m wide section on part of the western boundary. Further landscape planting would be provided on the land immediately around the office and car park area.

3. Site Description:

- 3.1. The application site comprises of 16.28ha of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 5.3 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty. The site comprises of areas of grassland of varying quality, dense and scattered scrub, tree groups, as well as areas of ruderal growth, hardstanding (some of which has been subject to partial re-vegetation) and built-form.
- 3.2. The topography of the site is such that it slopes gently up to the south. At the north-eastern corner of the site the existing level is around 85.6m AOD, this rises to around 87m AOD at the north-western corner. Along the southern boundary the land rises up to around 93.6 AOD in the middle and drops to 91.3 AOD to one corner and 88 AOD in the other corner.
- 3.3. The application site has historically formed part of Rolls-Royce Ansty's site and manufacturing operations. Many of the buildings associated with this use have been demolished ahead of the proposed redevelopment of the site. Three buildings used by Rolls-Royce for manufacturing and document storage remain and are located to the north and north-east of the site. A further building is located to the south of the site and is used by RWG as an engine test facility.
- 3.4. To the east of the site is a large manufacturing facility and headquarters operated by Meggitt. This facility was the first building to come forward as part of the redevelopment plans. It

provides 45,844sq.m of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. Significant strategic landscape planting has been provided on land to the east and south of this building. Two attenuation ponds have also been provided to the southeast of the building to contain surface water runoff arising from this.

- 3.5. To the north-east of the site an office development is under construction for use by Cadent. This is the second building to come forward as part of the redevelopment plans. Once construction is complete it will have a gross external floor area of 11,124 sq.m in a building that will be 19 metres high. A separate multi-storey car park associated with these offices is also under construction. This building will total 9,113 sq.m of gross external floor area in a 14 metre high building. Further strategic landscape planting and an attenuation pond will be provided on land to the east of this building.
- 3.6. At a broader level the site is seen within the context of Ansty Business Park to the north which benefited from outline planning permission for 124,484 square metres of B1 floorspace for use as a High Technology Park. A substantial part of this land has now been developed and occupied with a limited number of plots remaining. Buildings present on the site include the Manufacturing Technology Centre (19m high), London Taxi Corporation (17.60m high), FANUC (14.35m high), Sainsbury's (13m high), AVL (9.10m high), Ericsson (6.10m high), High Temperature Research Centre (14.50m high) and Aerospace Research Centre (15.20m high). The primary access to this area is afforded off the A46 and M6 J2 with a secondary access off Combe Fields Road. A dual lane spine road called Central Boulevard runs through the centre of the Park providing direct access to each building. Areas of strategic landscaping have been incorporated around the perimeter of the site with further ornamental landscaping throughout the Park.
- 3.7. The Rolls-Royce site and Ansty Business Park are surrounded by open countryside which is used for agriculture. The closest residential property is Fair View on Peter Hall Lane which is located approximately 550 metres from the site (core development area) to the east. Hill Fields Farm is located approximately 350 metres from the site (core development area) to the south-west. Sparrow Hall Cottages on Combe Fields Road are located approximately 870 metres from the site (core development area) to the northeast. Public footpath R75y and public bridleways R75b and R75x are located to the south. Public footpath R73c and R74 is located to the east. Public footpath R31 is located to the north. Coombe Abbey Conservation Area, incorporating the Grade II* registered park of Coombe Country Park, is located approximately 550 metres to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Coombe Abbey. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 1km to the west. The M6 motorway is also located approximately 1.1km to the north.

4. Relevant Planning History:

- 4.1. R21/0501: Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works. Decision pending.
- 4.2. R19/1540: Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car and cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision and replacement of utilities and service infrastructure and other associated works. Approved 15/06/2021.

- 4.3. R20/0094: A new commercial headquarters building providing B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space, associated car parking, lorry parking, cycle parking, service areas, external plant and machinery, structural landscaping, drainage, SUDs, and other supporting infrastructure including new access roads, together with any necessary demolition and ground remodelling. Approved 14/08/2020.
- 4.4. R19/1512: Erection of building and use for purposes within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with ancillary research and development facilities (Use Class B1(b)), staff gym and studio, associated surface and multi-storey car park, cycle parking, access road, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling and associated works. Approved 03/07/2020.
- 4.5. R18/2218: Creation of parking area, removal of existing parking area, erection of storage building, substation, sprinkler tanks, pump house and temporary storage tent, alterations to 6-shop elevations, erection of 2.2 metre high fence with associated secure entrances around 4-Shop, 6-Shop and 8-Shop, creation of pedestrian and vehicular accesses, installation of lighting columns, installation of column and wall mounted CCTV cameras, drainage, attenuation pond, landscaping and associated works. Approved 04/03/2019.
- 4.6. R17/1829: Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works. Approved 20/04/2018.
- 4.7. R18/0008: Prior notification of proposed demolition. Prior approval not required 02/02/2018.
- 4.8. R16/1923: Demolition of existing gatehouse to southern entrance and erection of replacement gatehouse to northern entrance and associated works to include alterations to access. Approved 09/01/2017.
- 4.9. R16/1250: Prior notification of proposed demolition. Prior approval not required 27/06/2016.
- 4.10. R14/1900: Prior notification of proposed demolition. Prior approval not required 28/10/2014.
- 4.11. R14/1114: Prior notification of proposed demolition. Prior approval not required 12/08/2014.
- 4.12. R12/0739: Prior notification of proposed demolition. Prior approval not required 10/05/2012.

5. Technical Consultation Responses:

Cadent Gas	No objection with comments subject to informatives
Coventry Airport	No response
Coventry City Council	No comment
Environment Agency	No response
Forestry Commission	Comments received
Highways England	No objection subject to conditions
Historic England	No comment
National Air Traffic Services	No response
National Grid (Cadent Gas)	No objection with comments subject to informatives
Natural England	No response

RBC Development Strategy	No objection with comments
RBC Environmental Health	No objection subject to conditions
RBC Trees and Landscaping	No objection subject to conditions
RBC Works Services Unit	No response
Severn Trent Water	No response
Stagecoach	No response
The Gardens Trust	No response
The Ramblers (Warwickshire Area)	No response
The Woodland Trust	No response
Warwickshire Fire and Rescue Service	No objection subject to condition and informative
Warwickshire Police	No response
Warwickshire Wildlife Trust	No response
WCC Archaeology	No objection subject to condition
WCC Ecology	No objection subject to conditions
WCC Flood Risk Management	No objection subject to condition and informative
WCC Highways	No objection subject to conditions and informatives
WCC Infrastructure	No objection
WCC Rights of Way	No objection subject to informative
Western Power	No response

6. Third Party Consultation Responses:

Combe Fields Parish Council	Comment
-	Query what on site provisions are available for dealing with major emergencies.
-	Consideration should be given to construction of barrier or bund to south of warehouse building to mitigate noise and light pollution.
-	Proposed traffic controlled Combe Fields Road / Pilot Way / Peter Hall Lane junction safety island area: <ul style="list-style-type: none"> o Both carriageways shall be wide enough (at least 5 metres) and straight line long enough to allow the free passage of large agricultural machinery and also allow access in and out of the adjacent field entrance. Acknowledge agent confirmation that meets “current and requisite standards” but no reason why the proposed junction shall not exceed “current and requisite” standards suitable for the needs of the Parish; o Large agricultural machines, using Combe Fields Road, predate this proposed junction and the current “awkward junction” - Ansty Park / Prospero Park. Some Agricultural Operators within Combe Fields Parish have Police Dispensation Orders to move large agricultural machines, up to 4.3 metres wide within a 25 mile radius of the home base. Large agricultural machines were there first; and o When site used by Rolls-Royce with 5,000 staff on site large agricultural machines had free passage along Combe Fields Road. Now with the current design of the proposed junction, large agricultural machines will not have free access. Combe Fields Parish is still a predominately agricultural Parish. Combe Fields Parish Council would urge a design rethink of this junction.
-	No construction traffic shall access the site via Smeaton Lane (C171) or Peter Hall Lane (D2046). During construction, Combe Fields Road shall be swept and cleaned ,regularly. Also there shall be some limitation for noisy construction work during the hours of darkness and weekends.

7. Assessment of Proposal:

- 7.1. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below.

7.3. Rugby Borough Council Local Plan 2019

GP1	Securing Sustainable Development	Complies
GP2	Settlement Hierarchy	Complies
GP3	Previously Developed Land and Conversions	Complies
GP4	Safeguarding Development Potential	Complies
DS1	Overall Development Needs	Complies
ED1	Protection of Rugby's Employment Land	Complies
ED2	Employment Development Within Rugby Urban Area	Complies
ED3	Employment Development Outside Rugby Urban Area	Complies
HS1	Healthy, Safe and Inclusive Communities	Complies
HS2	Health Impact Assessments	Complies
HS5	Traffic Generation, Air Quality, Noise and Vibration	Complies
NE1	Protecting Designated Biodiversity and Geodiversity Assets	Complies
NE2	Strategic Green and Blue Infrastructure	Complies
NE3	Landscape Protection and Enhancement	Complies
SDC1	Sustainable Design	Complies
SDC2	Landscaping	Complies
SDC3	Protecting and Enhancing the Historic Environment	Complies
SDC4	Sustainable Buildings	Complies
SDC5	Flood Risk Management	Complies
SDC6	Sustainable Drainage	Complies
SDC7	Protection of the Water Environment and Water Supply	Complies
SDC9	Broadband and Mobile Internet	Complies
D1	Transport	Complies
D2	Parking Facilities	Complies
D3	Infrastructure and Implementation	Complies
D5	Airport Flightpath Safeguarding	Complies

7.4. Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD (2012)
Air Quality SPD (2021)

7.5. Material Considerations

National Planning Policy Framework (NPPF or "the Framework") (2021)
National Planning Practice Guidance (NPPG)
National Model Design Code - Part 1 - Coding Process (2021)
National Model Design Code - Part 2 - Guidance Notes (2021)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

7.6. Key Issues

Section 8 Settlement Hierarchy and Green Belt
Section 9 General Principle of Development
Section 10 Principle of Employment Development
Section 11 Economic Growth
Section 12 Landscape and Visual Impact
Section 13 Trees and Hedgerows

Section 14	Ecology
Section 15	Traffic Flows and Highway Safety
Section 16	Flood Risk and Drainage
Section 17	Heritage and Archaeology
Section 18	Air Quality
Section 19	Noise
Section 20	Contamination
Section 21	Light
Section 22	Residential Amenity (Light, Aspect and Privacy)
Section 23	Carbon Emissions, Sustainable Design and Construction
Section 24	Health
Section 25	Broadband
Section 26	Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

Settlement Hierarchy

- 8.1. Policy GP2 of the Local Plan outlines a sequential settlement hierarchy which seeks to ensure that development is directed to the most sustainable locations within the Borough. In this case the application site is located within the West Midlands Green Belt which is classified as being the least sequentially preferable location for development. The policy consequently sets out that development will be resisted in such areas unless permitted by national policy on Green Belts.

National Policy on Green Belts

- 8.2. National policy on Green Belts is set out within the Framework at section 13. Paragraph 147 is particularly relevant and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Inappropriate development includes the construction of new buildings other than those listed as exceptions in paragraph 149 of the Framework.
- 8.3. The exception listed at paragraph 149g of the Framework allows for the “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”
- 8.4. In order for the scheme to benefit from this exemption, it must first be demonstrated that it is previously developed land. This is defined in Annex 2 of the Framework as being: “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.” The exclusions to this definition are then listed with one of these being “land that was previously developed but where the remains of the permanent structure have blended into the landscape”.
- 8.5. ‘Curtilage’ is not a term defined in legislation or the Framework. The Courts have consistently held that the extent of a curtilage will be a matter of fact and degree and will depend on the particular circumstances of a case.

- 8.6. In regard to this application, it is noted that the application site can be broken down into three distinct areas which are comprised of the following:
- Area 1: Land which was previously occupied by now demolished and cleared buildings, structures and hard surfaces. Includes areas of open and undeveloped land around these former buildings and structures within the fenced perimeter boundary and forming part of the curtilage.
 - Area 2: Existing private highways and attenuation ponds which have been included within the application site to show how access to the public highway and surface water drainage would be achieved.
 - Area 3: Land which was previously used as a runway (and other elements of hardstanding) and as a rocket testing site. These former activities have been discontinued for several years, but the physical outline of these former uses remain apparent on site. Includes open and undeveloped land around this but located outside of the Rolls-Royce boundary fence.
- 8.7. It is considered that areas 1-3 should be classified as previously developed land. They comprise of land which is or was occupied by a permanent structure, including the curtilage of the developed land. The proposed development would be carried out on this. To determine whether this would be inappropriate development in the Green Belt, it is necessary to ascertain whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development.

Extant Outline Planning Permission

- 8.8. Outline planning permission (R19/1540) was granted on 15th June 2021 for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car and cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision and replacement of utilities and service infrastructure and other associated works. This permission remains extant and does not expire until 15th June 2031.
- 8.9. Development and landscape parameters plans were approved as part of the outline application which will guide future detailed development on the outline site. These plans show the area where built development would be carried out. Maximum building heights of 18m for the majority of the site and 14m for the southern part of the site are specified. The location of the main access road is also shown together with areas for formal and structural landscaping. The structural landscaping would be located around the southern and western perimeter of the site. It would predominately be 20m wide with a small 14m wide section on part of the western boundary. Further locations for ecological mitigation works and retained ancient woodland are indicated.
- 8.10. The application site for this full application falls within the boundary of this outline application. The proposed building would be within the development and landscape parameters approved for the outline application. Specifically, it falls within an area identified for development, would not exceed maximum floorspace allowances and has a maximum height no greater than 106.1m AOD. A reserved matters application could not be submitted because the proposal subject of this full application is for a B8 use rather than the uses approved for the outline application.
- 8.11. The outline application essentially provides a fallback position for the size of buildings which could be constructed in this location. As the proposed building and development is within the permissible limits it is reasonable to conclude that it would not have a greater impact on the

openness of the Green Belt than what has already been permitted and could be constructed in this location. Nonetheless, it is equally important to acknowledge that this application is a full standalone application and that the outline permission may not be implemented. An assessment of the impact on openness arising from this development is therefore required to identify what harm it could give rise to.

Impact on Openness

- 8.12. In regard to openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness is a broad policy concept which has variously been defined by the Courts as “unbuilt on land” or “the state of being free from built development, the absence of buildings – as distinct from the absence of visual impact”. The Courts have also established that the concept of openness can have a spatial aspect as well as a visual aspect. However, it is not a necessarily a statement about the visual qualities of the land. Equally, the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result of the location of a new building there. In essence, even if new buildings have a limited visual impact they can still reduce openness.
- 8.13. In this case the application site is currently free from any permanent structures. The proposed construction of buildings and associated infrastructure on this land would clearly result in a permanent loss of that openness. Furthermore, the cumulative impact arising from the size and scale of this development, and the approved Prospero Ansty outline development (R19/1540), Meggitt development (R17/1829), Cadent development (R19/1512), Kite Packaging development (R20/0094) and Rolls-Royce consolidation development (R18/2218), is such that the spatial impact would be significantly greater than the combined floorspace, height and volume of the now demolished buildings which were located on the wider Rolls-Royce site.
- 8.14. From a visual perspective the presence of the proposed building and development in this part of the site would readily be observed from public vantage points including Combe Fields Road, public footpaths and bridleways (R75x, R75b, R75y and R73c), Coombe Country Park and nearby residential properties. The visual impact of this would be reduced through significant landscape planting which is proposed along the southern and western boundary of the wider Rolls-Royce site. When established this would help to screen and soften views of the building. Furthermore, the presence of this building would not be seen in isolation within open countryside. Instead it would be seen within the context of existing buildings at Prospero Ansty (including the Meggitt, Cadent and retained Rolls-Royce buildings) and Ansty Business Park. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.
- 8.15. Having regard to the spatial and visual aspects of development, it is considered that the proposal would clearly cause significant and permanent harm the Green Belt by reducing its openness. This harm must be given substantial weight in accordance with paragraph 148 of the Framework.

Other Harm

- 8.16. Aside from the impact on openness, paragraph 134 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 8.17. In this regard Ansty Park and the majority of the Rolls-Royce site are designated as being an Employment Site (Within Green Belt) on the Rural Policies Map. This designation creates a clearly defined area for employment development which is physically disconnected from Coventry and other urban areas.
- 8.18. The area of proposed built development for this application would be contained entirely within this designated area. Areas for structural landscaping, ecological mitigation and attenuation ponds would be located on a limited amount of land outside the designated area. It is considered that containing development to the boundaries of the designation helps to prevent harm to the five purposes. In particular, it would not diminish the physical separation of the designated area from Coventry or other urban areas.
- 8.19. However, as identified above, the amount of development proposed within this designated area would increase exponentially. This would have a spatial and visual impact on the openness of the Green Belt as identified above. In turn, this would reduce the amount of open space on the site thus creating a notably denser and urban form of development across the extent of the designation. This would contrast with the limited number of buildings and significantly higher amount of open space on the site previously. As a result, the proposal would give rise to some limited harm to checking the unrestricted sprawl of large built-up areas and some moderate harm to assisting in safeguarding the countryside from encroachment.
- 8.20. Conversely, the contained nature of development to land within the designated area ensures that it would not give rise to harm to prevent neighbouring towns merging into one another, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Other Considerations

- 8.21. It has been established that the proposal would give rise to harm to the Green Belt by reason of inappropriateness, impact on openness and impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 144 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. Such considerations are set out in depth below and will be weighed up in the planning balance at the end of this report.

9. General Principle of Development

- 9.1. It is important to recognise that development has been located on this site since 1935 when used as an RAF airfield. Rolls-Royce subsequently took over and began further developing the site from 1966 onwards. The status of this land as an employment site has therefore been long established despite its location in the Green Belt. This has been further recognised and protected by virtue of the site's designation in successive development plans which allows for redevelopment. Such recognition has ultimately allowed for the redevelopment of the northern part of the airfield as a large scale (140,000 square metres) commercial development known as Ansty Business Park. This precedent and the legacy of the site is an important consideration in understanding the high value and regional significance of the site for meeting economic and employment needs at both a local and regional level.
- 9.2. Policy GP3 of the Local Plan further sets out that the Council will support the redevelopment of previously developed land where proposals are compliant with other policies in the Local Plan. It particularly highlights the need to consider the impact on visual amenity, landscape, properties, services, heritage and biodiversity assets. Such considerations are set out in depth below and will be weighed up in the planning balance at the end of this report.

- 9.3. The proposed redevelopment of the application site would be carried out in a sensitive way which would not prejudice the development potential of other land being realised as required by policy GP4 of the Local Plan. In particular, it would not prejudice the development potential of other land through provision of infrastructure including road links and flood risk attenuation features.

10. Principle of Employment Development

- 10.1. Notwithstanding the location of the site in the Green Belt, policy ED1 of the Local Plan and accompanying Rural Policies Map sets out that the whole Rolls-Royce site is an Existing Strategically Significant Employment Site. Such sites are to be retained for B1, B2 and B8 use classes. The policy outlines that “the infilling or the partial or complete redevelopment of existing employment sites will be supported subject to the consideration of potential impacts to their surroundings against the relevant policies in the Local Plan and national policy, in particular those sites located in the Green Belt”.
- 10.2. In this case the proposal is for the partial redevelopment of the existing Rolls-Royce site as defined on the Rural Policies Map. It therefore complies with policy ED1 which indicates support in principle for B8 use class employment development in this location. In turn, the proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but within a site allocated for employment purposes.
- 10.3. The proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but on a site historically and currently used for B use class employment purposes. Equally, the proposal complies with policy ED2 of the Local Plan because the proposed office (B1(a) use class) floorspace would be ancillary to the proposed main B8 use of the building. Indeed, the proposed office space would amount to no more than 8.5% of the total floorspace of the building.
- 10.4. Furthermore, the proposal complies with policy DS1 of the Local Plan which sets out the need for 208ha of employment land, including 98ha to contribute to Coventry’s unmet needs between 2011 and 2031. Paragraph 4.16 of the supporting text to this policy makes clear that the employment land target would be delivered partly through intensification opportunities at existing sites. The redevelopment and intensification of the Rolls-Royce site would therefore help to ensure this target is met.

11. Economic Growth

- 11.1. Policy GP1 of the Local Plan sets out a goal to secure development that improves the economic conditions of this area. This is consistent with paragraph 81 of the Framework which outlines that “decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.
- 11.2. In this respect the proposal would allow Kite Packaging, a nationwide packaging company, to relocate it’s headquarters in this location. Kite Packaging is one of the UK’s leading packaging suppliers, and the fastest growing business in the sector. An employee-owned business with seven sites around the UK.
- 11.3. The facility would provide a base for up to 211 employees. The nature and extent of operations undertaken within the proposed building are varied, and include manufacturing and design, product development, technological enhancements and kitting area, alongside traditional

office roles such as call centre and customer service operatives with significant relationships between complimentary roles.

- 11.4. Paragraph 83 of the Framework further sets out that “decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries”. In this regard the applicant has set out the importance of co-locating with other like-minded businesses at Ansty Business Park. Indeed, this location has attracted businesses which specialise in high technology uses. This includes global manufacturers and the Manufacturing Technology Centre. In turn, it has created a cluster of high technology industries, manufacturing, research and development. Kite Packaging invest heavily in research and development as well as manufacturing and has worked with a number of existing businesses on Ansty Park into research and development of packaging. This synergy is important and the proposed development provides an opportunity to capitalise and build upon this success.
- 11.5. The proposed development would also represent a significant investment in the Borough to construct the facility. Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; safeguarding of existing jobs at Kite Packaging; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 11.6. Overall, the proposal represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. Moreover, it would allow a critical operator to invest, expand and adapt to meet its needs. As a consequence, it would have a significant positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.

12. Landscape and Visual Impact

- 12.1. Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on the landscape.
- 12.2. The application site comprises of 16.28ha of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 5.3 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty. The site comprises of areas of grassland of varying quality, dense and scattered scrub, tree groups, as well as areas of ruderal growth, hardstanding (some of which has been subject to partial re-vegetation) and built-form.
- 12.3. The majority of original buildings at the Rolls-Royce site have been demolished with only the floor slabs now visible. Prior to the demolition works there was a wide variety of buildings on the site with the layout, appearance, sizes, heights and materials having clearly evolved over the years. There was consequently no clear and uniform character with the development rather appearing more disjointed. However, in general terms the buildings closest to Combe Fields Road were two storeys in height with incidental green space positioned between the buildings and the road. The larger more industrial looking buildings were located further into the site on higher ground levels thereby being readily visible in the surrounding landscape. A chimney stack just under 30m high also dominated the skyline and was visible from many public vantage points.

- 12.4. Part of the Rolls-Royce site has already been redeveloped through the construction of a large purpose built manufacturing facility and headquarters operated by Meggitt. It provides 45,844sq.m of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. The building is supported by a large surface car park, attenuation ponds and structural landscaping. Work has also commenced on the construction of a new office and research development facility for use by Cadent. This will result in the provision of 20,237 square metres of new floorspace split between two buildings which will be 14 and 19 metres high.
- 12.5. The proposal subject of this application would continue the redevelopment of the Rolls-Royce site. It would result in the construction of a purpose-built building with a gross external floor area of 28,361sq.m. The B8 commercial storage area would occupy 25,504 sq.m of the unit, with 2,396 sq.m proposed for ancillary office use (Use Class E(g)) provide over three floors. The maximum height of the building would be 17.10m to a +106.1 AOD. In respect of appearance, the proposed elevations of the office element would contain a high level of glazing which would be broken up with cladded panels in a palette of grey, black, white and green. The main production unit would be clad in horizontally laid profiled metal cladding, in two tones of grey, with a darker shade at parapet level. The roof to both the offices and unit would not be visible as there be a parapet which conceal this.
- 12.6. In order to create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. It is proposed to temporarily store soil arisings from these earthworks on land immediately west of Plot 5. The existing site slopes gently up to the south. At the north-eastern corner of the site the existing level is around 85.6m AOD, this rises to around 87m AOD at the north-western corner. Along the southern boundary the land rises up to around 93.6 AOD in the middle and drops to 91.3 AOD to one corner and 88 AOD in the other corner. The proposed earthworks would result in a finished floor level of 89.00m AOD meaning some parts of the site would be raised above existing levels whilst other parts would be lowered. As a result, the ridge height of the proposed building would be 106.1m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building and 105m AOD for the MTC buildings.
- 12.7. In terms of landscape and visual impact, the proposal would result in development in a part of the site where there has previously been no physical built development other than a small section of hard surfaces. The proposed building would be 17.10m high. This compares to the 19m height of the MTC and Cadent building to the north-east and 13.70m height of the Meggitt building to the east. The position and size of the building is consequently such that it would be highly visible when viewed from public vantage points including Combe Fields Road, public footpaths and bridleways (R75x, R75b, R75y and R73c), Coombe Country Park and nearby residential properties.
- 12.8. In order to mitigate against the visual impact, it is proposed that significant woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Vegetation along the southern boundary would be enhanced by planting which would include evergreen species to provide year-round screening. Larger stature trees would also be planted along the southern boundary, which would make a more immediate contribution to the screening of the site. Full details of the planting, together with a timetable for implementation, would be required by condition 13. Further landscape planting would be provided on the land immediately around the office and car park area.
- 12.9. A Landscape and Visual Appraisal has been submitted with the application to help understand the effects of the proposals on this area of concern. To assist the consideration of this impact the LVIA includes photomontages showing proposed illustrative development at year 0 and year 15 from key viewpoints.

- 12.10. It concludes that “The proposed building will be visible in views from the rural land to the east and south but will be seen in context of the existing buildings around the site. Planting already installed as part of the wider site infrastructure will develop to provide a buffer to views from the south east. Views from the south and south west will not initially be mitigated, with the buffer planting proposed along this boundary being implemented as part of the adjacent plots. However, the central location of the Kite Packaging site within the wider Ansty site will ensure that even without this layer of buffer planting, the extent of development in view will not exceed what was assessed within the site wide parameters. In addition, as the adjacent plots are built out, the full landscape buffer will be installed along the boundary to ensure that a robust visual screen is created.”
- 12.11. The Council’s Landscape and Arboricultural Officer has considered all of the submitted plans and Appraisal. They are ultimately satisfied that there would not be any significant detrimental impact from a landscape character point of view. It is acknowledged that the proposed development would be readily visible within the wider landscape from Public Rights of Way, highways and residential dwellings. However, the proposed development would not be seen in isolation and would rather be seen alongside existing buildings on the remaining Rolls-Royce site and Ansty Business Park. The proposed building height conforms to the limitations set within the outline permission (R19/1540). The building would also be located centrally within the wider Prospero Ansty site thus meaning it would be set back from both the sensitive southern and eastern boundaries. This would consequently further reduce the impact from sensitive viewpoints. Nonetheless, they have advised that the proposal would only be acceptable if woodland and structural landscape planting is provided around the perimeter of the wider Prospero Ansty site. This would be secured by condition 13.
- 12.12. On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The scale and layout of the proposed development is such that this would invariably have a greater impact than was previously the case. However, in mitigation, the development would be seen within the immediate context of well established buildings rather than intruding into open countryside. The height of the building would conform to the limitations set within the outline permission (ref. R19/1540). The overall impact would also be reduced given the set back from Combe Fields Road. Over time the impact would be lessened as the proposed strategic landscape planting matures and thereby softens and filters views of the building. As a result, the proposal complies with the Framework and policies NE3, SDC1 and SDC2 of the Local Plan.

13. Trees and Hedgerows

- 13.1. Paragraphs 131 and 174 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees and hedgerows into the proposed development.
- 13.2. The proposed development would result in the removal of a number of existing trees across the application site. A Pre-Development Tree Survey submitted with the application sets out that all of these trees are considered to be of low quality falling within category C (trees of low quality) and category U (those in such a condition that they cannot realistically be retained as living trees).
- 13.3. To compensate for this loss it is proposed to provide substantial new tree planting within strategic landscape buffers and on-plot soft landscape planting. This would include extra heavy standard trees, multi-stem trees, coniferous trees and feathered trees together with woodland and thicket planting.
- 13.4. The Council’s Arboricultural Officer has raised no objection to the proposed replacement tree planting to compensate for the loss of those formerly located on the site. It is accepted that

the extent of tree loss would be necessary to create sufficient space for the proposed building to be laid out. The proposed tree and landscape planting adequately compensates for the impact of those that would be removed. Overall, it is considered that the impact on trees and hedgerows would be acceptable. The proposal therefore complies with the Framework and policies NE3 and SDC2.

14. Ecology

- 14.1. Paragraphs 174 and 180 of the Framework and policy NE1 of the Local Plan set out the need to protect and enhance biodiversity including protected habitats and species.

Habitats

- 14.2. Coombe Pool Site of Special Scientific Interest (SSSI) is located approximately 1km away from the south of the site. The pool is fed by the Smite Brook watercourse. The proximity of this brook to the site is such that it may be hydrologically linked to the SSSI. This gives rise to the potential for contaminants in surface water from the site being discharged into the watercourse and reaching the SSSI. Condition 6 would therefore be necessary to ensure that details are provided showing how pollutant levels expected in the surface water run-off would be controlled. This would ensure that there is no adverse impact on the downstream SSSI. It is not envisaged that there would be any potential adverse effects on other statutory and non-statutory sites in the area.
- 14.3. The application site itself supports a number of habitats of intrinsically low ecological value including areas of poor semi-improved grassland, improved grassland, ruderal vegetation as well as the hardstanding, built form and bare ground. Features of relatively higher ecological value (albeit limited) within the context of the site include semi-improved neutral grassland, dense and scattered scrub, tree group and to some extent, the recolonising hardstanding located within the west of the site.
- 14.4. The Ecological Assessment submitted with the application acknowledges that the entirety of habitats within the application site would be lost as a result of the proposed development. Whilst potential adverse effects are expected to be isolated to the site level only, extensive strategic mitigation proposals are to be incorporated in order to mitigate for any losses and to provide benefits to biodiversity overall. These strategic mitigation proposals would comprise of in-plot mitigation and habitat creation and large scale off-site habitat creation and enhancement of land as part of the wider Prospero Ansty outline site and associated developments.
- 14.5. The in-plot mitigation and habitat creation would include scrub thicket and tree planting, grassland habitats, hedgerows as well as ornamental shrub planting. The off-site habitat creation and enhancement would create effective areas of green infrastructure which realise overall net gains in biodiversity, as well as offsetting any residual losses to biodiversity which may otherwise occur as a result of individual applications being brought forward on this site and surrounding land.
- 14.6. WCC Ecology has assessed the impact of the proposed development and have requested that condition 8 is imposed requiring the submission of a Biodiversity Impact Assessment (BIA). This would quantify the value of existing habitats and establish what impact there would be from the loss of those habitats as a result of the proposed development. It would then compare this with the post-development habitat values which would be derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. In the event that this demonstrates that there would be a net biodiversity loss arising from the proposed development there would be a need for off-site biodiversity

offsetting. This would ensure a net gain in biodiversity on other land in the area surrounding the application site and would be secured by condition 8.

Species

- 14.7. The Ecological Assessment draws on data records and surveys which indicate that the development has the potential to have an impact on bats, reptiles, amphibians (Great Crested Newt), birds and invertebrates. A variety of measures incorporating a series of precautionary working principles are proposed to offset such potential impacts. WCC Ecology have assessed these and are satisfied that the potential impact to these species would be mitigated against through condition 3.

Ecology Conclusions

- 14.8. It has been found that the findings of the Ecological Assessment are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The biodiversity impact arising from this application, and any subsequent biodiversity gain, would be secured through the use of planning conditions. Similarly, the potential impact on species could be mitigated against through the use of planning conditions. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring a net biodiversity gain. As a result, the proposal complies with the Framework and policies NE1 and NE2.

15. Highways and Transport

- 15.1. Section 9 of the Framework and policies HS5, D1 and D2 of the Local Plan set out the need to prioritise sustainable modes of transport and ensure transport impacts are suitably mitigated. A safe and suitable access to the site is also necessary.

Access

- 15.2. Historically vehicular access to the Rolls-Royce site was only available from two access points (known as north and south) directly onto Combe Fields Road. This meant all traffic moving to and from the site had to use local roads, including through villages like Ansty, to access the facility. However, this situation has recently changed following the construction of the Meggitt manufacturing facility on part of the Rolls-Royce site. This development resulted in the construction of a new spine road which runs through the centre of the Rolls-Royce site and connects into Pilot Way on Ansty Business Park. This consequently allows users to access the site directly via the primary access point to the A46, A4600, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road.
- 15.3. Access to the site would be secured off two separate points to achieve separate car park and HGV access. To achieve this the existing spine road to the south of the site would be widened and a new roundabout constructed. A new estate road would then be constructed off this roundabout to the east providing access to a car park to the north of the site. The HGV access would be located to the southeast of the site. It would take the form of a priority junction with a right hand ghost turning lane in the centre of the existing spine road. The new and enlarged roads and accesses would then allow access onto the existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road but this would be restricted to cars and smaller vehicles only. It would connect with Coombe Fields Road at the location of the haul road that

was approved as part of the Meggitt development. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village. This would be secured through condition 17.

- 15.4. Details of the proposed signalised junction onto Combe Fields Road would be secured via condition 16. The applicant has advanced two potential signalised junction layouts. Option 2 has been designed with a single lane approach. This requires the introduction of a 40mph speed limit (Combe Fields Road currently signed for 50mph). This option is dependent on speed data being collected to demonstrate that drivers would comply with a reduced speed limit. If unsuccessful, a layout showing a separate signalised right turn lane (option 1) would be considered.
- 15.5. WCC Highway has assessed the proposed layout of the estate road and site accesses and raised no objection to this.

Parking Provision

- 15.6. A total of 281 car parking spaces would be provided of which 28 would have electric vehicle charging points. There would be 60 covered cycle spaces. A surface yard would be provided to the south of the proposed building which would provide a total of 40 HGV parking spaces.
- 15.7. The Council's parking standards are set out within Appendix 5 of the Local Plan. This indicates that the Council would allow a total of 473 car parking spaces, 57 long stay (staff) cycle spaces and 28 short stay (visitor) cycle spaces.
- 15.8. WCC Highways has considered the acceptability of the car and cycle parking provision. In relation to car parking there is a shortfall of 192 car parking spaces. However, WCC Highways are satisfied that this would be sufficient given that employment is stated as being 206 full time and 10 part time employees. The provision of 281 spaces would therefore allow every employee to have access to car parking, even if a number of spaces are reserved for visitors. The number of cycle spaces is below standards but WCC are satisfied with this provided cycle parking spaces are monitored and kept under review as part of the detailed Travel Plan.
- 15.9. The Council does not have standards for HGV parking. The amount required is rather left to each business according to their needs.

Traffic Flows

- 15.10. The submitted Transport Statement concludes that the traffic impact arising from the proposed development can be fully accommodated within the capacity of the surrounding highway network. It demonstrates that the development has the potential to generate up to 53 traffic movements in the morning peak hour and up to 42 movements during the evening peak hour. It notes this falls within the 'permitted' traffic generation previously accepted under earlier applications (R17/1829 and R19/1540).
- 15.11. The proposed change from a B2 Use to B8 Use is likely to generate a higher proportion of HGV traffic than has been considered under previous planning consents at the site. This is borne out by the trip rates which indicate that the proposed development is expected to generate approximately 225 goods vehicle movements per day.
- 15.12. A Freight Management Plan has therefore been submitted with the application. This sets out a range of measures including: active management by a Travel Plan Coordinator; time access restrictions onsite during peak commute hours; preventing HGVs using Ansty village as a route to or from the site; implementing and managing a Routing and Signing Strategy; ongoing

monitoring and review; road signage; using a vehicle booking system to sequence inbound and outbound deliveries; providing on site “early arrival bays”; providing HGV driver welfare facilities; and implementing parking restrictions along the key corridor within Ansty Park.

- 15.13. Both WCC Highways and Highways England have undertaken a full assessment of the development proposals in accordance with national and local planning and transport policy. They are both satisfied that the impact on traffic flows would not be significant and detrimental. They have therefore raised no objection to traffic flows.
- 15.14. Highways England particularly note that a mitigation scheme at M6 Junction 2 would be necessary must be delivered prior to occupation of the building owing to the projected rise in HGV traffic. The proposed mitigation scheme includes the signalisation of M6 Junction 2 with the introduction of signals at the A46 approach and opposing section of circulatory. This proposed scheme would result in a significant betterment to the overall operation of the junction and A46 approaches. This would be secured by condition 16.
- 15.15. To encourage the use of sustainable transport options and reduce reliance on single occupancy private cars it is proposed that a Travel Plan would be adopted. This would be implemented by a Travel Plan Coordinator who would encourage the adoption of measures such as cycling and car sharing. The proposed development would therefore comply with policy D1 of the Local Plan which supports the provision of sustainable modes of transport to mitigate against transport impacts.
- 15.16. In conclusion, it is considered that the proposal would have an acceptable impact on highway safety. The residual cumulative impacts on the road network would also not be severe. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

16. Flood Risk and Drainage

- 16.1. Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.
- 16.2. The Flood Risk Assessment and Drainage Strategy and Flood Risk Assessment (Off Plot) submitted with the application confirms that the majority of the application site falls within flood zone 1 (very low risk) and therefore passes the requirements of the sequential and exception tests outlined within the Framework. It also outlines that there would be no increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other techniques.
- 16.3. A small section of the red line site boundary goes over the flood plain of the River Sowe, on the Central Boulevard in Ansty Business Park. However, this is a significant distance away from the area where construction is proposed to take place and it has been confirmed that no works are being undertaken on the crossing area.
- 16.4. In respect of surface water drainage, the Flood Risk Assessments consider the impact of ground conditions, topography and layout upon this. The surface water drainage strategy has been designed to cater for storm events up to 1 in 100 years plus 20% climate change. This strategy has been designed to ensure that all surface water flows that cannot be infiltrated to the ground will be drained to a balancing pond to the south of the site, via a strategic surface water sewer. The plot is split into three catchment areas, with surface water from Catchments 1 and 2 discharging into the strategic surface water sewer located below Pilot Way and surface water from Catchment 3 (which covers part of the north car park in the lowest part of the plot)

discharging into the strategic surface water sewer located below the new spine road to the north.

- 16.5. WCC Flood Risk Management has carried out an independent assessment of the FRA and raised no objection to this subject to condition 18 requiring the submission of a detailed maintenance plan setting out how surface water systems shall be maintained and managed for the life time of the development.
- 16.6. The Flood Risk Assessment and Drainage Strategy confirms that foul sewage would discharge via gravity to a foul sewer located within the recently constructed spine road. In turn this would discharge to a new foul water pumping station via the existing rising main. This rising main takes the pumped discharge to the head of a public gravity foul water sewerage system to the south-west at a point to the west of Walsgrave Farm.
- 16.7. It has been found that the findings of the Flood Risk Assessments and Drainage Strategy are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. In the first instance it has been established that the proposed development would be located in a low risk flood zone and would therefore not be susceptible to flooding. Surface water drainage would principally be dealt with through the use of a piped system discharging into the strategic surface water sewer, which would drain to the balancing pond to the south, in addition to infiltration-based drainage. It would also ensure that the development itself would not be at risk from surface and ground water flooding. Aside from this it has been demonstrated that foul sewage could be drained from the site via a foul water pumping station which would direct foul flows to the public sewer located to the west of Walsgrave Farm. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

17. Heritage and Archaeology

- 17.1. Section 16 of the Framework and policy SDC3 of the Local Plan sets out that new development should seek to conserve and enhance the historic environment.

Archaeological Potential

- 17.2. The archaeological potential of the site has been considered within an Historic Environment Desk-Based Assessment. It identifies that the site lies within an area of archaeological potential, largely within the extent of the site of Ansty Airfield (a former RAF airfield operational from 1936 to 1953). The walkover survey for this assessment found a concrete bunker believed to be a 1940s air raid shelter associated with the former Ansty Airfield. However, the assessment considers that the archaeological potential for any pre-modern remains is nil owing to extensive disturbance relating to previous uses throughout the modern period.
- 17.3. WCC Archaeology has reviewed the contents of the assessment and agree that there is a low potential for the site to contain below ground archaeological remains pre-dating the 1940s. However, they have requested condition 5 requiring a programme of archaeological work in accordance with a written scheme of investigation. They envisage that the scope of this work should comprise a programme of historic building recording of the air raid shelter to be undertaken prior to demolition, as recommended within the assessment.

Impact on Heritage Assets

- 17.4. The application site does not contain any designated heritage assets. However, the Warwickshire Historic Environment Record (HER) identifies that the site is located within the former Ansty Airfield (a non-designated heritage asset), and also holds a record for one further

non-designated heritage asset within the site boundary comprising a windmill mound. The site also lies within close proximity to a number of surrounding heritage assets.

Non-Designated Heritage Assets

- 17.5. In terms of historic landscape character, the proposed building would alter the character of the former airfield, although it would not remove any preserved parts of the visible runway. It is considered that the proposed development represents a cumulative continuation of an alteration of landscape character already underway, beginning with the establishment of the Rolls-Royce factory and subsequent redevelopment. The interrelationship between Ansty Airfield and its adjacent rocket development test site would remain discernible. For non-designated heritage assets of low (local) importance, it is not anticipated that the alteration in landscape character brought about by the proposed development would represent substantial harm in the terms of the NPPF.
- 17.6. No remains of the windmill mound recorded on the Warwickshire HER were visible during the site walkover as recorded in the assessment. The mound is presumed destroyed.
- 17.7. The only adverse impact of the proposed development would be the required demolition of a bunker (air raid shelter) identified as part of the assessment. As a non-designated heritage asset, the impact would result in less than substantial harm in the terms of the Framework and Policy SDC3 of the Local Plan. This impact is considered to be of a level of significance that could be adequately mitigated through a programme of 'preservation by record'. This would be required by condition 5.

Designated Heritage Assets

- 17.8. Combe Abbey Conservation Area, incorporating the Grade II* registered park of Combe Country Park, is located approximately 1km to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Combe Abbey. There is also a Grade II listed building (Peter Hall) to east of the site and another Grade II listed building (Walsgrave Hill Farm) to the west of the site.
- 17.9. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore relevant to these listed buildings and their setting. It requires the Council to have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area.
- 17.10. In relation to listed buildings it is noted that there is no statutory definition of setting. However, having regard to the definition of setting outlined in the Framework, it is possible for a site to be in the setting of a listed building even if there are no clear visual links between the two. In relation to conservation areas it is again important to recognise that a site can influence and make a positive contribution to its setting. In this case the application site is clearly visible from the northern edge of the park. The proposed building would be sited approximately 550m from the northern edge of the park and 575m from the grade II Peter Hall building to the east.
- 17.11. The proposed building would be clearly viewed from the northern edge of the park but would be viewed alongside the recently constructed Meggitt building. This visual impact would be partially offset through a recently planted landscape buffer along the southern edge of the wider Prospero Ansty site. However, in order to mitigate against the visual impact, it is proposed that additional woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Vegetation along the southern boundary would be enhanced

by planting which would include evergreen species to provide year-round screening. Larger stature trees would also be planted along the southern boundary, which would make a more immediate contribution to the screening of the site. Full details of the planting, together with a timetable for implementation, would be required by condition 13. Further landscape planting would be provided on the land immediately around the office and car park area. As such, it is considered that the proposed impact upon this boundary would be reduced to an acceptable level over time as the landscaping matures and screens views of the development.

Conclusion

- 17.12. Although Historic England has responded to make no comments on the application it is considered that the proposal would clearly have some impact upon heritage assets within and within the vicinity. It is considered that this level of harm would be minor and would be minimised by the proposed landscaping and external lighting schemes. Nonetheless, as harm would arise it is judged that the proposal would result in a 'less than substantial' harm to these assets. This 'less than substantial' harm, does not result in a 'less than substantial' objection and attracts considerable importance and weight, as clarified in the Barnwell judgement of February 2014. Paragraph 202 of the Framework states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. This needs to be considered within the overall planning balance.

18. Air Quality

- 18.1. Paragraph 186 of the Framework, policy HS5 of the Local Plan and the Air Quality SPD set out the need to consider the impact of the proposed development on air quality.
- 18.2. An Air Quality Assessment (AQA) has therefore been submitted with the application. It identifies that the site is located outside the Rugby Air Quality Management Area (AQMA) but is in close proximity to the Coventry City-Wide AQMA. It therefore notes that elevated pollutant concentrations may be experienced at this location. Furthermore, it indicates that the site is in an area where air quality is mainly influenced by road traffic emissions along the local road network. The development consequently has the potential to cause adverse impacts to existing pollution levels at nearby sensitive receptors.
- 18.3. The AQA considers the potential impact at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. It demonstrates that the proposed development would cause a negligible increase in concentrations of nitrogen dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}). Importantly, it would not result in exceedance of national air quality strategy objectives. The residual effects are consequently not deemed to be significant.
- 18.4. Potential construction phase air quality impacts from fugitive dust and fine particulate matter emissions were also assessed. The AQA identifies that these could be mitigated through a range of good practice control measures. Condition 3 requiring the submission of a Construction Environmental Management Plan incorporating these measures would ensure this is achieved.
- 18.5. In line with policy HS5 of the Local Plan, development must achieve or exceed air quality neutral standards. The submitted AQA consequently sets out that the traffic movements associated with the proposed development would be below the permitted traffic envelope for Prospero Ansty and is therefore considered to be air quality neutral.
- 18.6. Furthermore, measures including new landscaping, biodiversity mitigation and a BREEAM very good sustainability rating would contribute towards achieving air quality neutral standards.

18.7. Environmental Health are satisfied with the conclusions reached within the AQA, i.e. that the proposed development would not have an overall significant effect on local air quality. As a result, the proposal complies with the Framework and policy HS5.

19. Noise

19.1. Paragraph 174 and 185 of the Framework and policies HS5 and SDC1 of the Local Plan set out the need to ensure that noise arising from the proposed development would not adversely impact on the amenity of nearby noise-sensitive receptors.

19.2. A Noise Impact Assessment has been submitted with the application which considers the impact of operational, plant and traffic noise associated with the development on the closest residential dwellings to the site. To ensure that there would not be a significant and detrimental impact to these properties it is proposed that limits would be placed on plant noise emissions for daytime and night-time periods. This would ensure that the noise level impact at the closest residential dwelling would be negligible.

19.3. Environmental Health has considered this assessment and are satisfied that the proposed development would not be adversely affected by noise subject to conditions 23 and 24. As a result, the proposal complies with the Framework and policies HS5 and SDC1.

19. Contamination

19.1. Paragraphs 174, 183 and 184 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.

19.2. A Ground Investigation and Desk Study and Preliminary Risk Assessment has been submitted with the application which reviews source material and the existing setting of the site. It identifies a number of areas of potential contamination and highlights areas that require further investigation.

19.3. Environmental Health has considered this assessment and raised no objection to the proposed development subject to condition 4. This would require the submission of an investigation and risk assessment including a remediation scheme and measures to report unexpected contamination found on the site. It is therefore considered that this would ensure that contaminated land does not affect the health of the future occupiers of the proposed development. As a result, the proposal complies with the Framework.

20. Light

20.1. Paragraph 185 of the Framework sets out the need to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. National Planning Practice Guidance also expands on this. It indicates that getting the design and setting right is important as artificial lighting can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky.

20.2. An External Lighting Strategy and Layout Plan has been submitted with the application. This shows that the proposed lighting has been designed in line with national lighting guidance and industry standards. It indicates that lighting would be provided to minimise upward light spill, glare and backwards light spillage. A key component of this would be ensuring all lighting has a zero degree tilt angle. They would also be controlled by a photocell and time clock with a 2300hrs curfew time for stricter controls of obtrusive light. Condition 22 would require permission from the Council to deviate from these hours. This would collectively reduce light

spill and limit the impact of sky glow. Environmental Health are therefore satisfied that the proposed lighting would be acceptable. As a result, the proposal complies with the Framework.

21. Residential Amenity (Light, Aspect and Privacy)

- 21.1. Policy SDC1 of the Local Plan sets out that proposals for new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded.
- 21.2. The closest residential property is Fair View on Peter Hall Lane which is located approximately 550 metres from the site (core development area) to the east. Hill Fields Farm is located approximately 350 metres from the site (core development area) to the south-west. Sparrow Hall Cottages on Combe Fields Road are located approximately 870 metres from the site (core development area) to the northeast. The distance from these properties to the proposed building is such that this would not give rise to significant and detrimental impacts on light, aspect and privacy. The impact on residential amenity would therefore be acceptable. As a result, the proposal complies with policy SDC1.

22. Carbon Emissions, Sustainable Design and Construction

- 22.1. Policies SDC1 and SDC4 of the Local Plan sets out support for the enhanced energy efficiency of buildings and need to achieve a BREEAM very good sustainability rating. This is consistent with section 14 of the Framework which indicates a need for the planning system to support the transition to a low carbon future to help tackle climate change. Rugby Borough Council also declared a climate emergency in July 2019.
- 22.2. BREEAM standards represent best practice in the sustainable design of non-residential buildings.
- 22.3. The Design and Access Statement provides an indication that a BREEAM very good sustainability rating could be achieved. Condition 20 requires measures to ensure this is achieved and implemented.
- 22.4. The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the building. This provision is not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change.
- 22.5. As a result, the proposal complies with the Framework and policies SDC1 and SDC4.

23. Health

- 23.1. Section 8 of the Framework and policies HS1 and HS2 of the Local Plan set out the need to achieve healthy places and ensure development would not have a significant adverse impact on wellbeing.
- 23.2. The Health Impact Assessment submitted with the application concludes that the impact on health arising from the proposal would be neutral and positive. As a result, the proposal complies with the Framework and policies HS1 and HS2.

24. Broadband

- 24.1. Policy SDC9 of the Local Plan sets out the need for new developments to facilitate and contribute towards the provision of broadband infrastructure.
- 24.2. The Utility Statement submitted with the application indicates that cable ducts are located

within existing highways to the site and link into BT openreach telecoms infrastructure. The applicant would be responsible for ordering a telecoms service to meet their needs. As a result, the proposal complies with policy SDC9.

25. Planning Balance and Conclusion

25.1. Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) means “approving development proposals that accord with an up-to-date development plan without delay”. The Local Plan was adopted in June 2019 and is therefore considered to be an up-to-date development plan.

25.2. In this case the application site is located in the Green Belt. Policy GP2 of the Local Plan is therefore relevant and sets out that development will be resisted in such areas unless permitted by national policy on Green Belts. In this case the proposed scheme would be inappropriate development in the Green Belt and should not be approved except in very special circumstances. In accordance with paragraph 148 of the Framework, very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. In this case it was identified that there would be harm by reason of inappropriateness, the impact on openness and the impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 148 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. In order to determine this, it is consequently necessary to have regard to the economic, social and environmental impact which the proposal would have.

Economic

25.3. From an economic perspective, the proposed development represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. Moreover, it would allow a growing packaging company to invest, expand and adapt to meet its needs.

25.4. It would further have a significant, positive and direct impact on the regional and local economy. This is entirely consistent with the designation of this site as an Existing Strategically Significant Employment Site. Indeed, policy ED1 of the Local Plan sets out that such sites should be protected and retained for employment purposes. It also supports the complete redevelopment of such sites where potential impacts, including to the Green Belt, allow. Furthermore, the redevelopment and intensification of this Rolls-Royce site would help to ensure the Council meets its employment land targets as outlined in policy DS1 of the Local Plan.

25.5. Kite Packaging as a business invest heavily in research and development. Critically, the location of the site means the operator would be able to capitalise on and create a synergy with the cluster of high technology industries, manufacturing, research and development already taking place in this area.

25.6. Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; safeguarding of existing jobs at Kite Packaging; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.

25.7. Overall, the proposal represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. Moreover, it would allow a critical

operator to invest, expand and adapt to meet its needs. As a consequence, it would have a significant positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.

- 25.8. It is considered that the clear economic benefits outlined above should carry very substantial weight in favour of the proposed development.

Social

- 25.9. From a social perspective, it is important to recognise that many of the original Rolls-Royce buildings on the site have been demolished resulting in a loss of employment opportunities. The proposed redevelopment of this site would consequently bring the land back into active economic use and in turn provide up to 211 jobs. This would therefore safeguard existing jobs which are currently located on other sites and would also create opportunities for new employment. The provision of job security would further play a key role in helping improve and safeguard mental health and wellbeing.

- 25.10. It is considered that the clear social benefits outlined above should carry very substantial weight in favour of the proposed development.

Environmental

- 25.11. From an environmental perspective, the potential adverse impacts of the proposed development in relation to landscape, visual appearance, trees, hedgerows, ecology, highway safety, traffic flows, flood risk, drainage, archaeology, air quality, noise, contamination, light, residential amenity and carbon emissions have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation could be secured through conditions to ensure that this is delivered.

- 25.12. The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the building. This provision is not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change. This carries weight in favour of the proposed development.

- 25.13. In regard to heritage assets, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to give special regard to the desirability of preserving a listed building and its setting. Section 72 of the same Act places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area. In this case it has been found that the proposal would give rise to some unavoidable harm to Coombe Abbey Conservation Area and the Grade II* registered park of Coombe Country and listed buildings contained within it (most notably the Grade I listed Coombe Abbey). This harm would arise from the intrusion and visual impact caused by the location and scale of the proposed buildings. The extent of this harm would be tempered by woodland and structural planting around the southern and western boundaries of the site. It is therefore considered that the proposal would result in 'less than substantial' harm to these heritage assets.

- 25.14. There would be a further adverse impact arising from the required demolition of a bunker (air raid shelter). As a non-designated heritage asset, the impact would result in less than substantial harm in the terms of the Framework and Policy SDC3 of the Local Plan. This impact

is considered to be of a level of significance that could be adequately mitigated through a programme of 'preservation by record'.

25.15. In accordance with policy SDC3 of the Local Plan and paragraph 202 of the Framework, the identified harm above should be weighed against the public benefits of the proposal. Paragraph 199 of the Framework states that "great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". This gives rise to a strong presumption against planning permission being granted. However, on balance, it is considered that whilst having regard to Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, policy SDC3 of the Local Plan, and the Framework, the benefits of the scheme, as described above, are sufficient to clearly and demonstrably outweigh the harm to the identified designated heritage assets.

Conclusion

25.16. On balance, it is concluded that the benefits of the proposed development are such that they clearly outweigh the definitional harm and other identified harm to the Green Belt in this case. Very special circumstances do therefore exist which would justify development in the Green Belt. Accordingly, the proposal would not conflict with policy GP2 of the Local Plan and Green Belt policy in Section 13 of the Framework.

25.17. In view of the above, the proposed development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. Indeed, the proposal would result in a number of positive economic, social and environmental benefits. These benefits would consequently outweigh the identified harm to the Green Belt. The proposal would also not result in any other significant and detrimental environmental harm. 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.

25.18. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

26. Recommendation:

26.1. Planning application R21/0525 to be granted subject to:

- a. The conditions and informatives set out in the draft decision notice appended to this report; and
- b. Referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

DRAFT DECISION

REFERENCE NO:
R21/0525

DATE APPLICATION VALID:
10-May-2021

APPLICANT:

Manse Opus (Ansty) LLP & Rolls-Royce Plc, Opus Studios, 5-7 High Street, Henley-in-Arden, B95 5AA

AGENT:

Pegasus Group Pegasus Group, Colmore Place, 39 Bennetts Hill, Birmingham, B2 5SN

ADDRESS OF DEVELOPMENT:

Rolls-Royce, Combe Fields Road, Ansty, Coventry, CV7 9JR

APPLICATION DESCRIPTION:

Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, access road, car parking, cycle parking, lorry parking, service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings.

CONDITIONS

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development hereby approved shall not be carried out other than in accordance with the plans and documents detailed below:

<u>Plan Description</u>	<u>Plan Reference</u>	<u>Date Received</u>
Site Layout Plan	PAP5-MSA-ZZ-ZZ-DR-A-20002-PL1	10/05/2021
Landscape Concept Plan	2141-21-01-A	10/05/2021
Landscape Cross Sections	2141-19-02-B	10/05/2021
Ground Floor Layout Plan	PAP5-MSA-ZZ-ZZ-DR-A-20003-PL1	10/05/2021
Office Ground Floor Plan	PAP5-MSA-OF-ZZ-DR-A-20004-PL2	10/05/2021
Office Upper Floors Plan	PAP5-MSA-OF-ZZ-DR-A-20005-PL2	10/05/2021
General Elevations	PAP5-MSA-ZZ-ZZ-DR-A-20006-PL2	10/05/2021
General Arrangement - Sheet 1 of 3	IPD-20-537-150-A	10/05/2021
General Arrangement - Sheet 2 of 3	IPD-20-537-151-A	10/05/2021
General Arrangement - Sheet 3 of 3	IPD-20-537-152	10/05/2021
String Line Plan - Sheet 1 of 3	IPD-20-537-800-A	10/05/2021
String Line Plan - Sheet 2 of 3	IPD-20-537-801-A	10/05/2021
String Line Plan - Sheet 3 of 3	IPD-20-537-802	10/05/2021
Contour Plan - Sheet 1 of 3	IPD-20-537-803-A	10/05/2021
Contour Plan - Sheet 2 of 3	IPD-20-537-804-A	10/05/2021
Contour Plan - Sheet 3 of 3	IPD-20-537-805	10/05/2021
Long Sections - Sheet 1 of 3	IPD-20-537-850-A	10/05/2021
Long Sections - Sheet 2 of 3	IPD-20-537-851-A	10/05/2021
Long Sections - Sheet 3 of 3	IPD-20-537-852	10/05/2021

Autotracks - Sheet 1 of 5	IPD-20-537-120-A	10/05/2021
Autotracks - Sheet 2 of 5	IPD-20-537-121-A	10/05/2021
Autotracks - Sheet 3 of 5	IPD-20-537-122-A	10/05/2021
Autotracks - Sheet 4 of 5	IPD-20-537-123-A	10/05/2021
Autotracks - Sheet 5 of 5	IPD-20-537-124-A	10/05/2021
Pavement Layout - Sheet 1 of 3	IPD-20-537-700 Rev A	10/05/2021
Pavement Layout - Sheet 2 of 3	IPD-20-537-701 Rev A	10/05/2021
Pavement Layout - Sheet 3 of 3	IPD-20-537-702	10/05/2021
Highway and Footway Standard Details	IPD-20-537-400	10/05/2021
Drainage Strategy - Sheet 1 of 2	CWA-21-128-DR-C-530 P2	10/05/2021
Drainage Strategy - Sheet 2 of 2	CWA-21-128-DR-C-531 P2	10/05/2021
External Levels - Sheet 1 of 2	CWA-21-128-DR-C-510 P2	10/05/2021
External Levels - Sheet 2 of 2	CWA-21-128-DR-C-511 P2	10/05/2021
Site Sections - Sheet 1 of 2	CWA-21-128-DR-C-512 P1	10/05/2021
Site Sections - Sheet 2 of 2	CWA-21-128-DR-C-513 P1	10/05/2021
Drainage Layout - Sheet 1 of 3	IPD-20-537-505-A	10/05/2021
Drainage Layout - Sheet 2 of 3	IPD-20-537-506-A	10/05/2021
Drainage Layout - Sheet 3 of 3	IPD-20-537-507	10/05/2021
Drainage Long Sections - Sheet 1 of 5	IPD-20-537-510	10/05/2021
Drainage Long Sections - Sheet 2 of 5	IPD-20-537-511	10/05/2021
Drainage Long Sections - Sheet 3 of 5	IPD-20-537-512	10/05/2021
Drainage Long Sections - Sheet 4 of 5	IPD-20-537-513	10/05/2021
Drainage Long Sections - Sheet 5 of 5	IPD-20-537-514	10/05/2021
Tree Constraints Plan	2141-21-01-A	10/05/2021
External Lighting Layout	210261-CPW-XX-XX-DR-E-EXT-S0-P4	10/05/2021

<u>Report Description</u>	<u>Report Reference</u>	<u>Date Received</u>
Design and Access Statement	31553-2	10/05/2021
Transport Statement	IPD-20-537-001	10/05/2021
Framework Travel Plan	IPD-20-537-002	10/05/2021
Freight Management Plan	IPD-20-537-003	10/05/2021
Road Safety Audit (Stage 1)	SA3165 -2	10/05/2021
Road Safety Audit (Stage 1) Response	IPD-20-537-H-02	10/05/2021
Flood Risk Assessment & Drainage Strategy (Plot 5)	CWA-21-128-A	10/05/2021
Flood Risk Assessment (Catchment B & D)	IPD-20-537-R-050-01	10/05/2021
Plot 5 Drainage Response	IPD-20-537	02/07/2021
Historic Environment Desk-Based Assessment	P21-057-Ver 2.2	10/05/2021
Ecological Assessment	8508.Plot5.EcoAss.vf	18/05/2021
Landscape Visual Appraisal	2141/21/RP01A	22/06/2021
Tree Survey	578-21-0	10/05/2021
Desk Study and Preliminary Risk Assessment	20017J-01-0	10/05/2021
Ground Investigation Report	20017J-02	10/05/2021
Technical Note	N/A	10/05/2021
Air Quality Assessment	19-1156.06-1	10/05/2021
Noise Impact Assessment	19-1156.05-1	10/05/2021
External Lighting Strategy	210261-P4	10/05/2021
Utility Statement	210261-A	10/05/2021

REASON:

For the avoidance of doubt.

CONDITION 3:

No development shall commence, including any groundworks, site clearance and construction work, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
- b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
- c. Timing of heavy goods vehicle movements during the construction phase;

- d. A named point of contact for overseeing construction works and their contact details;
- e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;
- f. Construction site access location, control and construction haul routes;
- g. The parking of vehicles of site operatives and visitors;
- h. Hours of work and deliveries;
- i. Pre-commencement checks for wildlife;
- j. Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site including details of supervision by an Ecological Clerk of Works (ECoW);
- k. Details of measures to protect habitats, including the prevention of pollution;
- l. A strategy to manage and maintain any construction materials from entering or silting up the watercourse at the existing outfalls, to ensure that no silt or chemicals can leave the phase being constructed and to ensure any detrimental impact to the watercourse shall be repaired;
- m. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; and
- n. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

Development shall be carried out in compliance with the approved Construction Management Plan.

REASON:

In the interests of health and safety, amenities of the area, to ensure the development does not have impacts off-site to flood risk and that the watercourse downstream can function as intended and to ensure that protected species and habitats are not harmed by the development.

CONDITION 4:

No development shall commence, including any groundworks, site clearance and construction work, until full details of the temporary use of land for deposition of soil arisings has been submitted to and approved in writing by the Local Planning Authority. This shall include details relating to the exact location of the land to be used, levels of the land to be used and adjoining land, the maximum height of the soil arisings, the provision of protective geo-textile over the ground surface in advance of materials stockpiling, and measures to prevent dust arising from the storage. It shall also include a date by which the temporary use of land for the deposition of soil arisings will cease. Development, including any groundworks, site clearance and construction work, shall not be carried out other than in accordance with the approved details. The temporary use of land for the deposition of soil arisings hereby permitted shall be discontinued and the land restored to its former condition on the date approved by the Local Planning Authority in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

REASON:

To ensure the proper and comprehensive development of the site. To reduce the impact on the Green Belt. In the interests of visual amenity, heritage, traffic flows and highway safety.

CONDITION 5:

No development shall commence, including any groundworks, site clearance and construction work, until:

- a. A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.

- b. The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the Local Planning Authority.
- c. An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

REASON:

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

CONDITION 6:

No development shall commence until full details of how pollutant levels expected in the surface water run-off will be controlled to ensure there is no adverse impact on the downstream Site of Special Scientific Interest (SSSI). The development shall not be carried out other than in accordance with the approved details.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, to improve and protect habitats and wildlife, and to ensure the future maintenance of the sustainable drainage structures.

CONDITION 7:

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until: further investigation in and around former tank areas and waste areas have been undertaken with continuance of groundwater sampling, testing and assessment to confirm that groundwater conditions are continuing to improve since the WSP works; a new gas assessment has been provided to determine whether the current site classification as characteristic situation 1 (CS1) shall be subject to change; and 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:

PART 1

No development shall commence until full details of an Off-Site Biodiversity Management Plan (OSBMP) has been submitted to and approved in writing by the Local Planning Authority. The OSBMP shall include details of:

- a. Description and evaluation of features to be managed;
- b. Details of habitat creation measures;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and objectives of management;
- e. Appropriate management options for achieving aims and objectives;
- f. Prescriptions for management actions;
- g. Preparation of a work schedule, including timetable, for the implementation and delivery of the plan;
- h. Site-wide Biodiversity Impact Assessment calculation in accordance with the current DEFRA metrics applied locally to demonstrate that no net loss to biodiversity will be achieved;

- i. Identification of land necessary to mitigate any loss of biodiversity to demonstrate net gain in relation to the approved development;
- j. A review mechanism to update the OSBMP if further development is brought forward in the area surrounding the application site necessitating further changes; and
- k. Management and Implementation Schedule (MIS) which shall include details of a long-term management plan of no less than 30 years, the body/organisation responsible for the implementation of the plan together with relevant legal and funding mechanisms, details and timings of maintenance, provisions for ongoing monitoring and remedial measures.

The approved OSBMP, including associated measures and MIS, shall be implemented in accordance with the work schedule for the implementation of the plan as required by condition 8 Part 1 (g) and approved by the Local Planning Authority.

PART 2

No building shall be occupied until the details of the body/organisation(s) responsible for the ongoing implementation and management of the approved OSBMP have been submitted to and approved in writing by the Local Planning Authority. Such details shall include details of legal and funding arrangements by which the long-term implementation of the plan will be secured for the lifetime of the approved OSBMP, including any arrangements for transferring responsibility.

REASON:

To protect and enhance biodiversity, to ensure that protected species are not harmed by the development and in the interests of visual amenity.

CONDITION 9:

No above ground development shall commence on the buildings and structures listed below until full details, including floor plans, elevation plans, materials, colours and level plans, have first been submitted to and approved in writing for the following buildings and structures shown on the Site Layout Plan (PAP5-MSA-ZZ-ZZ-DR-A-20002-PL1, received 10-05-2021) and Landscape Concept Plan (2141-21-01-dwg-A, received 10-05-2021):

- a. Cycles shelter;
- b. Sprinkler tanks,
- c. Bin stores;
- d. Washing bay;
- e. PV panels
- f. HGV Entrance;
- g. Parking Entrance;
- h. Feature gabion wall with trailing planting;
- i. Trip rail; and
- j. 2.4m high paladin fence.

The development shall not be carried out other than in accordance with the approved details. The building hereby approved shall not be occupied until the buildings and structures listed in condition 9 (a to j) have first been provided in accordance with the approved details. The cycle shelter shall be permanently retained for the accommodation of cycles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

In the interests of visual amenity, highway safety, sustainable development and sustainable transport.

CONDITION 10:

No above ground development shall commence until full details of electric vehicle charging points, including the location, make and model, 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. The building shall not be occupied until the electric vehicle charging points have been provided and made available for use in accordance with the approved details. The electric vehicle charging points shall be permanently retained and made available for the charging of vehicles.

REASON:

To ensure the proper development of the site, to reduce air pollution, to lower carbon emissions and in the interests of visual amenity.

CONDITION 11:

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

REASON:

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

CONDITION 12:

No above ground development shall commence until full details of all areas of hard surfacing, including highway surfaces, footpaths, parking areas and service areas, have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials (together with samples where appropriate), how parking spaces will be marked out, construction, levels and drainage. No building shall be occupied until the areas of hard surfacing have first been provided in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

REASON:

To ensure a satisfactory external appearance in the interests of the visual amenity, to ensure adequate parking provision, and in the interests of highway safety and traffic flows.

CONDITION 13:

The building hereby approved shall not be occupied until a Woodland and Structural Landscaping Plan (WSLP) relating to the Woodland and Structural Planting shown on the Landscape Parameters Plan (1912-18-03-H, 06-07-21) shall be submitted to and approved in writing by the Local Planning Authority. The WSLP shall include planting plans with written specifications and details of: the quantity, size, species, position and source of all new planting including trees, hedgerows and shrubs; maintenance of all new planting; how all new planting will integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance; habitat enhancement/creation measures and management (such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement); a timetable for the implementation of all of the works, planting and enhancement/creation measures; and a scheme securing future maintenance and retention. The WSLP shall have full regard for how it relates to the principles and strategies for the long-term management of the area. The approved WSLP and associated measures shall be implemented in full in accordance with the approved timetable.

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 effects.

REASON:

To reduce the impact on the Green Belt. To ensure a net biodiversity gain in accordance with NPPF. In the interests of visual amenity, heritage, ecology and the protection of landscape.

CONDITION 14:

The building hereby approved shall not be occupied until a Soft Landscape Works Maintenance and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include a long-term 30 year management plan, details and timings of maintenance, provisions for monitoring, management prescriptions, responsibilities for implementation and reporting of the scheme. The landscaping scheme and all planting, as detailed in the Landscape Concept Plan (2141-21-01-dwg-A, received 10-05-2021) shall be implemented and planted no later than the first planting season following first occupation of the development. The landscaping scheme and all planting shall thereafter be maintained and managed in accordance with the Soft Landscape Works Maintenance and Management Plan. 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 variations.

REASON:

To protect and enhance biodiversity, to ensure that protected species are not harmed by the development and in the interests of visual amenity.

CONDITION 15:

No part of the development hereby approved shall be occupied until full details of a mitigation scheme for works around M6 Junction 2, including a detailed design in general accordance with preliminary drawing number IDP-19-486-1052 Rev C, or an alternative scheme, has received technical approval from the relevant Highway Authority. The development hereby approved shall not be occupied until the approved mitigation scheme has been implemented in accordance with the approved details.

REASON:

In the interests of traffic flows and highway safety.

CONDITION 16:

No part of the development hereby approved shall be occupied until full details of the new access road and traffic signal junction onto Combe Fields Road has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until the new access road and traffic signal junction onto Combe Fields Road has first been provided in accordance with the approved details.

REASON:

In the interests of traffic flows and highway safety.

CONDITION 17:

No part of the development hereby approved shall be occupied until full details of the measures contained within the Freight Management Plan (IPD-20-537-R003, 10-05-2021) have been submitted to and approved in writing by the Local Planning Authority. These details and measures shall include the establishment of a Transport Steering Group which shall monitor and manage the Freight Management Plan. It shall further stipulate that no HGV traffic generated by development within the application site shall use vehicular access points onto

Combe Fields Road. The development hereby approved shall not be occupied until the approved measures have been implemented in full.

REASON:

In the interests of traffic flows, highway safety, residential amenity, air quality and heritage.

CONDITION 18:

The building hereby approved shall not be occupied until a surface water maintenance plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide details on how surface water systems shall be maintained and managed in perpetuity for the lifetime of the development including the name of the party responsible, a contact name and contact details. The surface water maintenance plan shall subsequently be implemented in accordance with the approved details before the buildings hereby approved are occupied.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, to improve and protect habitats and wildlife, and to ensure the future maintenance of the sustainable drainage structures.

CONDITION 19:

The building hereby approved shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The building hereby approved shall not be occupied until the approved scheme has first been provided in accordance with the approved details.

REASON:

In the interests of fire safety.

CONDITION 20:

The building hereby approved shall not be occupied until measures demonstrating that the building achieves a BREEAM very good standard or above in terms of carbon reduction shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved measures and details.

REASON:

To ensure energy efficiency is achieved through sustainable design and construction and to reduce carbon emissions.

CONDITION 21:

Within three months of the building being occupied a detailed Travel Plan, which shall have regard to the Framework Travel Plan (IDP-20-537-002, received 10-05-2021), shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of: a Travel Plan Coordinator to be appointed for the development hereby approved; mode share targets; measures to achieve the targets; a programme of monitoring and review; and other supporting incentives to promote the use of sustainable transport over single occupancy car journeys. Within three months of the building being occupied the approved Travel Plan and associated measures shall be implemented in full. The approved Travel Plan and approved measures shall thereafter be implemented in full at all times in perpetuity.

REASON:

In the interests of highway safety, traffic flows, reducing vehicular emissions and promoting the use of sustainable transport.

CONDITION 22:

No external lighting, other than that shown on the External Lighting Layout (210261-CPW-XX-XX-DR-E-EXT-S0-P4, received 10-05-2021) and External Lighting Strategy (210261-P4, received 10-05-2021), shall be provided or erected on the site unless full details of the type, design and location of the additional lighting, together with a lighting report including details of fixtures and fittings, associated angle, fall, spread and intensity, have first been submitted to and approved in writing by the Local Planning Authority. All obtrusive lighting within the application site shall be controlled by a photocell and time clock with a minimum 2300hrs-0700hrs curfew time unless otherwise agreed in writing by the Local Planning Authority. No additional external lighting shall be erected and installed other than in accordance with the approved details.

REASON:

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

CONDITION 23:

The rating level of any fixed plant or equipment installed, provided and operated at the site shall not exceed a plant noise limit of 50dBA_r in the day-time (between 07:00 - 23:00 hours) and 42dBA_r in the night-time (23:00 - 07:00 hours). Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (19-1156.05-1, received 10-05-2021).

REASON:

In the interest of residential amenity.

CONDITION 24:

The individual and cumulative noise generated by vehicle movements and activities within and around the building shall not exceed 50dBA_r in the day-time in the day-time (between 07:00 - 23:00 hours) and 42dBA_r in the night-time (23:00 - 07:00 hours), unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (19-1156.05-1, received 10-05-2021).

REASON:

In the interest of residential amenity.

CONDITION 25:

Upon occupation of the building hereby approved, no part of the application site other than within the proposed building shall be used for storage purposes unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

In the interests of visual amenity.

CONDITION 26:

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) there shall be no change of use permitted from the approved use class to a different use class.

REASON:

In the interests of sustainable development, economic growth, protection of employment land, traffic movements and highway safety.

CONDITION 27:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no plant, equipment or development/extension shall be installed/undertaken that would increase the overall height of the building hereby permitted.

REASON:

To reduce the impact on the Green Belt. In the interests of visual amenity, heritage and landscape impact.

INFORMATIVES**INFORMATIVE 1:**

Cadent advise that WM3602 Ansty - Rugby and WM0801 Ansty - Church Lawford Cadent Gas Pipeline are located within the vicinity of the proposed development. This pipeline is part of the high-pressure transportation system and operates at a pressure of 69 bar (WM3602) and 14 bar (WM0801). It is laid subject to easements and is cathodically protected by an impressed current or sacrificial anode system. Before carrying out any work the applicant/developer must:

- (i) Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- (ii) Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- (iii) Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- (iv) Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>; and
- (v) In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

INFORMATIVE 2:

Warwickshire Fire and Rescue Authority advise that the development needs 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. Where compliance cannot be met, please provide details of alternative measures you intend to put in place. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.

INFORMATIVE 3:

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:

Warwickshire Fire and Rescue Authority ask you to consider and ensure that access to the site, during construction and once completed, are maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access.

INFORMATIVE 5:

Highways England advise that the highway mitigation work associated with this permission involves works within the public highway, which is land over which the applicant has no control. Highways England therefore requires the applicant/developer to enter into a suitable legal Section 278 agreement to cover Highways England Planning Response (HEPR 16-01) January 2016 the design check, construction and supervision of the works. Contact should be made with Highways England Section 278 Service Delivery Manager, Mary Otemu to discuss these matters at mary.otemu@highwaysengland.co.uk

INFORMATIVE 6:

WCC FRM advise that any connection or works to an Ordinary Watercourse will require Ordinary Watercourse Land Drainage Consent from WCC as Lead Local Flood Authority. Applications and advice can be found at the following link: <https://www.warwickshire.gov.uk/watercourse>

INFORMATIVE 7:

Environmental Health advise that to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: Monday – Friday 7.30 a.m. – 6.00 p.m.; Saturday 8.30 a.m. – 1.00 p.m.; and No work on Sundays and Bank Holidays.

INFORMATIVE 8:

WCC Rights of Way advise that a Public Right of Way (R75b) runs in close proximity to the proposed development. Please be advised that R75b 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 construction.

INFORMATIVE 9:

WCC Highways advise that the conditions 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 10:

WCC Highways advise that Section 39 of the Road Traffic Act 1988 requires local authorities to take such measures as appear to the Authority to be appropriate to reduce the possibilities of accidents when new or improved roads come into use. In submitting plans for the discharge

of planning condition 5 above the applicant/developer is advised that an independent stage 2 safety audit of the proposals must be provided to satisfy the requirements of the Act.

INFORMATIVE 11:

WCC Highways advise that the County Council will not be held liable for any delays in the execution of any works carried out under the provisions of any Highway Works Agreement, issue of any licence, or permit which may be incurred as a result of the applicant/developer's failure to make an application for such an agreement / licence / permit sufficiently in advance of the works requiring to be executed or for any delays which may be incurred as a result of service or plant alterations required by the public utility companies.

INFORMATIVE 12:

WCC Highways advise that 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 13:

WCC Highways advise that prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.

INFORMATIVE 14:

WCC Highways advise that Should any trees or hedges within the adopted highway, not identified as being required for removal as part of the submitted information, but are subsequently required to be removed in order to facilitate the approved development, an assessment will be carried out on behalf of the Highway Authority and a biodiversity offsetting contribution may be levied. In addition, liaison with the Forestry Team will be necessary.

STATEMENT OF POSITIVE ENGAGEMENT

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the NPPF.

AGENDA MANAGEMENT SHEET

Report Title: Planning Appeals Update

Name of Committee: Planning Committee

Date of Meeting: 18 August 2021

Report Director: Executive Director

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 April 2021 to 30 June 2021.

Financial Implications: Increases the scope for related costs claims within the Planning Appeals process.

Risk Management Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to cost claims and any subsequent costs awards.
Equality and Diversity:	No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	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 - 18 August 2021

Planning Appeals Update

Public Report of the Executive Director

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 April 2021 to 30 June 2021 a total of one planning appeal was determined, of which one was allowed.

A total of two enforcement appeals were determined, of which one notice was varied and upheld and the other a split decision.

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 June 2021 there were four 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: 18 August 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.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Location	Full development description	Application number	Case Officer	PINS Reference	Decision date	Decision description	Appeal Decision	Appeal Decision Date
WOLSTON ALLOTMENTS, STRETTON ROAD, WOLSTON	Erection of up to 48 dwellings with associated open space, landscaping and infrastructure (Outline - Principle and Access Only).	R19/1411	Joanne Orton	APP/E3715/W/20/3265601	4 November 2020	Refusal	Allowed / Costs Awarded	11 June 2021

Nature of problem	Location	Case Officer	Case No.	PINS reference	Appeal Hearing type ENF	Appeal decision date	Appeal decision ENF
Permission Refused for two outbuildings (gymnasium/games room and gate house/annexe)	STAVE HALL FARM, FOSSE WAY, MONKS KIRBY, RUGBY, CV23 0RL	Chris Davies	ENF/2020/0272	APP/E3715/C/20/3263094	Written Representations	22/06/2021	Notice varied and upheld
Alleged agricultural building erected without planning permission and alleged dwelling house also erected without planning permission	Land at Broadwell Turn, Broadwell, Rugby	Hitesh Tosar	ENF/2020/0150	APP/E3715/C/21/3266487	Written Representations	16/06/2021	Split decision, barn could stay but the house could not

Location	Full development description	Application number	Case Officer	PINS Reference	Stage Description	Appeal Type	Decision date	Decision description	Decision level
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	Appeal Lodged	Inquiry	10 December 2020	Refusal	Committee
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	Hearing	19 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	30 October 2020	Refusal	Delegated
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	24 March 2021	Refusal	Delegated

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	Chris Davies
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 - 1 July 2021 to 28 July 2021
Name of Committee:	Planning Committee
Date of Meeting:	18 August 2021
Report Director:	Executive Director
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): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers.
Financial Implications:	There are no financial implications for this report.
Risk Management Implications:	There are no risk management implications for this report.

Environmental Implications: There are no environmental implications for this report.

Legal Implications: There are no legal implications for this report.

Equality and Diversity: There are no equality and diversity implications for this report.

Options:

Recommendation: The report be noted.

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

Planning Committee - 18 August 2021

Delegated Decisions - 1 July 2021 to 28 July 2021

Public Report of the Executive Director

Recommendation

The report be noted.

Name of Meeting: Planning Committee
Date of Meeting: 18 August 2021
Subject Matter: Delegated Decisions - 1 July 2021 to 28 July 2021
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.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Delegated

8 Weeks PA Applications

Applications Refused

R21/0520 8 Weeks PA Refusal 05/07/2021	THE BRAMBLES, BOURTON ROAD, FRANKTON, RUGBY, CV23 9NX	Demolition of existing garage and construction of new single storey dwelling
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Applications Approved

R20/0936 8 Weeks PA Approval 01/07/2021	141-143 and 145, CLIFTON ROAD, RUGBY, CV21 3QN	Erection of two storey rear extensions to both properties [141-143 and 145, Clifton Road]
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R21/0208 8 Weeks PA Approval 01/07/2021	UNIT 5, MUNRO BUSINESS PARK, MARTON ROAD, BIRDINGBURY, RUGBY, CV23 8EH	Proposed biomass boiler and log drying kiln.
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R21/0507 8 Weeks PA Approval 01/07/2021	198, Dunchurch Road, Rugby, CV22 6HR	Erection of no. 1 residential dwelling and access
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R21/0337 8 Weeks PA	4, ST JOHN STREET, RUGBY, CV21 2LW	Conversion of house into 9 rooms HMO.
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Delegated

8 Weeks PA Applications Applications Approved

Approval
02/07/2021

R21/0424
8 Weeks PA
Approval
02/07/2021

7, OVERSLADE LANE, RUGBY,
CV22 6DU

Proposed two storey side extension, new gable and porch to front, single storey rear extension and loft conversion with rear dormer windows and raise of existing ridge height.

R21/0483
8 Weeks PA
Approval
02/07/2021

80, LINNELL ROAD, RUGBY,
CV21 4AW

Proposed single storey side extension to property including a rear raised patio.

R21/0543
8 Weeks PA
Approval
02/07/2021

Meggitt PLC, Pilot Way, Ansty
Business Park, Coventry, CV7
9JU

Installation of external plant and flues associated with operation and ongoing commercial activities at the site.

R21/0559
8 Weeks PA
Approval
02/07/2021

46, Portland Road, Rugby, CV21
3RX

Erection of a single storey rear extension

R21/0627
8 Weeks PA
Approval

HOME FARM, PAILTON ROAD,
HARBOROUGH MAGNA,
RUGBY, CV23 0HG

Change of use of part of building from agricultural barn to spirits distillery

Delegated

8 Weeks PA Applications

Applications Approved

02/07/2021

R21/0040 8 Weeks PA Approval 05/07/2021	1, NORTH ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BW	Proposed two storey side extension; single storey rear extension; installation of front dormers and rear dormer; and alterations to dwelling house
R21/0147 8 Weeks PA Approval 06/07/2021	66, ACADEMY DRIVE, RUGBY, CV21 3UF	Erection of a single storey rear extension
R21/0571 8 Weeks PA Approval 06/07/2021	16, Shakespeare Gardens, Rugby, CV22 6HH	PROPOSED SECOND STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO DWELLING
R20/1069 8 Weeks PA Approval 08/07/2021	UNIT 3, GREAT CENTRAL WAY INDUSTRIAL ESTATE, GREAT CENTRAL WAY, RUGBY, CV21 3XH	Proposed rear extension to warehouse.
R21/0445 8 Weeks PA Approval 08/07/2021	46, EDEN ROAD, RUGBY, CV21 4HT	Erection of a single and two storey side and rear extension and alterations to existing dwelling

Delegated

8 Weeks PA Applications Applications Approved

R20/0868 8 Weeks PA Approval 09/07/2021	LAND OFF, SAWBRIDGE ROAD, GRANDBOROUGH	Change of use of a portion of land to provide 2 no. glamping units, car parking and associated works.
R21/0450 8 Weeks PA Approval 09/07/2021	4, ANKER DRIVE, LONG LAWFORD, RUGBY, CV23 9SN	Erection of a single storey extension to the existing garage
R21/0545 8 Weeks PA Approval 09/07/2021	KNIGHTLOW C OF E PRIMARY SCHOOL, HILL CRESCENT, STRETTON-ON-DUNSMORE, RUGBY, CV23 9NF	Installation of a new modular building at a site within the school boundary
R21/0138 8 Weeks PA Approval 12/07/2021	HEATHCOTE FARM, MILL LANE, WOLVEY, HINCKLEY, LE10 3HR	Alteration and replacement of existing roof to extend first floor together with various extensions and external changes to dwelling.
R21/0515 8 Weeks PA Approval 12/07/2021	25, RYDAL CLOSE, RUGBY, CV21 1JP	Demolition of existing garage and erection of a two storey side extension
	62, CRICK ROAD, RUGBY,	

Delegated

8 Weeks PA Applications Applications Approved

CV21 4DY

R21/0565
8 Weeks PA
Approval
12/07/2021

Erection of two storey side and rear extension and single storey rear extension (re-submission of R20/0977)

R21/0500
8 Weeks PA
Approval
13/07/2021

4, ROTHERHAM CLOSE,
RUGBY, CV22 7TG

Erection of two front and one rear dormer windows with the addition of velux rooflights to front and rear roof slopes. A Juliet balcony will be included within the rear facing dormer.

R21/0093
8 Weeks PA
Approval
14/07/2021

HIGHGATE HOUSE,
COVENTRY ROAD,
DUNCHURCH, RUGBY, CV22
6RF

Change of use of horticultural land for the siting of 5 timber clad glamping pods, grill house and welfare block and all associated works.

R21/0247
8 Weeks PA
Approval
14/07/2021

Land to North East of A45,
Willoughby, Rugby, CV23 8FG

Proposed new 20m x 40m menage for exercising horses with post and rail fencing and retrospective erection of a horse walker and upgrade of a vehicular access

R21/0415
8 Weeks PA
Approval

36, ELIZABETH WAY, LONG
LAWFORD, RUGBY, CV23 9DJ

The erection of a side and rear extension.

Delegated

8 Weeks PA Applications

Applications Approved

14/07/2021

R21/0607
8 Weeks PA
Approval
16/07/2021

AVONDALE, STATION ROAD,
CLIFTON UPON DUNSMORE,
RUGBY, CV23 0BU

Erection of a single storey front
and side extension to provide a
new garage and a home gym.

R21/0089
8 Weeks PA
Approval
19/07/2021

MICKLE HILL FARM, FOSSE
WAY, WOLSTON, RUGBY, CV8
3GD

Demolition of existing dwelling
including rear projection, and
erection of replacement dwelling
with associated parking area and
landscaping.

R21/0097
8 Weeks PA
Approval
20/07/2021

19, OAKLAND HOUSE, HIGH
STREET, MARTON, RUGBY,
CV23 9RR

Erection of two storey side and
rear extensions and detached
garage.

R21/0382
8 Weeks PA
Approval
20/07/2021

5, KELSEYS CLOSE,
WOLSTON, COVENTRY, CV8
3GS

Part two storey part first floor side
and rear extension to property.

R21/0417
8 Weeks PA
Approval
20/07/2021

BAYTON VIEWS, 4,
WITHYBROOK ROAD,
WOLVEY, BEDWORTH, CV12
9JW

Erection of a two bay timber
garage with loft space above and
a mini tractor store with roof over.

Delegated

8 Weeks PA Applications Applications Approved

R21/0349 8 Weeks PA Approval 21/07/2021	43, EDYVEAN CLOSE, RUGBY, CV22 6LD	PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO DWELLINGHOUSE (RESUBMISSION OF PREVIOUSLY APPROVED APPLICATION)
R21/0422 8 Weeks PA Approval 21/07/2021	356, LOWER HILLMORTON ROAD, RUGBY, CV21 4AE	Single storey front and single storey rear extension to dwellinghouse
R21/0526 8 Weeks PA Approval 21/07/2021	3, DIXWELL WAY, CHURCHOVER, RUGBY, CV23 0FZ	Proposed 2 storey side extension with single storey rear to existing property.
R21/0547 8 Weeks PA Approval 21/07/2021	34, COTON PARK DRIVE, RUGBY, CV23 0WN	Removal of existing conservatory and the erection of a new single storey rear extension measuring out by 5.5m.
R21/0574 8 Weeks PA Approval 21/07/2021	25, STATION ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BT	Single storey front infill extension and external aesthetic alterations to property.

Delegated

8 Weeks PA Applications Applications Approved

15, OAKFIELD ROAD, RUGBY,
CV22 6AU

R21/0575
8 Weeks PA
Approval
21/07/2021

Single storey rear extension to property containing a floor plan of 4 x 5.3m with an eaves height of 2.607m and a total height of 3.609m.

R21/0578
8 Weeks PA
Approval
21/07/2021

143, HILLMORTON ROAD,
RUGBY, CV22 5AS

Conversion of existing detached garage into a hobby room.

R21/0587
8 Weeks PA
Approval
21/07/2021

12, WESTFIELD ROAD, RUGBY,
CV22 6AS

Variation/removal of condition 5 attached to R20/0785 - Demolish existing conservatory and part of lean-to extension to make way for new rear and side extension. Construction of a detached new hobby room at the bottom of the garden.

This application seeks to remove or vary condition 5 of R20/0785 which states that the proposed outbuilding is to be built upon a screw pile foundation. It is proposed that this instead will be altered to allow for the building control dept and/or structural engineer to decide the foundation type without effecting the existing

Delegated

8 Weeks PA Applications Applications Approved

tree roots and bank.

R21/0169
8 Weeks PA
Approval
22/07/2021

45, ROCHBERIE, HILLMORTON
ROAD, RUGBY, CV22 5AB

It is proposed to demolish the existing rear extensions and erect a new two storey extension to the rear.

It is also proposed to raise the ridge height of the main dwelling , and convert the loft space for additional accommodation.

It is proposed to modify the front access to the site from Hillmorton Road , by rebuilding the existing wall , formation of new access point and extending the existing dropped kerb. It is also proposed to erect a wall and gate to the existing rear access to the garage.

R21/0456
8 Weeks PA
Approval
22/07/2021

55, DERWENT CLOSE, RUGBY,
CV21 1JX

PROPOSED SINGLE STOREY
SIDE AND REAR EXTENSION

R21/0498
8 Weeks PA
Approval

6, EASTLANDS ROAD, RUGBY,
CV21 3RP

Delegated

8 Weeks PA Applications Applications Approved

22/07/2021

Implementation of extension approved by planning permission R21/0119 with internal change of use into 2 flats.

R21/0536
8 Weeks PA
Approval
22/07/2021

Land Associated with Firs Farm,
Stockton Road, Birdingbury,
CV23 8HR

Extensions and alterations to farmhouse, change of use of existing farmyard to domestic garden, change of use of agricultural barn to ancillary accommodation and farm office, repositioning of cart shed and change of use to domestic garage and demolition of modern steel framed agricultural barn (access road located within Rugby Borough Council boundary ONLY)

R21/0608
8 Weeks PA
Approval
22/07/2021

9, MELLOR ROAD, RUGBY,
CV21 4BP

Demolition of existing side extension and proposed erection of single storey side extension

R21/0447
8 Weeks PA
Approval
26/07/2021

20, CAWSTON LANE,
DUNCHURCH, RUGBY, CV22
6QE

PROPOSED SINGLE STOREY
REAR AND SIDE EXTENSION

Delegated

8 Weeks PA Applications Applications Approved

R21/0516 8 Weeks PA Approval 26/07/2021	12, MORSON CRESCENT, RUGBY, CV21 4AL	PROPOSED TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO DWELLING
R21/0381 8 Weeks PA Approval 27/07/2021	CROFT HOUSE, MAIN STREET, BOURTON-ON-DUNSMORE, RUGBY, CV23 9QY	Erection of a single storey link porch, extension to south east corner, proposed dormer window on north east elevation, alterations to existing dormers on south west and north west elevations and alterations to fenestration on south west and south east elevations
R21/0407 8 Weeks PA Approval 27/07/2021	BRAMBLE COTTAGE, SCHOOL HILL, FLECKNOE, RUGBY, CV23 8AU	Erection of a single storey extension to existing utility room
R21/0468 8 Weeks PA Approval 27/07/2021	DUNSMORE HOUSE, COVENTRY ROAD, THURLASTON, RUGBY, CV23 9JR	Conversion of existing garage to living accommodation, resurfacing the existing driveway and parking/turning area to the front of the property with block paving, and formation of an outdoor terrace with privacy screening.

Delegated

8 Weeks PA Applications Applications Approved

42, HOLBROOK AVENUE,
RUGBY, CV21 2QQ

R21/0718
8 Weeks PA
Approval
27/07/2021

Erection of an additional 1 metre
depth to the single storey rear
extension, and full glazing of
gable end.

Discharge of Conditions Applications Approved

R20/0740 LAND TO REAR OF 36
WARREN ROAD, BOWEN
ROAD, RUGBY

02/07/2021

Proposed detached dwelling

R20/0773 EAST LAKE, MANOR FARM,
DRAYCOTE ROAD,
DRAYCOTE, RUGBY, CV23 9RB

08/07/2021

Construction of three holiday
cabins and associated car
parking.

R19/0882 DUNSMORE GARAGE,
COVENTRY ROAD,
THURLASTON, RUGBY, CV23
9JR

24/07/2021

Demolition of the existing car
showroom and erection of four
detached dwellings with
associated parking and
landscaping (resubmission of
application number R17/1977).

Delegated

Discharge of Conditions

Applications Approved

R19/0882

27/07/2021

DUNSMORE GARAGE,
COVENTRY ROAD,
THURLASTON, RUGBY, CV23
9JR

Demolition of the existing car
showroom and erection of four
detached dwellings with
associated parking and
landscaping (resubmission of
application number R17/1977).

Major Applications

Applications Approved

R20/0960

Major Application

Approval

09/07/2021

DIAMOND HOUSE HOTEL, 28
HILLMORTON ROAD, RUGBY,
CV22 5AA

Partial demolition and change of
use of existing hotel with rear
extension to form 8 (no)
residential dwelling apartments

R21/0193

Major Application

Approval of Reserved
Matters

26/07/2021

RUGBY RADIO STATION, A5
WATLING STREET, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0AQ

Key Phase 2 Parcel E -
Submission of reserved matters
comprising access, appearance,
landscaping, layout and scale for
the erection of 352 dwellings
together with garages, access
roads, parking and associated
works pursuant to outline
planning permission ref. no
R17/0022 dated 28th June 2017
(variation of condition 22 to

Delegated

Major Applications Applications Approved

R19/1284 dated 19/03/2020 to include amendments to house types).

Prior Approval Applications

Prior Approval Applications

R21/0512 28, PUMP COTTAGE, MAIN STREET, BIRDINGBURY, RUGBY, CV23 8EL
 Prior Approval
 Extension
 Not Required
 02/07/2021

Prior Approval Larger Home Extension - Erection of a single storey rear extension

R21/0628 62, EVANS ROAD, RUGBY, CV22 7HT
 Prior Approval
 Extension
 Not Required
 09/07/2021

Erection of a single storey extension (Larger Home Extension Prior Approval)

R21/0630 95, Mckinnell Crescent, Rugby, CV21 4AU
 Prior Approval
 Extension
 Not Required
 16/07/2021

Rear extension measuring 6 metres in depth; 2.5 metres in height to the ridge; and 2.5 metres in height to the eaves.

110, Pettiver Crescent, Rugby, CV21 4JF

Rear extension measuring 6 metres in depth; 3.5 metres in

Delegated

Prior Approval Applications Prior Approval Applications

R21/0670
Prior Approval
Extension
Not Required
26/07/2021

height to the ridge; and 2.5
metres in height to the eaves.