



15 June 2020

PLANNING COMMITTEE - 24 JUNE 2020

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 24 June 2020 via Microsoft Teams.

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 the meeting held on 4 March 2020.
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. Diversion of part of Footpath R167 Cawston.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Urgent decisions under emergency powers - April and May 2020.
8. Planning Appeals Update.
9. Delegated Decisions – 13 March 2020 – 12 June 2020.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

Membership of the Committee:

Councillors Miss Lawrence (Chairman), Bearne, Mrs Brown, Brown, Butlin, Eccleson, Mrs Garcia, Gillias, Picker, Roodhouse, Sandison and Srivastava.

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

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 – 24 June 2020

Report of the Head of Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R19/0804	Former Cattle Market, Craven Road, Rugby, CV21 3HX Erection of 360 dwellings in four apartment blocks including vehicular access from Craven Road, car and cycle parking, landscaping, footpaths, public open space and associated infrastructure.	3
2	R20/0094	Rolls-Royce, Combe Fields Road, Coventry, CV7 9JR 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.	49

Reference: R19/0804

Site Address: Former Cattle Market, Craven Road, Rugby, CV21 3HX

Description: Erection of 360 dwellings in four apartment blocks including vehicular access from Craven Road, car and cycle parking, landscaping, footpaths, public open space and associated infrastructure

Case Officer Name and Number: Chris Kingham, 01788 533629

Recommendation

Approve subject to a S106 legal agreement, 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 developments and is on Council owned land.

2. Proposal:

- 2.1. This is a full planning application for the redevelopment of the Former Cattle Market Site on Craven Road, Rugby. The proposal is being brought forward on around 1.88 hectares of land and seeks to provide 360 dwellings within four detached apartment blocks. An area of public open space totalling 0.14ha is also proposed. Further provisions are made for car and cycle parking, landscaping, footpaths and associated infrastructure.
- 2.2. The four apartment blocks would vary in height from between 4-6 storeys high. The layout of these blocks takes the form of an L shape. The design of the buildings are broken into three visual elements across the height of the facades. A textured brick plinth formed of horizontally banded brickwork defines the ground floor, central floors are plain brickwork and a recessed coping detail caps each building. Deep reveal depths to windows and panelling are further utilised. Areas of landscaping are proposed around the buildings.
- 2.3. The dwellings fall within the C3 Use Class and it is intended that they would be operated and classified as Private Rented Sector (PRS) tenure housing. Across the scheme there is a split of 201 x 1-bedroom units and 159 x 2-bedroom units.
- 2.4. Block A would be 4-storeys high and contain 74 units. Block B would be 4-storeys high and contain 72 units, a reception area, staff room, post room, social space and gym. Block C would be 6-storeys high and contain 112 units. Block D would be 5-storeys high and contain 102 units.
- 2.5. It is proposed that the development would be accessed via an existing road, known as Gavel Drive, which has a priority junction with Craven Road. Pedestrian routes would extend across the site and allow links to the surrounding area on north-south and east-west axis.
- 2.6. A total of 144 car parking spaces are proposed within barrier controlled parking courts behind the apartment blocks. Of these, 14 spaces would be for electric vehicles and 8 would be designated for people with disabilities. A total of 364 resident cycle parking spaces are

proposed within secure and undercover locations within the apartment blocks and detached buildings. A further 32 visitor cycle parking spaces are proposed in the form of cycle stands outside each apartment block.

- 2.7. Surface water run-off is proposed to be directed into existing STW surface water sewer pipes. Additional capacity to control run-off rates is proposed to be achieved through the use of underground geocellular storage tanks.

3. Site Description:

- 3.1. The application site comprises of an area of previously developed land which was formerly used as a cattle market. It is situated within the Rugby Urban Area and is approximately 100 metres to the southwest of Rugby Train Station. Vehicular access is obtained off Craven Road and along Gavel Drive. The site is an irregular shape and is around 1.88 hectares in size. There are street frontages onto Craven Road, Railway Terrace and Gavel Drive.
- 3.2. The cattle market operated at this site from the 1870s until 2008 when it was relocated to Stoneleigh Park. It was housed largely outdoors with livestock pens on hardstanding with a handful of sheds and open sided barns as well as a victorian red-brick clearing house and a cluster of other brick buildings. All of the cattle market and associated buildings have now been demolished.
- 3.3. A substantial part of the cattle market site has been redeveloped but the land subject of this application remains left in a derelict condition. The undeveloped perimeter of the site is defined by timber construction hoardings. Behind this are large areas of hardstanding, scrub vegetation and spoil heaps. A number of existing utility services are located across the site under the ground.
- 3.4. The highway of Gavel Drive is included within the site boundaries as it has not been adopted. This road has a shared surface arrangement constructed from block paving and tight 90-degree bends which require vehicles to dramatically reduce speed to a design of 15mph.
- 3.5. To the north of the site is an area of previously developed land. All buildings located on this have now been cleared with only the hardstanding remaining. It is currently being utilised for the parking of buses and vehicles. Beyond this is a large building which is used by Stagecoach as a bus depot. The highway of Railway Terrace runs past this building and down to Rugby Train Station. The railway tracks and associated platforms are located parallel to this road and are contained behind a high brick wall.
- 3.6. To the northeast of the site is a 4-storey building which is used as a Travelodge Hotel. There are 72 rooms in total with a foyer, bar, restaurant, kitchen and offices to the ground floor. An area of the ground floor totalling 365 sq.m is also used as a Tesco Express Supermarket. The elevations of the building are finished with bricks and cladding. Parking for this is provided to the south of the building adjacent to the application site. A pedestrian footway provides a link between this parking area and Gavel Drive. Rugby Train Station is located beyond this building to the northeast.
- 3.7. To the east of the site is an extra-care sheltered housing development (C3 Use Class), supported housing facility (C2 Use Class) and affordable houses and apartments (C3 Use Class).
- 3.8. The extra-care sheltered housing development is located within a 4-storey block known as Farmers Court. It is located at the corner of Redpole Road, Charolais Close and Murray Road. It contains 46 apartments which are all affordable social rented units operated by Housing 21.

The elevations are constructed from brick to the ground floor and render with timber cladding to the floors above.

- 3.9. The supported housing facility is located within a 3-storey block known as Gloucester House. It is located at the corner of Charolais Close and Murray Road. It contains 5 apartments and ancillary communal and support accommodation on the ground floor. The elevations are constructed from brick to the ground floor and render with timber cladding to the floors above.
- 3.10. The affordable houses are located within two-storey buildings with gable roofs. They are accessed off Gavel Drive, Charolais Close, Barter Place, Murray Road and Craven Road. A small three-storey apartment block known as Herdwick Court is also located at the corner of Murray Road and Craven Road. There are 45 affordable dwellings in total. The elevations are constructed from brick to the ground floor and render with timber cladding to the floors above. Parking to these dwellings is provided in unmarked rows to the front and sides of properties. Block paving, tarmac and slabs are used within areas of hard landscaping. This is softened by established shrub and ornamental planting located around buildings and parking areas.
- 3.11. Beyond the immediate buildings to the east of the site is Murray Road. This is a key distributor road through the town which provides access to Rugby Train Station. Rows of traditional two-storey terraced housing blocks branch off this road.
- 3.12. To the south of the site is Craven Road. A row of two-storey traditional terraced dwellings is located on this road facing towards the area of proposed development. Some of these dwellings have been converted into flats. Others have been converted into a Sikh Temple and Community Centre which is located to the southwest of the site. A more recent three-storey building used for residential purposes and the Benn Partnership Centre (Community Centre) is located adjacent to this at the corner of Craven Road and Railway Terrace.
- 3.13. To the west of the site is a care home (C2 Use Class) and GP surgery (D1 Use Class) and pharmacy (A1 Use Class).
- 3.14. The care home is located within a 3-storey block known as Drovers House. It is located at the corner of Craven Road and Railway Terrace. The home is operated by WCS Care Group and contains 75 rooms which are open to rent by privately funded individuals. There are a number of communal facilities within the building for residents. The elevations are constructed from brick to the ground floor and a mixture of brick, render and timber cladding to the floors above. Parking spaces are available to the rear of the building.
- 3.15. The GP surgery and pharmacy are contained within a modern two-storey L-shape building. It is located on Railway Terrace and is set back from the highway footway by approximately 20 metres. The elevations are constructed from brick, render and cladding. Parking spaces are available to the front and side of the building.
- 3.16. Beyond the immediate buildings to the west of the site is Railway Terrace. This is a key link road which provides access to Rugby Train Station. On the opposite side of this road to the site is a three-storey residential (C3 Use Class) apartment block known as Philip Court. This is a relatively recent building with the elevations being constructed from red bricks with buff bricks being used for linear bands and decorative detailing. Parking for these dwellings are located in a parking court to the rear of the building. There is also a six-storey office (B1 Use Class) block in this location at the corner of Railway Terrace and Wood Street. The elevations of this block are constructed from red brick with cladding below windows on the ground floor. To the front elevation each floor is defined by continuous linear rows of windows. Parking for the offices are located to the side and rear of the building. A mixture of offices and residential dwellings are located beyond this to the west.

4. Relevant Planning History:

- 4.1. R13/0228: Farmers Court - Use of existing guest suite as an additional one bedroom apartment and conversion of existing assisted bathroom/store to provide guest room (taking total number of extra-care sheltered housing (C3 Use Class) units to 46). Approved 20/05/2013.
- 4.2. R11/1870: Erection of two-storey building and use as a Health and Wellbeing Centre with ancillary Pharmacy and Community Facility together with access, parking and landscaping - revision to reserved matters scheme approved under ref.no. R10/2124, dated 9th August 2011, to accommodate 4 additional consulting rooms with associated minor revisions to the internal floor layout and elevations (submission of reserved matters in accordance with outline planning permission ref.no. R10/1273 dated 04/04/2011). Approved 17/10/2012.
- 4.3. R11/1510: Development comprising 90 residential apartments (66x2bed & 24x1bed) together with associated access, parking and landscaping - revision to details approved under planning permission reference R10/1273 to increase height of buildings from three to four storeys and number of apartments from 69 to 90. Approved 11/05/2012.
- 4.4. R11/2363: Provision of public open space and public realm works comprising hard and soft landscape engineering works including street furniture, lighting and associated works - submission of reserved matters in respect of appearance and landscaping pursuant to planning permission ref.R10/1273 dated 04/04/2011. Approved 08/03/2012.
- 4.5. R11/1811: Use of land as a temporary car park (124 spaces). Approved 16/11/2011.
- 4.6. R10/2124: Erection of two-storey building and use as Health and Wellbeing Centre with ancillary Pharmacy and Community Facility together with access, parking and landscaping. (Submission of reserved matters in accordance with part Outline Planning Permission Ref No. R09/0331/MAJP dated 1st September 2009). Approved 09/08/2011.
- 4.7. R10/1273: Non-Material Amendment reducing the number of units in the nursing home (C2) from 77 to 75. Approved 15/07/2011.
- 4.8. R10/1759: Erection of a two storey building for use as a Community Centre for purposes within Classes D1 & D2 of the Town & Country Planning (Use Classes) Order 1987 as amended including ancillary offices, together with associated access, parking and landscaping. Approved 23/02/2011.
- 4.9. R10/1273: Mixed use development comprising: Part full planning permission for the erection of buildings for use as a 72 bedroom hotel with ancillary Bar/restaurant (C1/A3) and 420sq.m GEA of retail floorspace (A1), a 77 bed nursing home (C2), a 45 unit extra-care sheltered housing development (C3) and the erection of 47 no. affordable residential units (C3) together with associated access, parking and landscaping. Part outline planning permission for the erection of 69 no. residential units (C3), the erection of buildings for employment use (B1 (a), (b) and (c) - maximum floorspace 3842sq.m GEA) and community use (D1/D2 - maximum floorspace 2250 sq.m GEA) and the provision of public open space (0.95ha) - all matters reserved apart from access, and in the case of the residential units and public open space apart from layout and scale. Variation of condition 7 attached to planning permission ref. R09/0331/MAJP dated 01/09/2009 to substitute drawings comprising amendments to the site layout, design and floor layout of the nursing home. Approved 04/04/2011.
- 4.10. R10/1093: Erection of three-storey building comprising 5no. apartments and ancillary communal and support accommodation on the ground floor together with 4no. associated parking spaces, and use as a Supported Housing Facility. Approved 29/09/2010.

- 4.11. R10/0746: Erection of 69 residential units (51 two bed apartments and 18 one bed apartments) - submission of reserved matters in respect of appearance and landscaping pursuant to outline planning permission ref. R09/0331/MAJP, dated 01/09/2009. Approved 10/08/2010.
- 4.12. R09/0331/MAJP: Mixed use development comprising: Part full planning permission for the erection of buildings for use as a 72 bedroom hotel with ancillary bar/restaurant (C1/A3) and 420sqm GEA of retail floorspace (A1), an 80 bed nursing home (C2), a 45 unit extra-care sheltered housing development (C3) and the erection of 47 no. affordable residential units (C3) together with associated access, parking and landscaping. Part outline planning permission for the erection of 69 no. residential units (C3), the erection of buildings for employment use (B1 (a), (b) and (c) - maximum floorspace 3842sqm GEA) and community use (D1/D2 - maximum floorspace 2250sq.m GEA) and the provision of public open space (0.95ha) - all matters reserved apart from access, and in the case of the residential units and public open space apart from layout and scale. Approved 01/09/2009.
- 4.13. R08/1391/MAJP: Outline planning permission for mixed use development comprising 155no. Residential units including 74no. Affordable units (C3), sheltered housing (C3 maximum floorspace 3150sqm), nursing home (C2 maximum floor space 3900sqm), 72 bedroom hotel and ancillary bar/restaurant (C1/A3), retail (A1 maximum floorspace 420sqm), employment (B1 [a] [b] [c] maximum floorspace 3826sqm) and community uses (D1/D2 maximum floorspace 2250sqm), access, parking, public open space (0.92), landscaping and associated works - all matters reserved excluding access, and in the case of the public open space, residential, retail/hotel development, excluding layout and scale. Approved 27/05/2009.

5. Technical Consultation Responses:

Cadent Gas	No comment
Environment Agency	No objection with comment
Natural England	No comment
NHS Property	No response
RBC Development Strategy	No objection with comment
RBC Environmental Health	No objection subject to conditions and informatives
RBC Housing	No objection
RBC Corporate Property	No objection
RBC Parks and Grounds	No objection subject to conditions and financial contribution
RBC Trees and Landscaping	No objection subject to conditions
RBC Works Services Unit	No objection
Severn Trent Water	Comments with informative
Stagecoach	No response as consultee but own premises adjacent to site so response in capacity of neighbour received and précised below
UHCW NHS Trust	No objection subject to financial contribution
Warwickshire Fire and Rescue Service	No objection subject to informative
Warwickshire Police	No objection subject to comments and financial contribution
Warwickshire Wildlife Trust	No objection with comment
WCC Archaeology	No objection
WCC Ecology	No objection subject to conditions, informatives and financial contribution
WCC Flood Risk Management	No objection subject to conditions and informative

WCC Highways	No objection subject to conditions, informatives and financial contribution
WCC Infrastructure	No objection subject to condition and financial contributions
WCC Public Health and NHS Coventry	No objection
Western Power	No response

6. Third Party Consultation Responses (Original Plans and Reports):

Neighbours (3) Objection

- Errors in documents submitted by applicant including amount of parking provision.
- No regard for local sentiment – grassland ranked as negligible value but cabinet member indicates no better habitat for wildlife.
- Previous plans included a NE/SW pedestrian avenue through centre of site linking railway station to town benefiting health and sustainable transport – now omitted.
- Submitted Planning Statement does not assess whether complies with adopted policies.
- Should provide 20% affordable housing in line with policy H2 – none proposed.
- No financial viability assessment submitted with application to justify no affordable housing.
- Existing deficiency of open space in Benn Ward.
- Policy HS4 requires provision of 5.5ha of open space to be provided.
- Amount of open space proposed on site smaller than required by policy HS4.
- Query whether Ecological Impact Assessment has been carried out by suitably qualified person.
- Ecological Impact Assessment recommends planting of native species but proposed landscape plans make use of non-native plants so doesn't comply with NE1.
- Scheme should provide net biodiversity gain.
- Former plans on site for smaller apartment blocks, park, cycle paths and community centre were in keeping with all existing buildings.
- Proposal not in keeping with existing development.
- Would result in excessive traffic on Gavel Drive and Barter Close.
- Gavel Drive privately owned and not suitable for extra vehicles.
- Less than 1 parking space per dwelling proposed.
- Would lead to parking on adjacent roads where non-residents park already.
- Noise and disturbance to existing properties (particularly Gavel Drive) during construction.
- Query whether construction access can be from Railway Terrace to avoid disturbance.
- Too many dwellings resulting in excessive traffic, noise and parking issues.
- Stagecoach have 24-hour bus and coach garage adjacent to site – operations cannot be impeded or restricted by development before, during or after construction.
- Activities at Stagecoach should be able to continue as they are now – restrictions resulting from development could severely hamper operation of local bus and long distance coach services in area.

7. Third Party Consultation Responses (Amended Plans and Reports):

Neighbours (1) Objection, raising the following additional points:

- Have not seen information to justify breach of policies H2 and HS4.
- Applicant has quantified scale of biodiversity loss but provided no additional information to address issues relating to compliance with policy NE1.

8. Development Plan and Material Considerations:

- 8.1. 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.
- 8.2. 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.
- 8.3. Rugby Borough Council Local Plan 2019

GP1: Securing Sustainable Development	Complies
GP2: Settlement Hierarchy	Complies
GP3: Previously Developed Land and Conversions	Complies
DS1: Overall Development Needs	Complies
H1: Informing Housing Mix	Complies
H2: Affordable Housing Provision	Complies
HS1: Healthy, Safe and Inclusive Communities	Complies
HS2: Health Impact Assessments	Complies
HS4: Open Space, Sports Facilities and Recreation	Complies
HS5: Traffic Generation, Air Quality, Noise and Vibration	Complies
NE1: Protecting Designated Biodiversity and Geodiversity Assets	Complies
NE3: Landscape Protection and Enhancement	Complies
SDC1: Sustainable Design	Complies
SDC2: Landscaping	Complies
SDC4: Sustainable Buildings	Complies
SDC5: Flood Risk Management	Complies
SDC6: Sustainable Drainage	Complies
SDC7: Protection of Water Environment and Water Supply	Complies
SDC9: Broadband and Mobile Internet	Complies
D1: Transport	Complies
D2: Parking Facilities	Complies
D3: Infrastructure and Implementation	Complies
D4: Planning Obligations	Complies

8.4. Supplementary Planning Documents (SPDs)

Housing Needs SPD (2012)
Planning Obligations SPD (2012)
Sustainable Design and Construction SPD (2012)

8.5. Material Considerations

National Planning Policy Framework (NPPF or “the Framework”) (2019)
National Planning Practice Guidance (NPPG)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)
National Design Guide (2019)

9. Assessment of Proposal:

9.1. Key Issues

Section 10 Settlement Hierarchy, Use and Need
Section 11 Density, Tenure, Housing Mix and Affordable Housing
Section 12 Design, Layout, Landscaping and Visual Impact

Section 13	Light, Aspect and Privacy
Section 14	Access, Parking Provision, Traffic Flows and Highway Safety
Section 15	Air Quality
Section 16	Noise
Section 17	Contamination
Section 18	Ecology
Section 19	Flood Risk and Drainage
Section 20	Trees
Section 21	Heritage and Archaeology
Section 22	Health
Section 23	Carbon Emissions, Sustainable Design and Construction
Section 24	Broadband
Section 25	Economic Growth
Section 26	Infrastructure and Planning Obligations
Section 27	Planning Balance and Sustainability of Development

10. Settlement Hierarchy, Use and Need

Settlement Hierarchy

- 10.1. 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 Rugby Town which is classified as being the most sequentially preferable location for development. The policy consequently sets out that development will be permitted within existing boundaries. The proposed development therefore complies with this policy.

Use

- 10.2. The application site was previously used as a cattle market until 2008 when it was relocated to Stoneleigh Park. All of the cattle market and associated buildings have now been demolished. An outline application for the comprehensive redevelopment of the entire cattle market site was previously approved in 2009. A substantial part of the site has been redeveloped in accordance with this permission but the land subject of this application remains undeveloped. It has been left in a derelict condition with large areas of hardstanding, scrub vegetation and spoil heaps. The site is consequently classified as previously developed land.
- 10.3. Permission has previously been granted on the land subject of this application for 69 residential units (C3 Use Class), a maximum of 3,842sq.m of employment uses (B1 Use Class) and 0.95ha of public open space. The number of residential units was later increased to 90 apartments in three four-storey blocks. The proposed development is now for 360 apartments (C3 Use Class) and 0.14ha of public open space. This is consequently consistent with the previously approved use of the land in the past. However, the impact of the increased number of units and density must be assessed.
- 10.4. The site is surrounded by a mix of different uses including residential, employment, care home, hotel, retail and GP surgery. The principle of residential development on this land is considered to be acceptable providing it can be effectively integrated with the surrounding uses. This means ensuring that the proposed development would not result in unreasonable restrictions being placed on existing businesses and facilities.
- 10.5. Policy GP3 of the Local Plan sets out that the Council will support the redevelopment of previously developed land where proposals are compliant with policies in the Local Plan. It further sets out that particular consideration will be given to the visual impact, existing services,

heritage assets and biodiversity assets. An assessment of the proposal against these issues and other policies is set out below.

Need

- 10.6. The Framework makes note of the Government's objective of significantly boosting the supply of homes. The Council has therefore adopted a Local Plan which will meet identified housing need within this area between 2011 and 2031. Aside from permitted and allocated dwellings, this need will be met through the delivery of windfall sites such as this application site.
- 10.7. The Council is required to have a five year housing land supply, including buffers, to ensure this identified need is delivered. Following adoption of the Local Plan on 4th June 2019 the Borough Council has a five year housing land supply.
- 10.8. The provision of 360 windfall dwellings would consequently make a significant contribution towards ensuring the current housing land supply position is maintained. It would also be consistent with the Government's objective of significantly boosting the supply of homes. This is a matter which carries significant weight in favour of the proposed development.

11. Density, Tenure, Housing Mix and Affordable Housing

Density

- 11.1. Policy SDC1 of the Local Plan sets out the need to consider appropriate housing density on a site by site basis with decisions informed by the local context of the area in terms of design considerations, historic or environmental integration, local character and identified local need. The supporting text expands on this and sets out an expectation that new development will be expected to harmonise with or enhance the surrounding area. The Framework also sets out policies which encourage the efficient and effective use of land.
- 11.2. The proposed development of 360 dwellings on 1.88ha of land equates to a density of 191 dwellings per hectare. The consequently represents an extremely high, efficient and effective use of this brownfield previously developed site.
- 11.3. The principle of such a high density in this location is supported within the Local Plan. Paragraph 10.9 sets out that where development sites are located in or close to Rugby town centre, densities are expected to be significantly higher than other parts of the Borough. In this respect the site is located within close proximity to the town centre where there are a range of shops, services and facilities which future occupiers could easily walk and cycle to. Regular bus services are also available from here across the town and to surrounding settlements.
- 11.4. Furthermore, the site is situated approximately 100 metres to the southwest of Rugby Train Station. Regular train services run from here to surrounding towns and cities including London and Birmingham. This is consequently a highly sustainable location with significant opportunities for future occupiers to use sustainable modes of transport.
- 11.5. It is considered that a high density development of this nature would be appropriate in this area subject to the impact on the local context of the area being acceptable. This is considered further below.

Tenure

- 11.6. Local and national policy set out the importance of providing a mix of housing which provides for the different needs of people living and wanting to live within the Borough. In this case the

applicant notes that there is currently a growth in different types of housing tenure other than owner occupation or affordable housing. The Private Rented Sector (PRS) is one of the types of tenure that is experiencing growth, particularly within larger urban areas.

- 11.7. The applicant believes that PRS can make an important contribution to meeting Rugby's housing needs. They anticipate that the proposed scheme would meet the needs of a mobile workforce, a younger professional group of workers, households which have deferred house purchases and for those groups of people who prefer renting as a choice.
- 11.8. The developer notes the intention that the scheme would be a long-term investment under one ownership rather than apartments being sold to different individual owners to then rent. They therefore want to provide high-quality and well-managed rental accommodation with tenant-friendly and long-term leases. They indicate this is vital to the commercial success of the PRS model.
- 11.9. The proposed scheme would ultimately introduce a new Private Rented Sector (PRS) housing tenure model to Rugby. It is considered that this can be supported given its ability to meet the housing needs of a variety of different groups. However, even if this intention changes to a build-to-sell model, the scheme would still be acceptable given that the dwellings would make a positive contribution towards meeting identified housing need.

Housing Mix

- 11.10. Policy H1 of the Local Plan sets out a requirement for a mix of dwelling types and sizes. In this case the proposal is for 360 dwellings of which 56% (201) would be 1-bedroom units and 44% (159) would be 2-bedroom units. This does not accord with the housing mix set out in the Local Plan which indicates 60-70% of the dwellings should be 3-4+ bedroom units. However, the policy allows for an alternative mix such as that proposed in certain circumstances.
- 11.11. In this case the development meets the listed circumstance of being a sustainable and very accessible site close to Rugby town centre and the train station. The provision of 1 and 2 bedroom units to achieve high densities is appropriate in such locations. In addition, the shape and size of the site, coupled with development constraints in the form of existing utilities and surrounding development, are further listed circumstances which justify an alternative mix. Indeed, the design response to this and achieving a high density is best achieved through the development of apartment blocks in the form proposed. The nature of apartments in this location lends itself to a market demand for 1 and 2 bedroom units as proposed.
- 11.12. It is considered that the proposed housing mix would be appropriate in this location. It would comply with the alternative mix circumstances listed in policy H1. Moreover, within the context of development across the Borough it is apparent that demand for 3-4+ bedroom units is stronger within the urban extensions. Providing a higher percentage of 1-2 bedroom units in this appropriate location would consequently help to ensure an appropriate balance across the Borough as a whole.

Affordable Housing

- 11.13. Policy H2 of the Local Plan sets a target of 20% affordable housing provision on previously developed sites of the size proposed here. Based on the 360 dwellings proposed this equates to a need for 72 affordable dwellings. However, the policy sets out that the exception to this is where it has been demonstrated that development would not be financially viable at the relevant target level.
- 11.14. In this case no affordable dwellings are proposed. This is because the application site formed part of what was a wider development site (known as the former Cattle Market site). This wider

site and the current application site were brought forward for comprehensive redevelopment under a hybrid full/outline application which was approved in September 2009. The site location plan for this application and associated S106 Agreement included both the wider site and the application site within the red line.

- 11.15. All of the former Cattle Market site other than the application site and a parcel of land to the north has now been redeveloped. The land which has been developed for residential purposes can be broken down as follows:
- Farmers Court: 46 extra care sheltered housing units (C3 Use Class);
 - 45 affordable dwellings (C3 Use Class);
 - Gloucester House: 5 supported housing units (C2 Use Class); and
 - Drovers House: 75 nursing home units (C2 Use Class).
- 11.16. The 45 affordable dwellings constitute what was formally approved for affordable housing provision under the terms of the S106 Agreement for the 2009 hybrid application. These 45 dwellings are therefore protected as affordable dwellings in perpetuity.
- 11.17. In addition to this, the 46 extra care sheltered housing units are also all affordable rented units operated by Housing 21 (a Registered Provider). These extra care sheltered housing units were grant funded by the Housing Corporation (now Homes England) in 2009. There are agreements between Housing 21 and Homes England in relation to the continued use and operation of these units, which the Council are not a party to. Nonetheless, the Council historically and currently has nomination rights to these units. The extra care sheltered housing units are not affordable housing pursuant to the S106 Agreement for the 2009 hybrid application, but they are currently a valuable contribution to the affordable housing provision in the borough. There is a risk that these units may not remain as affordable housing units in perpetuity. However, given the nature of Housing 21's business and the grant funding position, this risk is considered to be medium to low. Further, if the Council became aware of any change in the nature of these extra care sheltered housing units, it would look to explore options to retain these units as affordable housing in the future.
- 11.18. As a result, it is considered that there are 91 existing affordable dwellings (C3 Use Class) located on the former Cattle Market site (45 affordable dwellings and 46 extra care sheltered housing). Having regard to case law, the decision of Brandlord (2002) provides three criteria to help assess whether it would be appropriate to take this existing affordable housing provision into account when determining affordable housing requirements for this application.
- 11.19. The three Brandlord criteria are ownership, site and development. In relation to ownership, the site has historically been in single ownership (the Council's). The application site is the last remaining 'parcel' of the wider site historically held in one ownership and developed out in phases. In relation to site, it is to be remembered that the application site and wider site were the subject of a single, large, mixed use permission. There was a single application and a single S106 agreement (including the application site). The only reason that the site has 'fragmented' is because of the nature of phased development for a major site over a long period. In relation to development, it is noted that whilst the proposed development on the site is markedly different in scale, it remains the case that it is residential in nature as was the element of the 2009 permission which pertained to this portion of the wider site. It is consequently considered that the three Brandlord criteria are satisfied. The application site can therefore reasonably be deemed to form part of the wider site. This allows the existing affordable housing provision across the wider site to be taken into account when determining affordable housing requirements for this application.
- 11.20. In view of the above, it is noted that a further 360 dwellings (C3 Use Class) are proposed on the remaining undeveloped part of this site. When taking a holistic and comprehensive view of the former Cattle Market site there would consequently be a total of 451 dwellings (C3 Use

Class) on this land. Based on 20% affordable housing provision there would consequently be a need for 90 affordable dwellings in total. Taking into account that there are already 91 affordable dwellings on the former Cattle Market site, it is considered that the required policy H2 affordable housing provision target of 20% is met. There is consequently no need for further affordable dwellings as part of the proposed development subject of this application.

12. Design, Layout, Landscaping and Visual Impact

- 12.1. Section 12 of the Framework and policies SDC1 and SDC2 of the Local Plan set out the importance of good design in new developments. An assessment of the proposed design and layout of the development has subsequently been undertaken in accordance with the National Design Guide. This guide identifies ten characteristics which achieve a well-designed place.
- 12.2. **Context:** The proposed development is situated within the Rugby Urban Area approximately 250 metres to the northeast of Rugby Town Centre. It would be located on the site of a former cattle market which was first constructed on this land in 1878. This use continued until 2008 when it was relocated outside of the Borough. A substantial part of the cattle market site has since been redeveloped but the land subject of this application remains in a derelict condition. Whilst all buildings and structures have been cleared the remnants of hardstanding, earth and rubble are present. Below the ground there are existing drains which run across the site and have easements which prohibit development within a set distance. A full description of the site and the local and wider context are set out in the site description above. Further consideration of heritage and local history are set out within the heritage and archaeology section below.
- 12.3. Critically, it is essential to recognise that the proposed development would not be constructed on a blank canvas which is free from constraints. In particular, existing buildings, the fixed position of Gavel Drive and drainage easements all greatly impact on the nature and form of development which can be achieved. The historic street pattern in the immediate and wider area further compounds these issues. When all these constraints are laid onto a map it gives rise to four smaller development zones within the site. The four proposed apartment blocks have consequently been positioned in each of these zones. They have been orientated in such a way to maintain appropriate separation distances from existing buildings whilst having main elevations immediately fronting onto existing roads. This creates definition to the street and reinforces the pattern of development in this area.
- 12.4. The scale of each apartment block has also been designed so as not to appear overbearing and dominant in relation to adjoining buildings. This has been achieved by limiting the height of the two southern blocks to four storeys. The height of the two northern blocks then steps up to five and six storeys where the taller height of existing buildings allows.
- 12.5. **Identity:** The development should be attractive and distinctive. In this respect the proposed apartment blocks have been designed to take the form of an L shape. The heights of the blocks range from 4-6 storeys. The design of the buildings can be characterised as modern and contemporary. They follow the London vernacular style and are broken into three distinct visual elements across the height of the facades. A textured brick plinth formed of horizontally banded brickwork defines the ground floor, central floors are plain brickwork and then a recessed coping detail caps each building. Deep reveal depths to windows and panelling are further utilised. To break up the massing of the buildings, elevations are stepped out and different coloured bricks are employed on different elevations.
- 12.6. Parking areas are located behind the buildings to reduce their prominence when viewed from public vantage points. Areas of landscaping are proposed around the buildings and in the parking areas to further soften their appearance. A small pocket park has then been included to provide visual relief and a centre of focus for the community.

- 12.7. This all collectively builds upon the transition and shift to more modern styles of development found in the redeveloped areas of the Cattle Market. In doing this the development would help to create a unique sense of place which befits the size and scale of this remaining derelict land. It therefore: responds to existing local character and identity; is well-designed, high quality and attractive; and creates character and identity.
- 12.8. **Built Form:** The proposed development of 360 dwellings on 1.88ha of land equates to a density of 191 dwellings per hectare. The consequently represents an extremely high, efficient and effective use of this brownfield previously developed site. Such a compact form of development in extremely close proximity to public transport interchanges and the town centre maximises the opportunities presented by this site. It also reflects the densely populated urban nature of this area of the town. At the same time the built form relates well to the site context whilst defining a pattern of streets and development blocks. In addition, the heights of the buildings have taken account of location, siting, character, views, sight lines, composition and environmental impacts. It ultimately strikes a reasonable balance of these factors and the need to achieve a commercially viable redevelopment scheme. In so doing the buildings would make a positive contribution to the built form in this area. The provision of a small pocket park would further serve as a destination for future occupants and the community to come together. The opportunity for the built form to strengthen the local character of this area would therefore be realised.
- 12.9. **Movement:** The development should be accessible and easy to move around. In this respect vehicular access would be achieved off Craven Road via the existing Gavel Drive access. Pedestrian footways would provide links across the site from east to west. This would therefore achieve permeability across the site from Graham Road, Barter Place, past the Market Quarter Medical Practice and onto Drover Close. It would also achieve permeability across the site from Sandown Road, Charolais Close and onto Railway Terrace. The existing north-south pedestrian route following Gavel Drive would be retained. It is consequently considered that the proposal would achieve a clear layout and hierarchy of streets which are well connected to east to west desire lines. This would consequently make a positive contribution to the permeability of the area and help integration with the existing neighbourhood. These proposed connections would further help to increase the accessibility of the development in relation to the shops, facilities and services future occupants would need. In particular, there would be good links for residents into the town centre which is in close proximity to the site. The close proximity to the train station and bus stops provide opportunities for a range of sustainable transport options to be utilised.
- 12.10. Vehicular parking would be positioned behind the buildings and would therefore not dominate the street scene. It would incorporate block paving and landscape planting to soften the appearance of this. Windows within the apartments would overlook these areas thereby providing natural surveillance. Cycle parking would be provided in dedicated stores within or close to buildings.
- 12.11. At a more strategic and contextual level it is necessary to recognise that there is a clear critical desire line between the train station and town centre. However, there is no obvious and direct route which achieves this. Pedestrians and cyclists rather have to take an unclear and convoluted route. When seeking to redevelop the Cattle Market the Council consequently set out an objective to achieve an axial route through the site for pedestrians and cyclists. This was required to increase pedestrian permeability through site and to create a strong, identifiable link from the train station to the town centre which also served to enhance the sense of arrival in Rugby. This was achieved in previous permissions on the site. However, the original developer went into administration before work on this link and associated urban park commenced. The Council (as landowner) subsequently tried to attract development on the site in different forms whilst still maintaining this link. Ultimately no developers were attracted and so the site has remained derelict since. The current scheme now being

considered does not show a direct link as originally envisaged. Options for securing this were considered but were ultimately discounted by the applicant as it would not make the scheme commercially attractive. On balance it is consequently considered that it would be better to secure the redevelopment of this derelict land than refuse the scheme because it no longer secures a direct link between the train station and town centre. Furthermore, it is acknowledged that pedestrian and cycle access can still be secured across the Cattle Market site (albeit at angles rather than direct).

- 12.12. **Nature:** The proposed development would retain a small row of existing red leaved cherry plum trees to the south of the site adjacent to Craven Road. The proposed buildings would be set back from the edge of Gavel Drive with soft landscape planting provided between the building and the road. New roads extending off Gavel Drive would be constructed from block paving which matches that used in Gavel Drive. This would help to create a high quality and attractive public street. Owing to the size and location of the proposed development there is little opportunity for the scheme to support rich and varied biodiversity on-site. The applicant has consequently agreed to make a financial contribution for off-site biodiversity offsetting.
- 12.13. **Public Spaces:** A small 0.14ha public pocket park is proposed as part of this development. Following discussions with the Council's Parks and Grounds Team it is proposed that this space would contain, landscaping (including trees), footpath, green gym, bench and bin. The details and provision of this would be secured within a S106 Agreement. The relationship of this open space with the proposed apartment blocks is such that this would feel safe as a result of natural surveillance from windows. This would ultimately re-establish and support social interaction within the community.
- 12.14. **Uses:** The development should achieve mixed and integrated uses. In this respect the site is surrounded by a mix of residential and commercial uses. It is also located within close proximity to the town centre where there are a range of shops, services and facilities. The proposal would introduce 365 apartments falling within the C3 Use Class into this area. It would therefore help to achieve an appropriate mix of uses within this location. Critically, it would help to meet the housing needs of a variety of different groups in the Borough. Further consideration of these matters is set out in detail above.
- 12.15. **Homes and Buildings:** The development should provide functional, healthy and sustainable homes and buildings. In that respect the proposal would provide purpose built one and two bedroom apartments. Each bedroom has its own bathroom which provides convenience and flexibility if an apartment is shared by two individuals. The master bedrooms all contain walk in wardrobe areas for storage whilst there is space for storage in the second bedroom. Each apartment has an open plan kitchen, dining and lounge area. A cupboard with space for a washing machine is also incorporated into this. Cycle parking and refuse storage is provided in designated stores. Block B would contain a reception, post room, staff room, communal social space and communal gym. These rooms and facilities would be available to all residents. Overall, the internal spaces and dwellings are designed to meet the perceived needs of a mobile workforce, a younger professional group of workers, households which have deferred house purchases and for those groups of people who prefer renting as a choice. It is considered that the design would provide sufficient functional space to fulfil this purpose.
- 12.16. It is important to note that the proposal contains no privately shared external amenity areas for future occupiers save for a small area to the north of block C. The absence of balconies partly reflects the loud noise environment in this location. A request was made for the roofs of the buildings to be used as terraces by residents. This was rejected by the applicant because "there is no requirement to provide green roofs or amenity space for use by residents within Rugby's policies, and therefore there is no requirement on the applicant to justify not providing such features." The absence of such privately shared amenity spaces would consequently result in a poorer quality of living environment for occupiers. Those residents would instead

have to rely on use of the proposed on-site pocket park and the off-site Millenium Green Play Park and Caldecott Park.

- 12.17. **Resources:** The development should make efficient use of resources whilst also being resilient. The Design and Access Statement identifies a number of sustainable design measures to be incorporated into the development to reduce greenhouse gas emissions and energy consumption. This would be secured by condition 12. The proximity to public transport and the town centre together with a high provision of cycle parking, low provision of car parking, electric vehicle charging points, sustainable travel packs, and adoption of a Travel Plan, would further encourage a shift towards low carbon sustainable transport options. All of this would be secured by conditions 10, 15, 22 and 27. In addition, measures to reduce water consumption would be incorporated into the dwellings and secured by condition 28. Moreover, the compact and high density nature of the development is such that this would result in the efficient and economic use of materials in construction.
- 12.18. The development seeks to maximise resilience by having regard to the need to adapt to anticipated events such as rising temperatures and increased risks of flooding. Condition 12 requires that an overheating assessment is submitted to ensure overheating caused by variations in the climate, particularly in the summer with allowances for climate change, would not occur. Condition 6 requires the submission of a surface water drainage scheme which makes allowances for increases in rainfall events as a result of climate change.
- 12.19. **Lifespan:** The development should be made to last. In this respect the intention is for this PRS scheme to be a long-term investment under one ownership rather than apartments being sold to different individual owners to then rent. The developer has therefore indicated that they want to provide high-quality and well-managed rental accommodation with tenant-friendly and long-term leases. This would further ensure the buildings and grounds are well maintained through the rents paid by occupiers. They indicate this is vital to the commercial success of the PRS model. Electric vehicle charging points and high-speed digital connectivity required by conditions 10 and 21 would help to ensure the development continues to be adaptable to changing needs and evolving technologies.
- 12.20. Overall, it is considered that the design and layout of the development is such that it would satisfactorily integrate into the existing neighbourhood, create place and provide suitable streets and homes.

13. Light, Aspect and Privacy

- 13.1. 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. It is also necessary to ensure that the proposed development would not have a detrimental impact upon the light and aspect of commercial properties.
- 13.2. Farmers Court is an extra-care sheltered housing development located within a 4-storey block to the east of the proposed development. The western elevation of this building contains several windows to habitable rooms. These windows would be located 18m and 24m from the proposed 5-storey apartment block to the west. This apartment block would also have windows to habitable rooms facing those in Famers Court. In order to protect privacy it is expected that a separation distance of 20m should ordinarily be achieved. The proposal would consequently be just short of this in places. However, having regard to the nature of the existing and proposed development, together with the density of development in this area, it is considered that a separation distance of 18m would be acceptable in relation to the impact on privacy. There would also be no detrimental loss of light and aspect arising from this relationship.

- 13.3. A number of 2-storey terraced affordable houses are located to the east of the proposed development. The end-of-terrace dwellings to the west have gable ends facing towards the eastern elevations of the proposed 4-storey apartment blocks A and B. These gable ends do not contain windows to habitable rooms and so there would be no detrimental impact to the private internal amenity space. However, the proposed apartment blocks would contain windows to habitable rooms that would overlook the rear private gardens to these houses. This would be at a distance of 19m at these closest points. It is consequently considered that this would be acceptable and would not give rise to a detrimental loss of privacy. There would also be no detrimental loss of light and aspect arising from this relationship.
- 13.4. A row of two-storey terraced dwellings are located on Craven Road to the north of the application site. The front elevation of these dwellings contains windows to habitable rooms. The southern elevation of the proposed 4-storey apartment block A would be located opposite these windows at a distance of 20m at the closest point. There would consequently be no detrimental loss of light, aspect and privacy arising from this relationship.
- 13.5. Drovers House is a care home located within a 3-storey block to the west of the proposed development. The eastern elevation of this building contains windows to habitable rooms and communal dining areas. The western elevation of the proposed 4-storey apartment block A would be located directly opposite 3 windows to the ground, first and second floor at a distance of 6.80m. The central point of a further 3 windows to the ground, first and second floor would also run past the side of the proposed western elevation wing. These windows provide the only source of light and aspect to residents' personal rooms (which include a bed and sitting area). The 45-degree guideline to these windows would consequently be infringed.
- 13.6. The implication of the above is that the light and aspect to six rooms within the care home would be detrimentally impacted as a result of the proposed development. Whilst the Council does not have any separation standards, it would ordinarily be expected that an 18m separation distance should be achieved between the ground floor window and 4-storey building. In mitigation, it is noted that there would be some views past the western elevation of the building at an angle to the northwest. However, this would not provide sufficient light and aspect to lower the impact to an acceptable level.
- 13.7. Consideration has been given to potential amendments which could be made to the scheme to offset this impact. Owing to the position of Gavel Drive it would not be possible to move the block any further to the east. The presence of an existing substation and trees along Craven Road also inhibit the ability to move this further to the south. In any event, this would only result in marginal improvements. The east-west wing of block A could be repositioned to the north of this zone but this would then impact on other rooms within the care home. A further solution would require the apartments at the end of block A to be removed. This would give a separation distance of 16m from the ground floor windows. However, doing this would result in the loss of 8 apartments. Owing to the constraints described in the design section these 8 apartments could not be compensated for elsewhere in the site. Indeed, the layout, form and scale of development proposed currently strikes the right balance. The implication of removing 8 apartments from the scheme is such that this would not be viable and would not be brought forward for development. This harm must consequently be weighed against the benefits of the proposed development in the planning balance.
- 13.8. A GP surgery and pharmacy are contained within a modern two-storey L-shaped building to the west of the proposed development. Several windows in the eastern elevation of this building would be 47m from the proposed western elevation of apartment block B. Equally, several windows in the northern elevation of this building would be 31m from the proposed southern elevation of apartment block C. The proposed bin store and east-west wing of apartment block B would result in a breach of the "45-degree rule" to consulting room window and multi-purpose room window. However, these are secondary windows with the main source of light

and aspect being obtained from a primary window in the northern elevation. There would consequently be no detrimental loss of light, aspect and privacy to windows in the eastern elevation.

- 13.9. A three-storey residential apartment block known as Philip Court is located on Railway Terrace to the west of the application site. The front elevation of these apartments contain windows to habitable rooms. The western elevation of the proposed 6-storey apartment block C would be located opposite these windows at a distance of 21m. There would consequently be no detrimental loss of light, aspect and privacy arising from this relationship.

14. Access, Parking Provision, Traffic Flows and Highway Safety

- 14.1. 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.
- 14.2. The application site is located within a highly sustainable location in close proximity to Rugby Town Centre. Future residents would consequently be able to access a range of shops, community facilities and services either on foot or by bicycle. Bus stops are located on the public highways surrounding the site including on Murray Road, Railway Terrace and Craven Road. There are frequent bus services along these routes providing opportunities for sustainable travel to the wider area. In addition, the site is situated approximately 100 metres to the southwest of Rugby Train Station. Regular train services run from here to surrounding towns and cities including London and Birmingham. The site can therefore be accessed via sustainable modes of transport. Consequently, this would mean residents would be less likely to use private cars.
- 14.3. Vehicular access to the four apartment blocks is proposed off Gavel Drive which in turn is accessed off Craven Road via a priority junction. The current 90-degree bends provided on Gavel Drive would become junctions with access being gained into the site by spurs off to the west. The current shared surface arrangement of Gavel Drive would remain, but with a formal footway provided on the western side leading into the proposed development alongside each vehicular access. This would therefore maintain existing pedestrian access on a north-south axis. Proposed footways running through the site on an east-west axis would also provide pedestrian access from Barter Place to Drover Close and Charolais Close to Railway Terrace.
- 14.4. A total of 144 car parking spaces are proposed within barrier controlled parking courts behind the apartment blocks. Of these, 14 spaces would be for electric vehicles and 8 would be designated for people with disabilities. A total of 364 resident cycle parking spaces are proposed within secure and undercover locations within the apartment blocks and detached buildings. A further 32 visitor cycle parking spaces are proposed in the form of cycle stands outside each apartment block.
- 14.5. The applicant has submitted a Transport Assessment with the application which calculates the likely number of trips that would be generated by the proposal. This calculation has specific regard to the nature and location of the proposed development. It concludes that it would potentially generate 81 two-way vehicle trips during the morning peak and 90 two-way vehicle trips in the evening peak.
- 14.6. WCC's Transport Planning Team has reviewed the trip generation and distribution information contained within the Transport Assessment. They confirm that the level of traffic forecast to be generated by the development can be accommodated at the Gavel Drive and Craven Road junction. They consider that the proposal would not have a significant impact on other junctions in the local highway network.

- 14.7. The proposed vehicular access junctions onto Gavel Drive would achieve required visibility splays. A Stage 1 Road Safety Audit and associated Design Team Response has been submitted with the application. This identified a number of issues which have been addressed in the final layout plan. Whilst WCC's Road Safety Team still have some areas of concern they accept that this relates to the site layout and does not form a basis for objection. Conditions 17, 24 and 26 have nonetheless been imposed to further address some of these concerns. In particular, they require details of how the gated car parks would be accessed, operated and managed. They also require details of how pedestrian and cycle access would be achieved through the car parks.
- 14.8. Policy D2 of the Local Plan sets out that permission will only be granted for development incorporating adequate and satisfactory parking facilities. This should be based on the standards set out in appendix 5 of the Local Plan. In that respect it is noted that the application site is located within a 'High Access Zone'. This means that 1-2 bed apartments will normally be required to provide 0.75 spaces per unit. This equates to a requirement for 270 parking spaces. The proposed provision of 144 parking spaces would consequently be 126 spaces less than would normally be required.
- 14.9. The applicant has set out that this lower level of parking is acceptable given the specific circumstances of the proposed development. They particularly emphasise that development in the private rental sector is targeted towards younger professional workers, those who choose to rent, or those who have deferred purchasing property. There is consequently a strongly held view that the site's location close to Rugby town centre and the railway station would attract younger, mobile professionals to take advantage of employment opportunities in the town centre or other locations served by the rail service (e.g. London, Birmingham, Coventry). They further highlight that apartment developments have low levels of vehicle trips. Moreover, the level of parking provision reflects the existing modal split within the ward boundary that the site sits within.
- 14.10. The justification put forward by the applicant is consistent with the supporting text at paragraphs 11.9-11.10 of the Local Plan. In particular, it notes that "less provision may be needed where there is good public transport provision, easy access to shops and services and opportunities for walking and cycling." It emphasises the need for flexibility and taking account of the nature and setting of development including the need to revitalise an area.
- 14.11. In this regard the application site has been vacant since 2008. Whilst much of the Cattle Market site has been redeveloped this land remains derelict. Various permissions for redevelopment have been granted but none have been implemented. This has been despite repeated efforts over a number of years by the landowner to attract new development opportunities. This has included the production of a development brief, obtaining permission for a high density residential scheme and active marketing of the site. The submitted scheme has come forward against this backdrop and offers an opportunity to revitalise this key gateway site near the train station. However, to deliver this the scheme the development must be viable. This has meant that potential options to increase parking provision have had to be discounted because they would make the scheme unviable. For example, the provision of underground parking was found to be cost prohibitive. Incorporating under-croft parking would reduce the number of apartments which could be delivered and consequently made the scheme unviable. The proposed scheme consequently strikes the right balance between delivering enough apartments to make the scheme viable with providing enough parking spaces to meet anticipated need.
- 14.12. Notwithstanding the above, it is clear that a reduced level of parking provision requires careful management of the spaces that are provided. A Car Park Management Plan (CPMP) and

Travel Plan has consequently been submitted with the application. This sets out that the parking areas would be gated to ensure there is control over who can use the spaces. It indicates that 10% of the overall parking provision would be unallocated for visitors to the apartment blocks. The remaining 90% would be allocated to residents as part of their ownership/tenancy. This would be controlled through the provision of gate fobs to access the site and the tenants rental agreement. Fobs would be issued to residents when they expect visitors. Permits would also need to be displayed within vehicles. Enforcement would be triggered should unauthorised vehicles: park without a fob/permit; park in the wrong space; not park within the demarcated space; or park inappropriately and cause an obstruction.

- 14.13. The CPMP notes that all apartments would be marketed with the parking arrangements detailed above being clearly advertised. A potential renter would therefore be able to make an informed decision as to whether to rent an apartment based on their need for parking and affordability. People with a high dependency on parking provision would be likely to either rent a property with an allocated space or not rent a property at all.
- 14.14. The CPMP and Travel Plan provide sufficient reassurance that the parking areas would be managed in such a way so as to control their use. The Travel Plan would also try and encourage residents to use sustainable transport options in place of private cars. However, WCC Highways has advised that there is not sufficient information within the CPMP and Travel Plan in regard to the day-to-day operation, monitoring and enforcement of the car parks both now and in the long-term. Conditions 24 and 27 are therefore proposed which require the submission of a revised CPMP and Travel Plan. Condition 22 also requires the provision of sustainable travel packs in each apartment before occupation.
- 14.15. The proposed measures to control parking and encourage the use of sustainable transport options are all welcomed. However, WCC Highways remain concerned that residents may still have more cars than parking spaces. If this is the case then residents who have not been allocated a parking space on-site would have to look for off-site options. To that end there are a number of public car parks in the town within walking distance of the site which could be utilised.
- 14.16. Nonetheless, there are concerns that some residents may choose to park their cars on adjoining roads. This would most likely occur within areas already covered by existing Traffic Regulation Orders (TROs) which restrict parking to permit holders only on set days and times. WCC Highways has advised that none of the residents within the proposed development would be able to apply for a permit. However, they would be able to park on these roads overnight and on a Sunday. This could result in insufficient parking provision for existing residents at the times. WCC Highways has therefore requested a condition requiring the submission of an On-Street Parking Monitoring Plan (see condition 25). This would require a survey of existing on-street parking levels to be carried out followed by further surveys and monitoring at agreed intervals following occupation of the apartments. In the event that further surveys indicate an unacceptable increase in on-street parking there would be a need to amend the TROs. WCC Highways has requested a financial contribution to cover the cost of implementing this. The applicant has agreed to pay this contribution which would be secured in a S106 Agreement.
- 14.17. Overall, WCC Highways has considered all the submitted information and plans. They have raised no objection to the proposal subject to conditions. It is consequently 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. The amount of parking provision would, on balance, be acceptable having regard to the nature and location of development. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

15. Air Quality

- 15.1. Paragraph 181 of the Framework and policy HS5 of the Local Plan set out the need to consider the impact of the proposal on air quality. In this respect the application site falls within the Rugby Air Quality Management Area (AQMA) which has been designated due to an excess of nitrogen dioxide primarily related to traffic congestion near the centre of Rugby and Dunchurch. An Air Quality Assessment (AQA) has therefore been submitted with the application.
- 15.2. The AQA sets out that pollutant concentrations of NO₂, PM₁₀ and PM_{2.5} were predicted across the proposed development site. They were found to be below relevant air quality objectives thereby confirming the suitability of the site for residential purposes.
- 15.3. A detailed road traffic emissions assessment was undertaken to consider the impact of development-generated road traffic on local air quality at identified existing receptor locations. The development was not predicted to result in any new exceedances of the relevant air quality objectives and the impact of the development on local air quality was predicted to be negligible.
- 15.4. A qualitative construction phase dust assessment was undertaken and measures were recommended for inclusion in a Dust Management Plan to minimise emissions during construction activities. With the implementation of these mitigation measures the impact of construction phase dust emissions was not considered to be significant. Condition 3 requires the submission of a construction environmental management plan to ensure delivery of these mitigation measures.
- 15.5. Environmental Health has considered the AQA. They have raised some concerns regarding the impact on traffic in the surrounding areas and in particular along Murray Road and Mill Road. Their main concern is that vehicles moving to and from the site would add to existing standing and slow moving traffic along these roads which may have a negative impact on air quality. However, WCC Highways has considered the impact on traffic flows in the area and not raised any points of concern. This is partly on the basis that the existing use of the site creates an allowance for vehicular movements to and from the site. Environmental Health has acknowledged this and accept the report and associated conclusions outlined above in relation to air quality. Aside from vehicular emissions, Environmental Health has requested a condition requiring the applicant to incorporate on-site measures that allow the development to meet air quality neutral standards. As a result, it is considered the proposal complies with the Framework and policy HS5.

16. Noise

- 16.1. Paragraphs 170, 180 and 182 of the Framework and policies HS5 and SDC1 of the Local Plan set out the need to ensure that the proposed development would not be adversely affected by noise. It also sets out the need to ensure that noise arising from the proposed development would not adversely impact on the amenity of nearby noise-sensitive receptors. Furthermore, it sets out the need to consider the relationship and compatibility of proposed noise-sensitive receptors with existing businesses and sources of noise.
- 16.2. A Noise Impact Assessment has been submitted with the application which considers the impact of existing noise on the residential amenity of future occupiers. It also considers the potential impact of noise that would be generated by the proposed development on existing occupiers who live in dwellings surrounding the site.

- 16.3. The existing noise environment is dominated by road traffic on Craven Road, Railway Terrace and the surrounding road network, and rail movements on the railway line to the north. In addition, there is also noise from the Stagecoach Depot to the north, a carwash to the south east and fixed plant to the west. A baseline noise survey was undertaken to determine and quantify the prevailing noise climate on the site at different points.
- 16.4. The assessment outlines that internal noise levels with open windows to apartments would exceed acceptable levels. It therefore outlines preliminary acoustic performance specifications for critical residential façade elements to control noise break-in to an appropriate level. Mitigation measures include a need for appropriate acoustic glazing and ventilation to the façades facing directly onto the dominant sources of noise.
- 16.5. The issue of ventilation is a particularly critical issue as windows would need to be closed to achieve appropriate noise levels. In that regard the assessment is based on the use of mechanical extract ventilation and trickle vents in the window head of habitable rooms. Purge ventilation (i.e. fumes/odours) would still be provided via openable windows. It notes that further consideration may need to be given to solutions to address summer overheating.
- 16.6. Environmental Health has considered the assessment and recommended mitigation measures. They highlight that residents would be subjected to noise greater than that recommended in the relevant British Standard. This would result in residents being subject to excessive noise levels during the day and night should they choose to open their windows. However, if windows are closed, they are satisfied that noise levels could be mitigated to an acceptable level. This nonetheless raises a further question as to whether having to keep windows closed would be detrimental to the living conditions and residential amenity of future occupants. Indeed, Environment Health are concerned that the development could be an 'acoustic prison' where residents always have to keep windows closed to avoid exposure to noise. They have ultimately raised no objection to the proposal subject to condition 12 which requires the submission of detailed noise mitigation measures.
- 16.7. In turn, the above gives rise to the need to consider the relationship and compatibility of future occupiers with existing businesses. One of these existing businesses is Stagecoach who have commented that they have a 24-hour bus and coach garage adjacent to site. They advise that their operations cannot be impeded or restricted by development before, during or after construction. Furthermore, they note that the activities at Stagecoach should be able to continue as they are now. Restrictions resulting from development could severely hamper the operation of local bus and long distance coach services in area. Other businesses in the area include (but are not limited to) Sparkle Hand Car Wash, Market Quarter Medical Practice, Drivers House, Farmers Court, Travelodge, Tesco Express and the Sikh Temple and Community Centre.
- 16.8. The points raised by Stagecoach are consistent with the Framework which makes clear that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. To that end, Environmental Health has confirmed that appropriate mitigation could be provided within the dwellings. This would ensure that the noise emanating from existing businesses and facilities would not harm resident's amenity if windows are kept closed. However, if a future occupier elected to open a window and was exposed to noise this could lead to noise complaints being made to the Council. That could then lead to pressure for restrictions to be placed on existing businesses such that unreasonable burdens and restrictions might be placed on them.
- 16.9. Paragraph 009 of the Noise section of NPPG sets out that the applicant needs "to define clearly the mitigation being proposed to address any potential significant adverse effects that are identified. Adopting this approach may not prevent all complaints from the new

residents/users about noise or other effects, but can help to achieve a satisfactory living or working environment, and help to mitigate the risk of a statutory nuisance being found if the new development is used as designed (for example, keeping windows closed and using alternative ventilation systems when the noise or other effects are occurring).”

- 16.10. In this respect the applicant has clearly set out that windows to dwellings would need to be closed and that mitigation would be necessary to ensure amenity is not adversely affected. This would help to mitigate the risk of a statutory nuisance being found if the new development is used as designed. Furthermore, the prospect of noise complaints being made would be lowered through the issue of summer overheating being addressed. Condition 12 therefore stipulates that an overheating assessment would need to be submitted together with details of noise mitigation measures. This would require full details and calculations of what measures would be incorporated into the design of the buildings to ensure overheating would not occur (e.g. the installation of ventilation systems or air conditioning). By ensuring that temperatures are kept to comfortable levels this would substantially reduce the desire and need to open windows to cool rooms down.
- 16.11. Aside from direct mitigation, it is important to acknowledge that the proposed layout of the development has been designed to achieve as much distance as possible between businesses and dwellings. This would ensure impacts are kept to as low as possible to minimise the chance of complaints being made. Regard should also be had to the presence of existing noise-sensitive residential dwellings and uses surrounding the application site (e.g. Farmers Court, Travelodge). This has demonstrated the potential for such uses to sit in close proximity to the existing businesses without needing to curtail their activities. Finally, recognition must be given to the reality that future occupants would invariably take account of the location of the site and potential for noise before renting apartments. It would be evident to potential occupiers that the site is located in a dense urban area close to a train station, busy roads and existing businesses. The presence of noise would consequently be expected. Potential occupants would need to weigh up whether this type of environment and restrictions on opening windows is acceptable to them before moving in. These factors ultimately combine to reduce the potential for occupants to raise noise complaints.
- 16.12. Aside from the impact of existing noise on future occupiers, the assessment considers the potential impact of noise from fixed plant and equipment installed as part of the proposed development. It therefore recommends that the rating level of fixed plant noise sources should not exceed the prevailing background sound level when measured at the nearest existing sensitive receptors. The cumulative effect of noise from all externally terminating plant should also be specified so that the rating level is less than or equal to the lowest prevailing background noise level. Environmental Health are satisfied that this would ensure noise from the proposed development would not have a detrimental impact on existing noise sensitive properties. Condition 29 is therefore proposed to ensure compliance with these limits.
- 16.13. It is considered that the proposed development would not be adversely affected by noise subject to appropriate mitigation. Noise arising from the proposed development would not adversely impact on the amenity of nearby noise-sensitive receptors subject to limits. On this basis, the relationship and compatibility of proposed noise-sensitive receptors with existing businesses and sources of noise is considered to be acceptable. As a result, the proposal complies with the Framework and policies HS5 and SDC1.

17. Contamination

- 17.1. Paragraphs 170, 178 and 179 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 17.2. A Phase 1 Environmental Assessment and Phase 2 Geo-Environmental Assessment has been submitted with the application. They identify that PAH contamination has previously been identified within the Made Ground at the site. Limited information was available in relation to the content of the large stockpile present at the site. This potential contamination within the Made Ground and stockpiled material at the site has been identified as a potential risk to human health. However, previous investigations have indicated no significant risks have been identified with regards to controlled waters or ground gas.
- 17.3. Previously recorded elevated carbon dioxide concentrations has led to a recommendation that ground gas protection measures should be incorporated into the development. Asbestos has been identified in the Made Ground and historically PAHs have also been identified. It is therefore recommended that a clean capping layer is placed in landscaped areas to mitigate against potential direct contact with soils and release of fibres. Disposal of any soils off-site would require an assessment of waste classification and potential further chemical analysis.
- 17.4. Based on the information available, including the variable thicknesses of Made Ground and presence of superficial deposits of variable composition, and the likely heavy loadings of the proposed development it is considered that piling would be the most viable solution for the site, with suspended ground floor slabs.
- 17.5. Environmental Health has scrutinised these assessments and ultimately raise no objection to the proposed development. A condition would nonetheless still be necessary requiring 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.

18. Ecology

- 18.1. Paragraphs 170 and 175 of the Framework and policy NE1 of the Local Plan set out the need to protect and enhance biodiversity including protected habitats and species.
- 18.2. A Phase 1 Ecological Impact Assessment Biodiversity Impact Assessment (BIA) has been submitted with the application. It identifies that the site is comprised of semi-improved grassland and buddleia growth, with areas of hardstanding and ephemeral vegetation. Due to the lack of connectivity to other areas of green space, the habitats within the site are likely to only be of value to the site only level. Based on the habitat types present, it notes that the site has potential to support common invertebrates, breeding birds, and bats.
- 18.3. The BIA puts a value on existing habitats and establishes what impact there would be from the loss of those habitats as a result of the proposed development. This was then compared with the post-development habitat values which were derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. The assessment concluded that there would be a net biodiversity loss arising from the proposed development. The applicant is not able to provide full compensation for this on-site and so has agreed to a biodiversity offsetting scheme which would provide suitable compensation off-site. This has been agreed by WCC Ecology and would be secured in a S106 Agreement.

- 18.4. In relation to species, WCC Ecology consider that there is suitable habitat for nesting birds on the site. They also note records of swift in the area. Warwickshire Wildlife Trust have further highlighted the need to protect hedgehogs and their habitats. Conditions 3, 8 and 14 have therefore been requested. These require pre-commencement checks for nesting birds and measures to protect hedgehogs during construction. Furthermore, they require that a Landscape and Ecological Management Plan (LEMP) is submitted to include details of habitat enhancement/creation measures and management and bird, bat and swift boxes. Finally, they require that hedgehog holes are provided in boundary treatments.
- 18.5. Subject to the above, it is considered that the proposal would have an acceptable impact on habitats and species. As a result, the proposal complies with the Framework and policy NE1.

19. Flood Risk and Drainage

- 19.1. Paragraphs 155-165 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.
- 19.2. A Flood Risk Assessment has been submitted with the application. This establishes that the application site falls within flood zone 1 (low risk) and therefore passes the requirements of the sequential and exception tests outlined within the Framework and policy SDC5. There is also only a low risk of flooding from pluvial, fluvial, sewer and groundwater sources.
- 19.3. A Sustainable Drainage Statement (SDS) submitted with the application outlines that the geology of this land indicates poor infiltration potential. Due to unfavourable underlying ground conditions and groundwater levels it therefore concludes that the disposal of surface water via infiltration is not feasible in this instance. There are also no existing watercourses in the vicinity which would be feasible for the site to discharge to. This method is therefore not achievable. It is consequently proposed that the scheme would connect to existing surface water sewers.
- 19.4. The SDS acknowledges that WCC guidance states that 'surface water runoff from all previously developed sites should be reduced to Greenfield run-off rates wherever possible'. However, it is argued that the dense layout of the development and constraints (such as multiple existing buried services), means that it is not technically feasible to provide attenuation storage features where the runoff rates are reduced to equivalent greenfield rates. It is rather noted that it would utilise STW pipes which have been designed to restrict flows to the equivalent brownfield runoff with a 30% betterment. Underground geocellular storage tanks would also be employed to balance excess water volumes. Furthermore, permeable paving would be used across the site.
- 19.5. WCC Flood Risk Management has considered the assessment and proposed drainage system. They have raised no objection to the proposal subject to condition 6 requiring full details of the surface water drainage scheme for the site and its subsequent maintenance. The impact on flood risk and drainage is therefore considered to be acceptable. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

20. Trees

- 20.1. Paragraph 170 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees and hedgerows into the proposed development.
- 20.2. A Tree Survey Report, Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted with the application. This identifies that the one trees of note on the site

are a linear group of red leaved cherry plum trees to the southern site boundary adjacent to Craven Road. It is proposed that these would be retained and protected during construction. The Council's Arboricultural Officer has considered this and raised no objection subject to condition 4. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

21. Heritage and Archaeology

- 21.1. 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.
- 21.2. The archaeological potential of the site has been considered within an Archaeological Desk-Based Assessment. WCC Archaeology has considered this and concluded that the proposal is unlikely to have a significant archaeological impact. As a result they have raised no objection to the proposal and do not recommend that any further archaeological fieldwork needs to be undertaken.
- 21.3. The application site does not contain any designated or non-designated heritage assets. There are a number of listed buildings within Rugby town but there are none in close proximity to the proposed development. The Archaeological Desk-Based Assessment concludes that "None of the listed buildings located within the study area will be adversely affected by the development due to distance and intervening development." Historical interest in the site is consequently limited to its former use as a cattle market since 1878. However, all buildings associated with this use have been removed and the majority of the land has been redeveloped. The heritage value of the site is therefore low.
- 21.4. Overall, it is considered that the scale and location of the development is such that it would not have an adverse impact upon heritage assets. As a result, the proposal complies with the Framework and policy SDC3.

22. Health

- 22.1. 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.
- 22.2. The Health Impact Assessment Screening Report submitted with the application concludes that the proposal would not generate adverse impacts on health and wellbeing. Any potential impacts can be mitigated and are therefore deemed to not be significant. As a result, the proposal complies with the Framework and policies HS1 and HS2.

23. Carbon Emissions, Sustainable Design and Construction

- 23.1. Policies SDC1 and SDC4 of the Local Plan sets out support for the enhanced energy efficiency of buildings and need to reduce water consumption. 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.
- 23.2. The Design and Access Statement identifies a number of sustainable design measures to be incorporated into the development to reduce greenhouse gas emissions and energy consumption. Such measures include the use of high levels of insulation within the building fabric with Uvalues better than required by Building Regulations. It also states that photovoltaic

panels would be installed on the roofs of each building to help provide renewable energy for the scheme. The delivery of these measures would be secured by condition 12.

- 23.3. The proximity to public transport and the town centre together with a high provision of cycle parking, low provision of car parking, electric vehicle charging points, sustainable travel packs, and adoption of a Travel Plan, would further encourage a shift towards low carbon sustainable transport options. All of this would be secured by conditions 10, 15, 22 and 27.
- 23.4. In addition, measures to reduce water consumption to no more than 110 litres per day per person (as an average across the development) would be incorporated into the dwellings. This would be secured by condition 28.
- 23.5. As a result, the proposal complies with the Framework and policies SDC1 and SDC4.

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 Planning Statement submitted with the application confirms the presence of BT Openreach and Virgin Media infrastructure in the area. They conclude that superfast broadband could be provided on site. Condition 21 consequently stipulates that no dwelling shall be occupied until broadband infrastructure at a minimum of superfast speed has first been installed and made available for use by the occupants of that dwelling. As a result, the proposal complies with policy SDC9.

25. Economic Growth

- 25.1. Paragraph 80 of the Framework outlines that significant weight should be placed on the need to support economic growth. Policy GP1 further sets out a goal to secure development that improves the economic conditions of this area. In this respect it is recognised that the proposed development would result in: money being invested in construction on the site; construction jobs and associated in-direct jobs being supported; potential new construction employment opportunities; new household spending in the Borough; potential new jobs within the Borough; an increase in the viability of local retail uses, services and businesses; and an increase in the viability of existing public services. Such matters would have a positive impact on the local economy and prosperity of the Borough.
- 25.2. Notwithstanding the above, it is recognised that the benefits arising from this proposed development would not be unique. Indeed, the same benefits would arise if this development was carried out at other locations within the Borough. However, the availability of this site to commence development is such that these economic benefits could be realised quicker than alternative locations which have not come forward to date. It is consequently considered they should be afforded moderate weight in favour of the proposed development. As a result the proposal would therefore be in accordance with the Framework and the goal of improving the economic conditions of this area set out in policy GP1.

26. Infrastructure and Planning Obligations

- 26.1. Paragraphs 54, 56 and 57 of the Framework, policies HS4, D3 and D4 of the Local Plan and the Planning Obligations SPD set out the need to consider whether financial contributions and planning obligations could be sought to mitigate against the impacts of a development and make otherwise unacceptable development acceptable.

- 26.2. Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) makes it clear that these obligations should only be sought where they are: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (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 this. 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 all of these requests meet the necessary tests and are therefore CIL compliant.
- 26.3. **Biodiversity Offsetting:** For reasons set out earlier in this report, the applicant has agreed to enter into a S106 Agreement to secure the provision of a biodiversity offsetting scheme.
- 26.4. **Education:** The proposed development would result in more children moving into this area of Rugby who would consequently need a place within local schools. WCC has therefore undertaken an assessment as to whether there would be sufficient spaces within existing schools to accommodate the estimated number of pupils that would be likely to arise from this development. They have indicated that there would be sufficient capacity at primary age and for post-16 education. No contributions are therefore sought for these age ranges.
- 26.5. In regard to secondary education provision they note that places are under pressure within Rugby. However, they advise that there are proposals to open the new secondary school at Houlton earlier than originally envisaged in addition to the possible expansion of Lawrence Sheriff School. This means that there are no approved proposals to expand existing provision elsewhere. As a result, even though the County Council does consider that there will be pressure on secondary school places, it has advised that it will not be requesting a financial contribution from this application towards secondary provision.
- 26.6. Contributions towards educational provision for children with special education needs or disabilities often mean that existing establishments require adaptations to meet the needs of an individual child. The needs of these children aren't known until such time that an appropriate Education Health Care Plan is produced. WCC have consequently sought financial contribution to support adaptations to existing provision or towards the provision of a new facility as appropriate. The County Council have also requested financial contributions in support of additional pre-school/early years places within 2 miles of the application site. The applicant has agreed to these contributions which would be secured within a S106 Agreement.
- 26.7. **Highway Improvements:** WCC has requested a financial contribution to enhance the pair of bus stops on Murray Road near the junction with Craven Road. The enhancement would result in the provision of bus shelters. This would increase the attractiveness of using the bus service for future residents as an alternative to the private car. The applicant has agreed to secure this within a S106 Agreement.
- 26.8. **Traffic Regulation Order (TRO):** WCC has requested a financial contribution to make amendments to the existing TRO in the event that the On-Street Parking Monitoring Plan required by condition 25 indicates that on-street parking has increased following occupation of the development. This would ensure there is sufficient parking provision for existing occupiers in the area of the TRO. The applicant has agreed to secure this within a S106 Agreement.
- 26.9. **Libraries:** WCC has requested a financial contribution to support the expansion of the service of Rugby library in terms of stock, seating, facilities and promotions. Owing to the close proximity of the site to Rugby library it is likely that residents from the site may wish to use such facilities. The applicant has agreed to secure this within a S106 Agreement.

- 26.10. **Public Rights of Way:** WCC has requested a financial contribution towards improvements to public rights of way within a 1.5m mile radius of the site. This would mitigate the increase in the Highway Authority's maintenance liability resulting from the increase in use of local public rights of way by new residents from this development. The applicant has agreed to secure this within a S106 Agreement.
- 26.11. **UHCW NHS Trust:** UHCW has provided evidence that the proposed development would place increased demand on hospitals within the area. A financial contribution has therefore been sought to alleviate the funding gap created by future occupants who would need to access acute care and accident and emergency care services. The applicant has agreed to secure this within a S106 Agreement.
- 26.12. **Provision of On-Site Open Space:** The proposed layout plan includes provisions for a 0.14ha pocket park on the application site. This area would include a green gym, bench, bin, footpath, hardstanding, railings and landscape planting. The Council's Parks and Grounds Team has agreed that the financial contribution which would have been required towards Parks and Gardens should rather be used to ensure this pocket park and green gym is carried out to a high standard. Full details of this would need to be submitted to the Council for approval. The applicant must provide and carry out the open space in accordance with the approved details. The applicant must also transfer this land to the Council at nil cost to secure its use as public open space in perpetuity. They have also agreed to provide a financial contribution towards the maintenance of this. The applicant has agreed to secure this within a S106 Agreement.
- 26.13. **Off-Site Amenity Green Space:** The proposed development would result in new residents moving into the area. The site lies within Benn Ward which has a deficiency in all typologies of open spaces. The number of new residents arising from the development would generate a requirement for 0.93ha of amenity green space. The proposed development would only provide a limited 0.14ha pocket park and green gym on-site. The proposal would consequently further increase the existing deficit of open space provision. It would also place an increased demand on existing amenity green space provision. To mitigate this impact the applicant has agreed to make a financial contribution to improve off-site provision. They have also agreed to provide a financial contribution towards the maintenance of this. The applicant has agreed to secure this within a S106 Agreement.
- 26.14. **Off-Site Outdoor Sports:** The proposed development would result in new residents moving into the area. The site lies within Benn Ward which has a deficiency in all typologies of open spaces. The number of new residents arising from the development would generate a requirement for 0.32ha of outdoor sports space. The proposed development would only provide a limited 0.14ha pocket park and green gym on-site. The proposal would consequently further increase the existing deficit of open space provision. It would also place an increased demand on existing outdoor sports provision. To mitigate this impact the applicant has agreed to make a financial contribution to improve off-site provision. They have also agreed to provide a financial contribution towards the maintenance of this. The applicant has agreed to secure this within a S106 Agreement.
- 26.15. **Children's Play and Allotments:** There is sufficient existing provision within the local area to meet the needs of future occupiers for children's play and allotments.
- 26.16. **Policing:** The proposed development would result in an increase in demand for policing within this area of Rugby. Warwickshire Police and West Mercia Police have consequently requested a financial contribution to offset this impact. This would be used by the Rugby Town North Safer Neighbourhood Team towards the initial costs of recruitment, initial training, uniform, personal equipment and standard workstation equipment for staff who will provide day to day

policing services to the future residents. The applicant has accepted this request and agreed for it to be secured within a S106 Agreement.

Heads of Term

26.17. In summary the financial contributions required for this proposal have been highlighted as per the table below:

Contribution	Requirements	Trigger
Biodiversity Offsetting	To address net biodiversity loss.	Before commencement of development.
Education	To meet student demand for schools, early years care and SEND.	Before first occupation.
Highway Improvements	Bus stop enhancements on Murray Road.	Before first occupation.
Traffic Regulation Order	To amend the existing TRO if parking demand increases.	In the event that the On-Street Parking Monitoring Plan required by condition 25 indicates that on-street parking has increased following occupation of the development.
Libraries	To support increased demand of facilities at Rugby library.	Before first occupation.
Public Rights of Way	To mitigate the increased usage of public rights of way within a 1.5 mile radius.	Before first occupation.
UHCW NHS Trust	To meet patient demand for access to health care services at St Cross, Rugby and University Hospital, Coventry.	Before first occupation.
Provision of On-Site Open Space	Provide on-site open space including a green gym. Transfer this land to the Council at nil cost to secure its use as public open space in perpetuity. Financial contribution towards the maintenance of this.	Before first occupation.
Off-Site Amenity Green Space	Off-site improvements and maintenance at Millennium Green.	Before first occupation.

Off-Site Outdoor Sports	Off-site improvements and maintenance at Caldecott Park.	Before first occupation.
Policing	To meet initial costs of policing staff.	Before first occupation.

26.18. In relation to the detail quoted above, these are subject to further negotiation and finalisation prior to the completion of the S106 Agreement.

27. Planning Balance and Sustainability of Development

27.1. 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 an up-to-date development plan.

Planning Balance

27.2. To determine whether the development accords with the Local Plan it is necessary to undertake a balancing exercise which weighs up the benefits and harm of the proposed development whilst having specific regard to economic, social and environmental objectives.

Economic

27.3. From an economic perspective, the proposed development represents a significant investment in the Borough at a time where there is a great deal of economic uncertainty. Although not fully quantified and robustly evidenced, it is reasonable to conclude that it would lead to several economic benefits. This includes: money being invested in construction on the site; construction jobs and associated in-direct jobs being supported; potential new construction employment opportunities; new household spending in the Borough; potential new jobs within the Borough; an increase in the viability of local retail uses, services and businesses; and an increase in the viability of existing public services. Such matters would have a positive impact on the local and wider economy which weighs in favour of the application. Critically, these benefits would be realised on a derelict brownfield site in a highly sustainable location which has been stagnated since 2008. The redevelopment of this land would complete the regeneration of the former Cattle Market site and result in a positive uplift for this area. It is consequently considered that these benefits should be afforded significant weight in favour of the proposed development.

Social

27.4. From a social perspective, there is a significant need for new housing within the Borough. The provision of 360 windfall dwellings would consequently make a significant contribution towards ensuring the Council’s current five-year housing land supply position is maintained. It would also be consistent with the Government’s objective of significantly boosting the supply of homes. This is a matter which carries significant weight in favour of the proposed development.

27.5. Aside from this, the impact of the proposed development on infrastructure could be addressed through financial contributions that would mitigate the adverse impacts that would otherwise arise. These contributions would be secured in a S106 Agreement.

Environmental

- 27.6. From an environmental perspective, the potential adverse impacts of the proposed development in relation to visual amenities, residential amenities, highway safety, traffic flows, parking provision, air quality, noise, contamination, ecology, flood risk, drainage, trees, heritage, archaeology, health, carbon emissions, water consumption and broadband access have all been considered. 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 and a S106 Agreement.
- 27.7. Notwithstanding the above, the proposed development would give rise to some environmental harm relating to the impact on light and aspect to six habitable resident rooms in Drivers House care home. The proposed side elevation of apartment block A would be immediately opposite the windows to three of these rooms at a distance of 6.80m. It would be almost immediately opposite a further three windows at the same distance. In mitigation, it is noted that there would be some views past the western elevation of the building at an angle to the northwest. However, this would not provide sufficient light and aspect to lower the impact to an acceptable level. Potential amendments to that design have been considered but discounted owing to site constraints and the impact on commercial viability. This impact must therefore be noted and is a matter which carries significant weight against the proposed development.

Conclusion

- 27.8. On balance, it is concluded that the benefits of the proposed development are sufficient to clearly and demonstrably outweigh the harm to the light and aspect of rooms in the neighbouring care home. The application site takes the form of previously developed land which has been in a derelict condition since 2008. A number of attempts have been made to secure the redevelopment of the site, but none have been implemented. The submitted scheme consequently represents a significant opportunity to realise the potential of this site which is in a prominent and highly sustainable location. Refusal of the scheme would invariably result in the site remaining derelict for the near future. None of the economic and social benefits would therefore be realised. The harm that would arise from this is cumulatively considered to be greater than the harm to the rooms of the neighbouring care home.
- 27.9. Overall, it is considered that the proposal would be a 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.

28. Recommendation:

- 28.1. (1) Planning application R19/0804 to 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.

- 28.2. (2) The Head of Growth and Investment (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 this report.

DRAFT DECISION

REFERENCE NO:
R19/0804

DATE APPLICATION VALID:
15-May-2019

APPLICANT:
Cassidy Group (Rugby) Ltd

AGENT:
Mr Osian Roberts, DPP Planning, Sophia House, 28 Cathedral Road, Cardiff, CV11 9LJ

ADDRESS OF DEVELOPMENT:
Former Cattle Market, Craven Road, Rugby, CV21 3HX

APPLICATION DESCRIPTION:
Erection of 360 dwellings in four apartment blocks including vehicular access from Craven Road, car and cycle parking, landscaping, footpaths, public open space and associated infrastructure

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:
Unless non-material variations are agreed in writing with the Local Planning Authority, 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 No.</u>	<u>Date Received</u>
Site Location Plan	MQR-MA-00-ZZ-DR-A-00101-S4-P01	15-05-19
Proposed Site Plan	MQR-MA-00-ZZ-DR-A-00104-S4-P09	03-10-19
Building A - Ground Floor Plan	3014-MQR-MA-00-GF-DR-A-00110-S4-P03	25-07-19
Building A - First Floor Plan	3014-MQR-MA-00-01-DR-A-00111-S4-P03	25-07-19
Building A - Second Floor Plan	3014-MQR-MA-00-02-DR-A-00112-S4-P03	25-07-19
Building A - Third Floor Plan	3014-MQR-MA-00-03-DR-A-00113-S4-P03	25-07-19
Building A - Roof Plan	3014-MQR-MA-00-RF-DR-A-00114-S4-P03	25-07-19
Building A - North and East Elevations	3014-MQR-MA-00-ZZ-DR-A-00115-S4-P03	25-07-19
Building A - South and West Elevations	3014-MQR-MA-00-ZZ-DR-A-00116-S4-P03	25-07-19
Building B - Ground Floor Plan	3014-MQR-MA-00-GF-DR-A-00117-S4-P03	25-07-19
Building B - First Floor Plan	3014-MQR-MA-00-01-DR-A-00118-S4-P03	25-07-19
Building B - Second Floor Plan	3014-MQR-MA-00-02-DR-A-00119-S4-P03	25-07-19
Building B - Third Floor Plan	3014-MQR-MA-00-03-DR-A-00120-S4-P03	25-07-19
Building B - Roof Plan	3014-MQR-MA-00-RF-DR-A-00121-S4-P03	25-07-19
Building B - North and East Elevations	3014-MQR-MA-00-ZZ-DR-A-00122-S4-P03	25-07-19
Building B - South and West Elevations	3014-MQR-MA-00-ZZ-DR-A-00123-S4-P03	25-07-19
Building C - Ground Floor Plan	3014-MQR-MA-00-GF-DR-A-00124-S4-P04	12-06-20
Building C - First Floor Plan	3014-MQR-MA-00-01-DR-A-00125-S4-P03	25-07-19
Building C - Second Floor Plan	3014-MQR-MA-00-02-DR-A-00126-S4-P03	25-07-19
Building C - Third Floor Plan	3014-MQR-MA-00-03-DR-A-00127-S4-P03	25-07-19
Building C - Fourth Floor Plan	3014-MQR-MA-00-04-DR-A-00128-S4-P03	25-07-19

Building C - Fifth Floor Plan	3014-MQR-MA-00-05-DR-A-00129-S4-P03	25-07-19
Building C - Roof Plan	3014-MQR-MA-00-RF-DR-A-00130-S4-P03	25-07-19
Building C - North and East Elevations	3014-MQR-MA-00-ZZ-DR-A-00131-S4-P03	25-07-19
Building C - South and West Elevations	3014-MQR-MA-00-ZZ-DR-A-00132-S4-P03	25-07-19
Building D - Ground Floor Plan	3014-MQR-MA-00-GF-DR-A-00133-S4-P03	25-07-19
Building D - First Floor Plan	3014-MQR-MA-00-01-DR-A-00134-S4-P03	25-07-19
Building D - Second Floor Plan	3014-MQR-MA-00-02-DR-A-00135-S4-P03	25-07-19
Building D - Third Floor Plan	3014-MQR-MA-00-03-DR-A-00136-S4-P03	25-07-19
Building D - Fourth Floor Plan	3014-MQR-MA-00-04-DR-A-00137-S4-P03	25-07-19
Building D - Roof Plan	3014-MQR-MA-00-05-DR-A-00138-S4-P03	25-07-19
Building D - North and East Elevations	3014-MQR-MA-00-ZZ-DR-A-00140-S4-P03	25-07-19
Building D - South and West Elevations	3014-MQR-MA-00-ZZ-DR-A-00141-S4-P03	25-07-19
Building A - Bin Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00162-S2-P02	23-08-19
Building B - Bin Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00163-S2-P02	23-08-19
Building C - Bin Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00164-S2-P02	23-08-19
Building D - Bin Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00165-S2-P02	23-08-19
Building B - External Cycle Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00161-S2-P03	02-09-19
Building C - External Cycle Store Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00166-S2-P01	23-08-19
Substation Floor and Elevation Plans	3014-MQR-MA-00-ZZ-DR-A-00167-S2-P02	02-09-19
External Wall Details - Sheet 1	3014-MQR-MA-00-ZZ-DR-A-00170-S4-P01	28-07-19
External Wall Details - Sheet 2	3014-MQR-MA-00-ZZ-DR-A-00171-S4-P01	28-07-19
External Wall Details - Sheet 3	3014-MQR-MA-00-ZZ-DR-A-00172-S4-P01	28-07-19
Fire Hydrant Details Plan	1159-M-5310 T2	06-08-19
Proposed Pedestrian Crossing Changes	MQR-BWB-GEN-XX-DR-TR-102 S2-P1	12-09-19

<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Air Quality Assessment	MQR-BWB-ZZ-ZZ-RP-LA-0001_AQA_S0_P01-1	15-05-19
Archaeological Desk-Based Assessment	CMR-1925	15-05-19
Biodiversity Impact Assessment	B19009	02-09-19
Car Parking Provision	3014	03-10-19
Cycle Parking Provision	3014	03-10-19
Design and Access Statement	3014-MQR-MA-00-XX-RP-A-S0-P02	15-05-19
Ecological Impact Assessment - Phase 1	B19009	15-05-19
Health Impact Assessment Screening Report	N/A	01-08-19
Noise Impact Assessment	NTS2781-3	21-08-19
Phase 1 Environmental Assessment	MQR-BWB-ZZ-XX-RP-YE-0001-Ph1-P02	15-05-19
Phase 2 Geo-Environmental Assessment	MQR-BWB-ZZ-XX-RP-YE-0003-Ph2-P01	15-05-19
Planning Statement	L001	15-05-19
Remediation Strategy	MQR-BWB-ZZ-XX-RP-YE-0004-RS-P01	15-05-19
RSA Stage 1 - Design Team Response	MQR-BWB-GEN-XX-RP-TR-0005_RSA1 Design Team Response P1	03-10-19
Road Safety Audit Stage 1	MQR-BWB-GEN-XX-RP-TR-0004_RSA1_P1	03-10-19
Sustainable Drainage Statement	MQR-BWB-ZZ-XX-RP-CD-0001_SDS-P02	15-05-19
Transport Assessment	MQR-BWB-GEN-XX-RP-TR-001-P4	15-05-19
Travel Plan	MQR-BWB-GEN-XX-RP-TR-0002 S2-P2-P4	15-05-19
Tree Survey Report, Arboricultural Impact Assessment and Arboricultural Method Statement		15-05-19
Water Efficiency Calculation	1159-F14	15-05-19

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 point of contact for site management and their contact details (including out of hours);
- e. Loading and unloading of plant, materials and deliveries (including swept paths);
- f. Storage of plant and materials used in constructing the development;
- g. Construction site access control;
- h. The parking of vehicles of site operatives and visitors;
- i. Days and hours of work and deliveries;
- j. Pre-commencement checks for nesting birds;
- k. Measures to protect hedgehogs;
- l. 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
- m. 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 unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

In the interests of health and safety, amenities of the area and to ensure that nesting birds are not harmed by the development.

CONDITION 4:

No development shall commence, including any groundworks, site clearance, demolition and construction work, until the tree protection measures detailed within the Tree Survey Report, Arboricultural Impact Assessment and Arboricultural Method Statement (received 15-05-19) and Arboricultural Impact Assessment and Arboricultural Method Statement (B19009-602, received 15-05-19) have been implemented in full. The measures which have been provided shall thereafter be maintained for the duration of works on site. Unless non-material variations are agreed in writing with the Local Planning Authority: no retained tree shall be cut down, uprooted or destroyed; and no retained tree shall be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars.

REASON:

To ensure that all retained tree stock is integrated successfully into the design, to maintain tree cover within the application site, to protect and enhance habitats, and in the interests of visual amenity.

CONDITION 5:

Notwithstanding the submitted details and any levels shown on the approved plans, no development shall commence, including any groundworks, site clearance, demolition and construction work, until full details of earthworks (including cut and fill, and the removal and/or redistribution of existing stock piles of earth and rubble on the site), the finished floor levels of all buildings and ground levels (including all roads, footpaths, parking areas, landscaped areas and open space) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include levels of adjoining buildings, land and roads, the proposed grading and contours and a schedule of implementation together with full details of any retaining walls. No groundworks, construction work and development shall be carried out other than in accordance with the approved details and schedule.

REASON:

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

CONDITION 6:

No development shall commence until a detailed Surface Water Drainage Scheme for the site, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- a. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual' and CIRIA Report C753. This shall include the submission of plans and cross sections of all SuDS features;
- b. Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rainstorm to the reduced brownfield runoff rate of 61 l/s for the whole development;
- c. Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments';
- d. Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation 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 30 year and 1 in 100 year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly;
- e. Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow onto third party land. Overland flow routing should look to reduce the impact of an exceedance event;
- f. Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network; and
- g. Provide a Maintenance Plan, written in accordance with CIRIA C753, detailing how the surface water drainage scheme and systems shall be maintained and managed in perpetuity for the lifetime of the development. The details within the plan shall include the name of the party responsible, a contact name and contact details.

The Surface Water Drainage Scheme and Maintenance Plan shall subsequently be implemented in accordance with the approved details before first occupation of the dwellings hereby approved unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

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

CONDITION 7:

No development shall commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the dwellings hereby approved are occupied.

REASON:

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

CONDITION 8:

No above ground development shall commence until a Landscape and Ecological Management Plan (LEMP), has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include planting plans with written specifications and details of: the quantity, size, species and position 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); provision of habitat for protected and notable species

(including location, number and type of bat, bird and swift boxes/bricks); a timetable for the implementation of all of the planting, works and ecological and landscape enhancement/creation measures; and a scheme securing future maintenance and retention. The approved LEMP and associated measures shall be implemented in full.

The approved landscaping, planting and habitat details shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any non-material 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 9:

No above ground development shall commence until full details of the stepped pedestrian access from Block C to Railway Terrace, as shown on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19), has first been submitted to and approved in writing by the Local Planning Authority. The details shall include floor, elevation and cross-section plans together with materials (including samples) and specifications for construction, levels, drainage and railing/boundary treatments.

REASON:

In the interests of visual amenity.

CONDITION 10:

No above ground development of the car parking areas 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. No dwelling within a block (as defined on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19)) shall be occupied until the associated electric vehicle charging points for that block have first 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 development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition (d) below has been complied with in relation to that contamination.

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to human health, existing or proposed property and buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and
(iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of Land Contamination CLR 11.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment 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 12:

No above ground development shall commence until a noise attenuation scheme and CIBSE TM59 Overheating Assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme and assessment shall have regard to the Noise Impact Assessment (NTS2781-3, received 21-08-19) and associated mitigation measures detailed in section 5. The scheme shall include full details and specifications of the façade, windows, glazing, ventilation, internal floors and internal walls. The CIBSE TM59 Overheating Assessment shall include full details and calculations demonstrating what measures will be incorporated into the design of the buildings to ensure overheating caused by variations in the climate, particularly in the summer with allowances for climate change, will not occur. Any proposed mitigation measures must ensure that the internal noise climate for each dwelling achieves the recommended internal ambient noise levels outlined in paragraph 7.7.2 and table 4 of BS8233:2014 and external noise climate for outdoor spaces outlined in paragraph 7.7.3.2 of BS8233:2014. No dwelling shall be occupied until the approved noise attenuation scheme, and mitigation measures for noise attenuation and overheating, have been implemented in full for that dwelling. Unless non-material variations are agreed in writing with the Local Planning Authority, the approved noise attenuation scheme, and mitigation measures for noise attenuation and overheating, shall subsequently be maintained in perpetuity.

REASON:

To protect the residential amenity of future occupiers and to ensure future occupiers do not overheat.

CONDITION 13:

No above ground development shall commence until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The Energy Statement shall include full details, supported by calculations, demonstrating what measures will be incorporated into the design of the buildings to reduce carbon emissions and deliver the sustainable design measures detailed in section 5.0 of the Design and Access Statement (3014-MQR-MA-00-XX-RP-A-S0-P02, received 15-05-19). No dwelling within a block (as defined on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19)) shall be occupied until the measures for that block have first been provided in accordance with the approved details.

REASON:

To reduce carbon emissions.

CONDITION 14:

No above ground development shall commence until full details of all boundary treatments, including walls, fences, railings and gates, have been submitted to and approved in writing by the Local Planning Authority. The details shall include elevation plans, position, materials, appearance and height. Further details of measures to allow hedgehogs to pass through boundary treatments shall also be provided. The development shall not be carried out other than in accordance with the approved details. No dwelling within a block (as defined on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19)) shall be occupied until the approved boundary treatments for that block have first been provided in accordance with the approved details.

REASON:

In the interest of visual and residential amenities.

CONDITION 15:

No above ground development shall commence until full details of visitor cycle parking, including location, elevation plans and floor plans, have first been submitted to and approved in writing by the Local Planning Authority. No dwelling within a block (as defined on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19)) shall be occupied until: the visitor cycle parking for that block has first been provided in accordance with the approved details; and the bin store and cycle store for that block has first been provided in accordance with the details approved under condition 2. The visitor cycle parking and cycle stores shall be permanently retained for the purpose of cycle parking by the occupiers of the dwellings and their visitors. The bin stores shall be permanently retained for the purpose of refuse and recycling disposal and collection.

REASON:

To ensure satisfactory bin storage and collection facilities are provided, to ensure the proper development of the site, in the interests of promoting sustainable transport measures and in the interests of visual amenity.

CONDITION 16:

Notwithstanding the submitted plans, 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 (including windows, doors, vents panels and coping) 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 17:

No above ground development shall commence until full details of all areas of hard surfacing, including highway surfaces, footways, footpaths, verges, parking 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. The details shall further demonstrate that the estate roads serving the development, including footways, verges and footpaths, accord with the standard specification of the Highway Authority. Notwithstanding the approved plans, further details of hard surfacing shall

also be provided showing how pedestrians and cyclists will secure access to the buildings and cycle stores. No dwelling within a block (as defined on the Proposed Site Plan (MQR-MA-00-ZZ-DR-A-00104-S4-P09, received 03-10-19)) shall be occupied until the hard surfacing and parking area for that block has first been provided and made available for use by occupiers of the dwellings and their visitors in accordance with the approved details. Such areas shall be permanently retained for the purpose of access, parking and manoeuvring of vehicles (as the case may be) by occupiers of the dwellings and their visitors.

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 18:

No above ground development shall commence until full details of all external lighting, other than that required for construction, has been submitted to and approved in writing by the Local Planning Authority. The details shall include full details 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 to sensitive receptors. No 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 safety, to prevent unnecessary light pollution, and in the interests of the visual and residential amenities of the locality.

CONDITION 19:

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

REASON:

In the interests of air quality.

CONDITION 20:

The buildings 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.

REASON:

In the interests of fire safety.

CONDITION 21:

Unless non-material amendments are agreed in writing with the Local Planning Authority, no dwelling shall be occupied until broadband infrastructure at a minimum of superfast speed has first been installed and made available for use by the occupants of that dwelling.

REASON:

To ensure an up-to-date communication system fit for the digital age is in place for residents in accordance with policy SDC9 of the Local Plan.

CONDITION 22:

No dwelling shall be occupied until a sustainable travel pack has first been provided within that dwelling for the occupiers.

REASON:

In the interest of sustainability.

CONDITION 23:

No dwelling shall be occupied a pedestrian tactile dropped crossing at the turning head in Drover Close has been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority.

REASON:

In the interests of highway safety.

CONDITION 24:

Notwithstanding the Car Park Management Plan (MQR-BWB-GEN-XX-RP-TR-0003 S2-P2, received 15-05-19), no dwelling shall be occupied until a Car Parking Management Plan (CPMP) has been submitted to and approved in writing by the Local Planning Authority. The CPMP shall include details of how the car parking areas will be operated, managed and monitored together with enforcement processes. Full details of the gated accesses to the parking areas, including floor and elevation plans and details of the operation and access control mechanism, shall also be included within the CPMP. No dwelling shall be occupied until the CPMP has been implemented and the gated accesses have been provided to the parking areas in accordance with the approved details. Unless non-material variations are agreed in writing with the Local Planning Authority, the approved CPMP shall continue to be implemented in full at all times and the approved gated accesses shall be maintained in perpetuity.

REASON:

In the interests of highway safety and traffic flows.

CONDITION 25:

No dwelling shall be occupied until an On-Street Parking Monitoring Plan (OSPMP) has been submitted to and approved in writing by the Local Planning Authority. The OSPMP shall set out a process for monitoring and surveying existing on-street parking levels in the area of Traffic Regulation Order R1/R2. It shall then set out a process for monitoring and surveying on-street parking levels in the area of Traffic Regulation Order R1/R2 at defined intervals following the first dwelling being occupied.

REASON:

To ensure there is sufficient parking provision for existing occupiers in the area of Traffic Regulation Order R1/R2 and in the interests of highway safety and traffic flows.

CONDITION 26:

No dwelling shall be occupied until visibility splays have been provided to the vehicular accesses to the site passing through the limits of the site fronting Gavel Drive with minimum 'x' distances of 2.4 metres and 'y' distances of 17 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON:

In the interests of highway safety.

CONDITION 27:

Notwithstanding the Travel Plan (MQR-BWB-GEN-XX-RP-TR-0002 S2-P2-P4, 15-05-19), the buildings hereby approved shall not be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of measures to promote the use of sustainable transport choices to and from the development hereby approved. No dwelling shall be occupied until the Travel Plan and approved measures have been implemented in full. Unless non-material variations are agreed in writing with the Local Planning Authority, the 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, car parking provision, reducing vehicular emissions and promoting the use of sustainable transport.

CONDITION 28:

The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the apartments (across the development) 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 29:

The rating level of any plant and equipment installed, provided and operated at the site shall not exceed the background noise level at the nearest sensitive receptor. The cumulative level for all plant and equipment shall not exceed the limits set out within paragraph 4.38 and table 4.4 of the Noise Impact Assessment (NTS2781-3, received 21-08-19).

REASON:

In the interests of residential amenity.

INFORMATIVES

INFORMATIVE 1:

This development is subject to a S106 legal agreement.

INFORMATIVE 2:

WCC Flood Risk Management advise that the submitted drainage calculations show that there is some flooding of the network in the 30 year and 100 year (plus climate change) critical storms. At the detailed design stage they expect there to be no flooding in the 30 year event. If there is any flooding in the 100 year (plus climate change) event they will need to see information on where this flood water would be routed and stored with due consideration for depths, velocities and hazard in accordance with document FD2321.

INFORMATIVE 3:

WCC Ecology advise that in view of nearby records, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services (01926 418060) or Natural England (02080 261089) are contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2017.

INFORMATIVE 4:

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

INFORMATIVE 5:

Warwickshire Police have advised that the applicant should adopt the principles of secured by design for this development. Attention is particularly drawn to section 27.29 of Secured by Design Homes 2019 on security compartmentation of developments incorporating 25 or more flats, apartments, bedsits or bedrooms.

In addition, they advise that building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

INFORMATIVE 6:

Warwickshire Fire and Rescue Authority have advised that the applicant/developer 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 the applicant/developer is asked to provide details of alternative measures they intend to put in place. Attention is also drawn to Section 5.18 "Access for Emergency Vehicles" of the Warwickshire County Council Transport and Roads for Developments Guide 2001.

In addition, Warwickshire Fire and Rescue Authority wish to draw the applicant/developer's attention to the fact that they 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 also ask the applicant/developer 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 7:

WCC Highways advise that condition 26 requires that the estate roads including footways, cycleways, verges, and footpaths are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant/developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads.

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

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

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

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

INFORMATIVE 8:

WCC Highways advise that condition 23 may (subject to adoption processes) require works to be carried out within the limits of the public highway. The applicant/developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant/developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

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

INFORMATIVE 9:

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 10:

As per condition 19, the applicant is required to incorporate measures to assist in reducing their impact upon the Air Quality as part of this development. Initiatives could include the installation of an ultra-low emission boilers (<40mg/kWh), increased tree planting, green walls and roofs and the incorporation of electric vehicle charging points on any car parking. Such measures contribute as mitigation for air quality purposes.

INFORMATIVE 11:

RBC Environmental Health advise that ducts and cabling for electric vehicle charging points should be laid to each car parking space. This would allow for remaining car parking spaces to be provided with electric vehicle charging in the future with minimal impact and removing the risk of disturbance to the contaminated soil beneath the capping layer.

INFORMATIVE 12:

RBC Environmental Health advise that the development is in an area of commercial and industrial operations, including the railway and bus depot, which are likely to give rise to day and night-time noise, odour, light and other reasonable levels of disturbance.

INFORMATIVE 13:

RBC Environmental Health advise that the applicant/developer should consult with the Commercial Regulation Team of Environment and Public Realm to discuss proposed methods of piling in the foundation detail. Best Practicable Means (BPM) should be employed with reference to the relevant Codes of Practice, including BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites, Part 1: Noise and Part 2: Vibration.

INFORMATIVE 14:

Severn Trent Water advises that due to the size of this development a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

Foul is proposed to connect into the public foul water sewer and surface water is proposed to connect into the public surface sewer both of which will be subject to formal section 106 sewer connection approvals.

For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

INFORMATIVE 15:

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application forms for diversions from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

INFORMATIVE 16:

The Environment Agency advise that developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. They recommend that developers should refer to: the position statement on the Definition of Waste: Development Industry Code of Practice; and the waste management page on GOV.UK.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with the Environment Agency as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

They also recommend that developers and/or landowner should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our website at www.environment-agency.gov.uk for more information.

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution;
- Treated materials can be transferred between sites as part of a hub and cluster project; and
- Some naturally occurring clean material can be transferred directly between sites.

INFORMATIVE 17:

The applicant/developer is advised that separate advertisement consent may be required from the Local Planning Authority for any proposed signage.

INFORMATIVE 18:

To register the property and receive a postal address please complete an application form for Postal Naming and Numbering. This should be done prior to above ground works commencing. The form can be downloaded at: http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295.

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.

DRAFT

Reference: R20/0094

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

Description: 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.

Case Officer Name & Number: Chris Kingham and Nathan Lowde, 01788 533 629/725

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 15.87ha 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 3.5 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. An employee-owned business with seven sites around the UK. The facility would support this function with a variety of uses including B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space.

2.3 In economic terms the proposal represents a major investment which would provide a base for up to 200 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 18,277 sq.m. The height of the building would be 15.6m to the top of the parapet.

- 2.5 Access to the site would be via a new estate road which would be constructed off the new carriageway serving the recently opened Meggitt development. This 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 total of 180 car parking spaces would be provided together with a minimum of 40 covered cycle spaces. A surface yard would be provided to the east of the proposed building which would also provide a total of 20 HGV parking spaces.
- 2.6 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. This would result in the finished floor level of the building being set 150mm above surrounding ground levels. As a result, the ridge height of the proposed building would be 98.10m above sea level. This compares to 98.50m above sea level for the Meggitt building, 102.50 above sea level of the Cadent building and 105m above sea level for the MTC buildings.
- 2.7 Surface water runoff from the site that cannot be infiltrated to the ground would be drained to a balancing pond located to the east of the buildings adjacent to Combe Fields Road. Water would then be discharged from these ponds at a controlled rate which would be 56% less than current brownfield discharge rates.
- 2.8 The eastern boundary of the site would be screened by strategic landscaping which would include woodland and thicket planting together with standard trees alongside Combe Fields Road. The thickness of this landscape buffer would vary from 7.50-37m. Two groups of existing mature trees would be retained and incorporated into this buffer. Further landscape planting would be provided on the land immediately around the building and car park area.

3. Site Description:

- 3.1. The application site comprises of 15.87ha and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 3.54 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty. The site comprises of a tarmac car parking for the former Rolls Royce works and grass and ruderal vegetation with blocks of tree and scrub planting.
- 3.2. The topography of the application site is generally level and slopes gradually from west to east with a level of 83.00 AOD at the western end and 81.00 AOD in the south-east corner adjacent to Combe Fields Road. Beyond the site to the east levels rise gradually towards the Oxford Canal to the east and Wood Hill to the south-east.
- 3.3. Access to the site is currently afforded via the existing northern Rolls-Royce access directly from Combe Fields Road. A new carriageway to the serving the recently opened Meggitt development now also provides another means of access to the west of the site. The latter access links directly into the existing road network of Ansty Business Park. In turn this provides a primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road.
- 3.4. Many of the former buildings on the wider Rolls-Royce site have been demolished ahead of proposed redevelopment plans which are subject of a current outline application for the creation of Prospero Ansty Business Park (ref: R19/1540). The outline application breaks the wider site down into smaller plots with the land subject of this application being called Plot 1c. Three buildings used by Rolls-Royce for manufacturing and document storage remain and are located to the south and west of the application site. To the south 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. The building is supported by a large surface car park, attenuation ponds and structural landscaping.

- 3.5. At a broader level the site is seen within the context of Ansty Business Park to the north which has outline 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.
- 3.6. The Rolls-Royce site and Ansty Business Park are surrounded by open countryside which is used for agriculture. The closest residential properties are located approximately 330 metres from the site to the northeast at Sparrow Hall Cottages on Combe Fields Road. The property of Fair View on Peter Hall Lane is located approximately 470 metres from the site to the southwest. Public bridleways R75b and R75x are located to the south and public footpath R73c is located to the east. 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. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 1.25km to the west. The M6 motorway is also located approximately 1km to the north.

4. **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. Undetermined.
- 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. (Resolution to grant planning permission, subject to referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.
- 4.3. 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.

- 4.4. 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 Approval 20/04/2018.

5 Technical consultation responses

Cadent Gas	No response
Coventry Airport	No response
Coventry City Council	No objection subject to conditions
Environment Agency	No response
Forestry Commission	No response
Health and Safety Executive	No response
Highways England	No objection subject to conditions
Historic England	No response
National Air Traffic Services	No objection
National Grid (Cadent Gas)	No response
Natural England	No objection
RBC Development Strategy	No response
RBC Environmental Health	No objection subject to conditions
RBC Trees and Landscaping	No objection
RBC Works Services Unit	No objection
Severn Trent Water	No response
Stagecoach	No response
The Gardens Trust	No response
Warwickshire Fire and Rescue Service	No objection subject to condition
Warwickshire Police	Comments received
Warwickshire Wildlife Trust	Comment
WCC Archaeology	No comments to make
WCC Ecology	No objection subject to conditions
WCC Flood Risk Management	No objection
WCC Highways	No objection subject to conditions
WCC Infrastructure	No objection

6. Third party comments

Combe Fields Parish Council Comment

- Operation of access by Meggitt onto Combe Fields Road and Peter Hall Lane junction must be resolved. Condition 21 of the Meggitt application (R17/1829) stipulates that the Council must have approved the control of this junction before Meggitt can occupy their premises.
- Kite Packaging loading bay faces Combe Fields Road so need to ensure light pollution is kept to a minimum.
- Accept need for quality jobs.

- Concern for changing landscape and skyline.
- Hoped tree planting schedule will limit the effect on the landscape and light pollution.
- Appreciate Cadent and Kite are 24 hour operational companies.
- To limit external light pollution one way glass (electrostatic blinds or similar) should be installed on office windows facing Combe Fields Road.
- Noise limits must be imposed on night time operations.
- Despite assurances there is still apprehension that continuing building on the Rolls-Royce site could result in drainage water flowing across Combe Fields Road into the fields at Peter Hall Farm during times of severe rain.
- Query what current and projected excess capacity there is in the balancing ponds.

7 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 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
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 & 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)

7.5. Material Considerations

National Planning Policy Framework (NPPF or “the Framework”) (2019)
National Planning Practice Guidance (NPPG)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)
National Design Guide (2019)

8 Assessment of Proposal – Key Issues

8.1 The key issues in the determination of this application are:

- Green Belt;
- Principle of Employment Development;
- Economic Growth;
- Landscape and Visual Impact;
- Trees and Hedgerows;
- Ecology;
- Highways and Transport;
- Flood Risk and Drainage;
- Heritage and Archaeology;
- Air Quality;
- Noise;
- Contamination;
- Light;
- Residential Amenity (Light, Aspect and Privacy);
- Carbon Emissions, Sustainable Design and Construction;
- Health;
- Broadband; and
- Planning Balance and Sustainability of Development.

9. Principle of Development and Green Belt

9.1. 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.

9.2. National policy on Green Belts is set out within the Framework at section 13. Paragraph 143 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 145 of the Framework.

- 9.3. The exception listed at paragraph 145g 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”
- 9.4. 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 but are not considered to be relevant to the scheme proposed.
- 9.5. ‘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.
- 9.6. In regard to this application it is noted that the application site can be broken down into three distinct areas. The first area comprises of a plot totalling 3.54ha of land. This is described in more depth below but essentially forms the area of land upon which the proposed building, car park and service yard would be constructed on. The second area to the north comprises of open and undeveloped land. This area is fenced off from the main Rolls-Royce site and therefore considered to be outside of its curtilage. Part of this would remain unchanged by the development proposal whilst the remainder would be used for the construction of the highway access to serve the proposed building, and the proposed car parking area would also extend into this area. The attenuation pond and landscape planting are also proposed within this area. The proposed highway and car parking area would constitute an engineering operation that would have a greater impact upon the openness of the green belt, whilst the attenuation pond would constitute a form of built development, which would have a neutral impact upon the openness of the green belt. These works would constitute forms of inappropriate development. It is also noted that the western part of this area has been the subject of a recent planning application (R19/1512). The third area comprises of existing private highways and to which no changes are proposed. They have simply been included within the application site to show how access to the public highway would be achieved. This area of the site is therefore considered to be neutral in relation to green belt impact.
- 9.7. The first 3.54ha area of the site referred to above comprises of a tarmac car parking area used as part of Roll’s-Royce’s operations, together with areas which have been used as ad-hoc amenity space for Rolls-Royce employees. This wider site has an extensive history of development with the remaining and recently demolished buildings having evolved over a number of years. This resulted in a variety of building sizes, heights, building slabs, materials and styles, including a chimney stack just under 30 metres high. The majority of these buildings have been documented and then demolished ahead of proposed redevelopment plans.
- 9.8. The nature of the wider Rolls-Royce site is such that this was not comprised of one single building. It was rather comprised of a series of buildings and structures located in close proximity together. The effect of this is such that some of the open land around these buildings can be described as falling within the curtilage of developed land. The application site comprises of a tarmac car

parking area used as part of Roll's-Royce's operations, together with areas which have been used as ad-hoc amenity space for Rolls-Royce employees. It is reasonable to conclude that the car parking area (which includes the area which the proposed building would sit) served a useful purpose to the permanent structures and would therefore be within the curtilage of the wider Rolls-Royce site. On balance, it is considered that this area is within the curtilage of the wider Rolls-Royce site and would constitute previously developed land. However, owing to the scale and nature of the proposed development it wouldn't fall within the exceptions of appropriate development listed within paragraph 145g of the Framework.

- 9.9. The proposed scheme is consequently inappropriate development and should not be approved except in very special circumstances. In accordance with paragraph 144 of the Framework, very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. Aside from harm by reason of inappropriateness, it is consequently necessary to identify any further harm which may be caused to the Green Belt as a result of this proposal.

Impact on Openness

- 9.10. Paragraph 133 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 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 the 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.
- 9.11. 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 previously approved Meggitt development (R17/1829) 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.
- 9.12. 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 footpath R73c and nearby residential properties. The visual impact of this would, however, be somewhat reduced through significant landscape planting is proposed along the eastern boundary of the site adjacent to Combe Fields Road. When established this would help to screen and soften views of the buildings. Furthermore, the presence of such buildings would not be seen in isolation within open countryside. Instead they would be seen within the context of existing buildings at Ansty Business Park, the recently constructed Meggitt development and retained Rolls-Royce buildings. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.
- 9.13. 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 144 of the Framework.

Other Harm

- 9.14. Aside from the impact on openness, paragraph 134 of the Framework sets out the five purposes of including land in the Green Belt. In this case the proposal would be contained within the limits of the defined Rolls-Royce site. The site itself is also effectively contained by clear and defensible urban boundaries. Ansty Business Park is located to the north, the large Meggitt manufacturing facility is located to the south and the remaining Rolls-Royce manufacturing facility and document storage building is located to the south and west. Combe Fields Road serves to define the eastern edge of all employment development in this location. Although currently free from development and washed over by Green Belt designation, the site in reality offers very little to the five purposes of Green Belt land. It is consequently considered that the development of this site would not give rise to harm to three of the five purposes of including land in the Green Belt.
- 9.15. Some limited harm would arise in relation to checking the unrestricted sprawl of large built-up areas by virtue of development infilling a limited open area between two substantial developments. The site also plays a moderate role in safeguarding the countryside from encroachment. The loss of this land to development would consequently give rise to some limited harm to this purpose. This is tempered by its limited connectivity to open countryside and position between two substantial developments.

Other Considerations

- 9.16. 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.

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 B1 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. 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. Moreover, it would do this in a sensitive way which would safeguard the development potential of the remainder of the Rolls-Royce site 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.

- 10.4. 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 allocation in successive development plans which allows for redevelopment. Such recognition has ultimately allowed for the redevelopment of the northern part of the airfield for as a large scale 140,000 sq.m 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.
- 10.5. Policy ED2 of the Local Plan sets out that office proposals will only be permitted on designated employment sites outside Rugby town centre "where it is demonstrated that there are no sequentially preferable sites available, or where it can be demonstrated the office proposal is genuinely ancillary, in size and scale, to an existing employment use". Paragraph 86 of the Framework further states that "Local planning authorities should apply a sequential test to planning applications of main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan". Planning Practice Guidance expands on this and indicates that the application of such a test "will need to be proportionate and appropriate for the given proposal". Discussions regarding the scope of such a test consequently took place with RBC Development Strategy and Coventry City Council (CCC). Significant weight was placed on the designation of the site as an Existing Strategically Significant Employment Site under policy ED1. This allows for the retention of such land for employment purposes including B1 and B2 uses. Both RBC and CCC consequently accepted that the proposed development of office uses in this location would be acceptable because they are specified in up to date planning policy. Having regard to the Framework and Planning Practice Guidance the application of the test was found to not be necessary in this instance.

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 80 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 200 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 82 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 15.89ha and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 2.05 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty. The site mostly comprises of open amenity grassland with some trees. It has historically been used as ad-hoc amenity space for employees who worked in manufacturing on the wider Rolls-Royce site.
- 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

- 12.5. 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.
- 12.6. 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. The facility would be provided in one single, three-storey building. It would have a gross external floor area of 18,277 sq.m. The height of the building would be 15.6m to the top of the parapet. 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 greys, blacks and whites to complement to nearby proposed Cadent building. The main production unit will be clad in horizontally laid profiled metal cladding, in two tones of grey, with a darker shade at parapet level. This reflects the design of the factory of the neighbouring Meggitt factory. The loading annex will be similarly treated. The roof to both the offices and unit will not be visible as there be a parapet which conceal this.
- 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 development. The proposed building would be 15m high. This compares to the 19m height of the MTC building to the north and 13.70m height of the Meggitt building to the south. The position and size of these buildings are consequently such that they would be highly visible when viewed from Combe Fields Road and public footpath R73c to the east of the site.
- 12.8. In order to mitigate against the visual impact it is proposed to screen and soften the appearance of the proposed development by providing strategic landscape planting around the eastern boundary adjacent to Combe Fields Road. This would include the provision of woodland and thicket planting together with standard trees. The thickness of this landscape buffer would vary from 7.50-37m. Two groups of existing mature trees would be retained and incorporated into this buffer. Further landscape planting would be provided on the land immediately around the office and car park area.
- 12.9. To consider the impact on the landscape the applicant has submitted a Visual Appraisal. The appraisal includes photomontages showing the proposed development at year 0 and 15 from key viewpoints.
- 12.10. It concludes that "The proposed building will be visible in views from the rural land to the east but will be seen in context of the existing buildings around the site. Planting to the site boundaries and particularly in association with the site infrastructure will develop to screen the development and provide a continuous landscape buffer along Combe Fields Road separating the site from the rural land to the east. There are a number of footpaths and what would be considered sensitive viewpoints in the rural areas to the east of the site. As is evidenced by the verified photomontage views the proposed tree and native thicket planting to the boundaries will develop over time to provide screening of the buildings from the more sensitive viewpoints. This will screen the development from the rural countryside to the east and assimilate it into landscape of the surrounding business park development".
- 12.11. The conclusions of the Appraisal are generally agreed. However, the height of the proposed building is such that this would invariably result in some harm to the landscape and visual amenities of the area. The applicant was consequently asked to amend the plans and remove the rooftop plant room. This resulted in a reduction of 2.50m giving a final overall height of 15m.
- 12.12. The height of the proposed building at 15m is the lower then the MTC building to the north and the proposed Cadent building to the west. However, it is higher than the 13.70 high Meggitt

building to the south. It is therefore necessary to have regard to the finished floor level of the proposed building and adjoining buildings. This enables a comparison of the ridge heights in the skyline to be undertaken. A cross-section plan of the Combe Fields Road frontage was consequently submitted. This shows that the ridge height of the proposed building would be 97.50m above sea level. This would be 1 higher than the 98.50m above sea level ridge height of the Meggitt building. It would also be 2.30m higher than the 95.20m above sea level ridge height of the Rolls-Royce Document Storage Facility. However, it would be 7.50m lower than the 105m above sea level ridge height of the MTC buildings.

12.13. The Council's Landscape and Arboricultural Officer has considered all of the submitted plans and Visual 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 been seen alongside existing buildings on the remaining Rolls-Royce site and Ansty Business Park. In the case of the latter it is particularly noted that the ridge height of the proposed building would be 7.50m lower than the adjoining MTC building when taking account of levels. The heights of the buildings when viewed collectively would step up from Meggitt to the west to MTC to the north. A further critical consideration is that the proposed buildings would be set back away from Combe Fields Road by 145m to the multi-storey car park and 190m to the office building. This compares to 25m for Meggitt and 100m for MTC. The distance from the road when compared to other buildings would consequently further reduce the impact from sensitive viewpoints. A further critical consideration is that the main building would be set back away from Combe Fields Road at a minimum distance of 50m and maximum of 98m. This compares to 25m for Meggitt and 100m for MTC. The distance from the road when compared to other buildings would consequently further reduce the impact from sensitive viewpoints.

12.14. On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The buildings would fill a currently open gap between existing buildings on the Rolls-Royce site and Ansty Business Park. Indeed, 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 compare favourably to existing buildings on Ansty Business Park. 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. Paragraph 170 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 prospect of the proposed development has resulted in the removal of a number of existing trees across the application site. This has included the loss of some large trees including a category A tree (i.e. those that are of high quality and value capable of making a significant contribution to the area for 40 or more years) and a numerous category B trees (i.e. those that are of moderate quality or value and capable of making a significant contribution to the area for 20 or more years). The proposal also includes the removal of a coniferous treeline along the eastern boundary of the site which are unsympathetic within the landscape, and replacing with more sympathetic native planting.

- 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 was ultimately necessary to create sufficient space for the proposed buildings to be laid out. The submitted site layout plan shows that the proposed development could be accommodated on the site without causing significant and detrimental harm to existing retained trees. Overall, it is considered that the impact on trees and hedgerows would be acceptable.
- 13.5. Indeed, the proposed tree and landscape planting adequately compensates for the impact of those that have been removed. As a result, the proposal complies with the Framework and policies NE3 and SDC2.

14. Ecology

- 14.1. Paragraphs 170 and 175 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 1.5km 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. A condition 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 heavily managed species-poor semi-improved grassland, amenity grassland, ruderal vegetation, bare ground and hardstanding. Features of relatively higher ecological value (albeit limited) within the context of the site include the semi-mature tree lines and areas of dense and scattered scrub.
- 14.4. The Ecological Assessment acknowledges that the majority of habitats within the application site would be lost as a result of the proposed development, including the extensive areas of grassland and semi-mature tree lines. Whilst potential adverse effects are expected to be isolated to the site level only and of no overriding significance, extensive strategic mitigation proposals are to be incorporated in order to mitigate for any losses and to provide benefits to biodiversity overall.
- 14.5. A Biodiversity Impact Assessment (BIA) has been submitted which quantifies the value of existing habitats and establishes what impact there would be from the loss of those habitats as a result of the proposed development. This was then compared with the post-development habitat values which were derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. The assessment concluded that there would be a net biodiversity loss arising from the proposed development. The applicant is not able to provide full

compensation for this on-site and so has agreed to a biodiversity offsetting scheme which would provide suitable compensation off-site. This would be secured by condition.

- 14.6. The application site falls within the Princethorpe Biodiversity Opportunity Expansion Area as defined on Green Infrastructure Policies Map. It is considered that the required biodiversity offsetting scheme would consequently also help to ensure the proposal complies with policy NE2 of the Local Plan.

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, great crested newts and birds. A variety of measures are proposed to offset such potential impacts. WCC Ecology have assessed these and are satisfied that the potential impact to these species could be mitigated against through planning conditions.

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 proposal would result in a net loss of biodiversity but this would be compensated for by undertaking biodiversity offsetting on land outside of the application site. 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 proposed development is proposed via a new estate road linking into the new Meggitt estate road. A smaller priority junction with the estate road is also proposed. The existing northern Rolls-Royce access point onto Combe Fields Road would be permanently closed. The existing reconfigured southern Rolls-Royce access point onto Combe Fields Road does not form

part of this application site. Access is consequently only proposed through the existing primary and secondary access points in Ansty Business Park. Importantly, the proposed development does not proposed to utilise or rely on the southern Rolls-Royce access point onto Combe Fields Road.

- 15.4. WCC Highway have assessed the proposed layout of the estate road and accesses. A number of issues with this have been identified. This has ultimately not resulted in an objection because the road would remain privately owned rather than forming part of the public highway. To ensure the highway is safe for all users it is considered that the issues do still need to be addressed though. A condition requiring a stage two road safety audit and amended highway plans are therefore proposed.

Car Parking

- 15.5. A total of 180 car parking spaces would be provided together with a 40 covered cycle spaces. Of the car parking spaces a total of 18 would be electric vehicle charging points, 9 would be for car share users and 9 would be disabled spaces.
- 15.6. The Council's car parking standards are set out within Appendix 5 of the Local Plan. This indicates that the Council would allow a parking allocation in the order 392 space. However, given the level of employment at the company HQ is stated as being 175, is considered that the proposed provision of car parking spaces and cycle parking, is an acceptable level of provision.

Traffic Flows

- 15.7. The submitted Transport Assessment concludes that the traffic impact arising from the proposed development can be fully accommodated within the capacity of the surrounding highway network.
- 15.8. Critically, there would not be detrimental impacts to the operation of surrounding junctions in terms of severe increases in delays and queuing. The traffic associated with the development proposal is assigned to routes via Central Boulevard to the west (65%) and via Airfield Way (onto Combe Fields Road) to the east (35%). The modelling results indicate that development traffic has at worst negligible levels of impact on the capacity of greater levels of vehicle throughput.
- 15.9. 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 objections subject to conditions.
- 15.10. 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.
- 15.11. 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 155-165 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 submitted with the application confirms that the majority of the application site falls within flood zone 1 (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. The Environment Agency therefore require no further information on this matter from a flood risk perspective.
- 16.4. In respect of surface water drainage, the Flood Risk Assessment considers 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 east of the site. Water would then be discharged from the pond at a controlled rate which would be 56% less than current brownfield discharge rates.
- 16.5. Furthermore, it is proposed that modular plastic geo-cellular systems with a high void ration would be used to create a below ground storage structure. Permeable paving for car parking bays would also be used to allow rainwater to infiltrate through the surface and into underlying layers.
- 16.6. WCC Flood Risk Management has carried out an independent assessment of the FRA and raised no objection to this subject to a condition requiring the submission of a detailed surface water drainage scheme. The Environmental Agency has also raised no objection to this.
- 16.7. The Flood Risk Assessment and Drainage Strategy confirms that foul sewage would discharge via gravity to a new 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. A condition requiring details of this system would be necessary.
- 16.8. It has been found that the findings of the Flood Risk Assessment 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 outfalling into a balancing pond 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 new 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 Archaeological Desk-Based Assessment which has been followed up with a Written Scheme of Investigation for Archaeological Evaluation. 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). Cropmarks including a rectilinear enclosure, possible ring ditch and linear features have been identified within the adjacent field to the south of the application site. Whilst previous development across parts of the site may have had an impact upon surviving archaeological features, there remains a potential for archaeological deposits dating from the prehistoric, Roman and later periods. However, the assessment identifies that the site has been entirely disturbed through previous modern industrial developments, and as such archaeological potential for all periods is negligible.
- 17.3. WCC Archaeology has reviewed the contents of the documents submitted and agree with the conclusions of this assessment. They have concluded that it is unlikely to have a significant archaeological impact.

Impact on Heritage Assets

- 17.4. The application site does not contain any designated or non-designated Heritage Assets. However, the site does lie within close proximity to a number of surrounding heritage assets.
- 17.5. 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.
- 17.6. 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.
- 17.7. 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.
- 17.8. In this case the proposed building would be sited approximately 1km from the northern boundary of the registered park and 700m from the grade II Peter Hall building to the southeast. The building would be positioned behind the recently constructed Meggitt building and Rolls-Royce document storage building to the south. They would also be viewed within the wider landscape in conjunction

with buildings across the Rolls-Royce site and Ansty Business Park to the north. It is consequently considered that the proposed development would not cause harm to the setting of the listed buildings or conservation area. Indeed, the scale and location of the development would ensure that the proposal would not have an adverse impact upon the nearby heritage assets. Historic England have also not raised any concerns with regards to the impact on these assets. As a result, the proposal complies with the Framework and policy SDC3.

18. Air Quality

- 18.1. Paragraph 181 of the Framework and policy HS5 of the Local Plan set out the need to consider the impact of the proposed development on air quality.
- 18.2. An Air Quality Assessment (AQA) and accompanying Air Quality Neutral Assessment Technical (AQNAT) Note has therefore been submitted with the application. They identify 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. A condition 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 AQNAT consequently sets out that Rolls-Royce operated intensively on the Ansty site for a number of decades. As of 2015, the site had over 1.1million sq. ft of floorspace, across the whole site, accommodating some 2,400 employees at its peak in 2001 from primary accesses onto Combe Fields Road. The traffic movements associated with the proposed development would consequently be less that occurred previously. The AQNAT consequently sets out that the submitted scheme would be better than air quality neutral. Furthermore, measures including new landscaping, biodiversity mitigation and a BREEAM very good sustainability rating would contribute towards achieving air quality neutral standards.
- 18.6. Rugby Borough Council and Coventry City Council's Environmental Health Teams are satisfied with the conclusions reached within these reports, 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 170 and 180 of the Framework and policies HS5 and SDC1 of the Local Plan set out
- 19.2. the need to ensure that noise arising from the proposed development would not adversely impact

on the amenity of nearby noise-sensitive receptors.

- 19.3. A Noise Impact Assessment has been submitted with the application which considers the impact of plant 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.
- 19.4. Environmental Health has considered this assessment and are satisfied that the proposed development would not be adversely affected by noise subject to a condition. As a result, the proposal complies with the Framework and policies HS5 and SDC1.

20. Contamination

- 20.1. Paragraphs 170, 178 and 179 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 20.2. A Phase 1 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 ground and water contamination and highlights a number of areas that require further investigation.
- 20.3. Environmental Health has considered this assessment and raised no objection to the proposed development subject to a condition. 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.

21. Light

- 21.1. Paragraph 180 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.
- 21.2. An External Lighting Report and 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. 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.

22. Residential Amenity (Light, Aspect and Privacy)

- 22.1. 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.

22.2. The closest residential properties to the application site are located approximately 480 metres away to the northeast at Sparrow Hall Cottages on Combe Fields Road. The property of Fair View on Peter Hall Lane is located approximately 548 metres from the site to the southwest. The distance from these properties to the proposed buildings 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.

23. Carbon Emissions, Sustainable Design and Construction

23.1. 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.

23.2. BREEAM standards represent best practice in the sustainable design of non-residential buildings.

23.3. A BREEAM Pre-Assessment Report has therefore been submitted with the application. This provides an indication that a BREEAM very good sustainability rating could be achieved. A condition requiring measures to ensure this is achieved and implemented would be necessary.

23.4. The proposed development seeks to further reduce carbon emissions through the provision of 500 sq.m of solar PV panels on the roof of the buildings. This provision is not required by policies in the Local Plan and is therefore a material benefit which would help to tackle climate change.

23.5. As a result, the proposal complies with the Framework and policies SDC1 and SDC4.

24. Health

24.1. Section 8 of the Framework and 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.

24.2. The Health Impact Assessment submitted with the application concludes that the impact on health arising from the proposal would be neutral and positive subject to conditions. As a result, the proposal complies with the Framework and policies HS1 and HS2.

25. Broadband

25.1. Policy SDC9 of the Local Plan sets out the need for new developments to facilitate and contribute towards the provision of broadband infrastructure.

25.2. 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.

26. Planning Balance and Conclusion

- 26.1. 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.
- 26.2. 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 144 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 144 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

- 26.3. From an economic perspective, the proposed development represents a substantial investment in the Borough at a time where there is a great deal of economic uncertainty. 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. 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.
- 26.4. 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.
- 26.5. 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.
- 26.6. 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.

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

Social

- 26.8. 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 200 jobs. This would therefore safeguard existing jobs which are currently located on other sites and would also create opportunities for new employment. Given the current economic and social uncertainty, particularly in relation to jobs and job security, this is of paramount importance. Indeed, access to employment opportunities is a critical component of sustainable development. It also plays a key role in helping improve and safeguard mental health and wellbeing.
- 26.9. It is considered that the clear social benefits outlined above should carry very substantial weight in favour of the proposed development.

Environmental

- 26.10. 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, heritage, 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.
- 26.11. Aside from no adverse impacts, the scheme proposes to provide 200 sq.m of solar PV panels on the roof of the buildings. This provision is not required by policies in the Local Plan and is therefore a material benefit which would help to lower carbon emissions and tackle climate change.

Conclusion

- 26.12. On balance, it is concluded that the benefits of the proposed development (or 'other considerations') 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.
- 26.13. 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.

26.14. 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.

27. Recommendation:

27.1. Planning application R20/0094 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:
R20/0094

DATE APPLICATION VALID:
07-Feb-2020

APPLICANT:

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

AGENT:

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

ADDRESS OF DEVELOPMENT:

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

APPLICATION DESCRIPTION:

Erection of building and use for purposes within Class B1 (Business Use) and Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including associated storage space, access road, car, lorry and cycle parking, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling 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:

Unless non-material variations are agreed in writing with the Local Planning Authority, the development hereby approved shall not be carried out other than in accordance with the plans and documents detailed below and in accordance with any variations approved in accordance with the details required by condition 7:

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Plan	PLOT1C-MSA-ZZ-ZZ-DR-A-2000-PL1	13-04-20
Proposed Site Layout Plan	PLOT1C-MSA-ZZ-ZZ-DR-A-2001-PL1	13-04-20
Landscape Concept Plan	PLOT1C-BCA-EX-XX-DR-L-0002-F	13-04-20
Landscape Cross Sections	PLOT1C-BCA-EX-XX-DR-L-0003-B	13-04-20
Tree Constraints Plan	CHOIR1-BCA-EX-XX-DR-L-0001 B	07-02-20
Tree Protection and Retention Plan	PLOT1C-BCA-EX-XX-DR-L-0001-C	13-04-20
External Lighting Plan	CPW-190558-E-EXT-XX-01 - P1	07-02-20
Isopachyte Plan	IPD-19-499-802	30-03-20
Levels Plan (Proposed)	CWA-19-188-510 P2,	07-02-20
General Sections	PLOT1A-MSA-ZZ-ZZ-DR-A-2016-2	13-04-20

Ground Floor Plan	PLOT1C-MSA-ZZ-00-DR-A-2003-PL1	13-04-20
Mezzanines Floor Plans	PLOT1C-MSA-WA-ZZ-DR-A-2004-PL1	13-04-20
Office First-Floor Plans	PLOT1C-MSA-OF-ZZ-DR-A-2005-PL1	13-04-20
Elevation Plans	PLOT1C-MSA-ZZ-ZZ-DR-A-2006-PL1	13-04-20
Drainage Layout Sheet 1 of 2	IPD-19-499-500	07-02-20
Drainage Layout Sheet 2 of 2	IPD-19-499-501	07-02-20

<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Air Quality Assessment	19-2346.01-1	07-02-20
Air Quality Assessment - Technical Note	19-2346-01-1	11-05-20
Air Quality Neutral Assessment - Technical Note	19-2346-03b-1	15-04-20
Archaeological Desk-Based Assessment	P19-378 Ver 01	07-02-20
BREEAM Pre-Assessment Report	190558	13-04-20
Design and Access Statement	31313 Rev1	07-02-20
Ecological Assessment	8508.EcoAss.vf	07-02-20
External Lighting Strategy	190558 P1	07-02-20
Flood Risk Assessment (Catchment C)	IPD-19-499-R010	07-02-20
Flood Risk Assessment and Drainage Strategy	CWA-19-188 Rev C	07-02-20
Health Impact Assessment	N/A	07-02-20
Noise Impact Assessment	19-2346.02 1	07-02-20
Phase 1 Desk Study and Preliminary Risk Assessment	19118J	07-02-20
Road Safety Audit - Stage 1 – Response	IPD-19-492 H-02	07-02-20
Road Safety Audit - Stage 1	SA 2754 Rev 3	07-02-20
Transport Assessment	IPD-19-499-001-a	07-02-20
Transport Note - Cumulative Analysis of Phase 2 Plots 1a (Cadent) and 1c (Kite)	IPD-19-499	04-03-20
Utility Statement	190558 A	07-02-20

REASON:

For the avoidance of doubt.

CONDITION 3:

Notwithstanding the submitted Construction Environmental Management Plan (IPD-19-499-R003, received 07-02-20), 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 point of contact and their details;
- e. Loading and unloading of plant, materials and deliveries (including swept paths);
- f. Storage of plant and materials used in constructing the development.
- g. Construction site access control;
- h. The parking of vehicles of site operatives and visitors;
- i. Hours of work and deliveries;
- j. Pre-commencement checks for wildlife;
- k. 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);
- l. Details of measures to protect habitats, including the prevention of pollution;

- m. 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;
- n. 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
- o. 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 unless non-material variations are agreed in writing with the Local Planning Authority.

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:

Notwithstanding the submitted plans and documents, no development shall commence, including any groundworks, site clearance and construction work, until an Arboricultural Report (to include an Arboricultural Impact Assessment, Method Statement and Tree and Hedgerow Protection Plan) has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Report shall give details of all existing trees and hedgerows on the site, any to be retained, and measures for their protection in the course of the development, in accordance with BS5837: 2012 'Trees in relation to Design, Demolition and Construction'. No tree or hedgerow other than so agreed shall be removed, and no clearance, works or development shall commence, unless the approved measures for the protection of those to be retained have been provided. The approved measures which have been provided shall thereafter be maintained for the duration of works on site.

REASON:

To ensure that all retained tree stock is integrated successfully into the design, to maintain tree cover within the application site, to protect and enhance biodiversity, to ensure that protected species are not harmed by the development, and in the interests of visual amenity.

CONDITION 5:

No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the Flood Risk Assessment (Catchment C) (IPD-19-499-R010, received 07-02-20), Flood Risk Assessment and Drainage Strategy (CWA-19-188 Rev C, 07-02-20), and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- a. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report 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. Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event;
- d. Demonstrate how the on-site surface water drainage scheme accords with paragraph 5.2.18 of the Ecological Assessment (8508. EcoAss.vf, received 07-02-20);
- e. Provide 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); and

- f. Provide a detailed maintenance plan giving details on how surface water systems shall be maintained and managed in perpetuity for the lifetime of the development. The details within the plan shall include the name of the party responsible, a contact name and contact details.

The scheme and maintenance plan shall subsequently be implemented in accordance with the approved details before first occupation of the building hereby approved unless non-material variations are agreed in writing with the Local Planning Authority.

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 6:

No development shall commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the building hereby approved is occupied.

REASON:

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

CONDITION 7:

Notwithstanding the approved layout plans and submitted detailed highway plans, no development, other than construction of the proposed building, shall commence on any part of the site until detailed highway plans, (which shall include contour plan, general arrangements, lighting plan, long sections, pavement layout, standard details and string line plan,) have been submitted to and approved by the Local Planning Authority for that part of the site). The detailed highway plans shall be accompanied and informed by swept path tracking for the accesses to the site and to/from the access road, visibility splays at the accesses and a Stage Two Road Safety Audit (where relevant for that part of the site). Unless non-material variations are agreed in writing with the Local Planning Authority, the building hereby approved shall not be occupied until the highway carriageway, including footway, as shown on the approved detailed highway plans, in respect of every part of the site, has been constructed and made available for use to the satisfaction of the Local Planning Authority.

REASON:

In the interests of highway safety and to ensure that the development is served with a satisfactory means of access prior to occupation.

CONDITION 8:

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

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to human health, existing or proposed property and buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and

(iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with Defra and the Environment Agency's Model Procedures for the Management of Land Contamination CLR 11.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment 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 9:

No development shall commence until a Landscape and Ecological Management Plan (LEMP), which shall have regard to the Ecological Assessment (8508.EcoAss.vf, received 07-02-20), has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include details of:

- a. Biodiversity Impact Assessment calculation for the proposed development in accordance with the Warwickshire County Council metric version 19.1 metrics applied to the application site;
- b. Provision of bird and bat boxes in suitable locations;
- c. Provision of refugia/log piles for amphibians, reptiles and invertebrates; and
- d. Management Schedule to include long-term 30 year management plan, details and timings of maintenance, provisions for monitoring, management prescriptions, responsibilities for implementation and reporting of the scheme.
- e. Unless non-material variations are agreed in writing with the Local Planning Authority, the approved LEMP and associated measures shall be implemented no later than the first planting season following first occupation of the development.

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 10:

PART 1

No development shall commence until full details of an Off-Site Biodiversity Management Plan (OSBMP), which shall have regard to the BIA Key (8508-A, 17-04-20), Draft Indicative Strategy for Habitat Enhancement Parcel 1 Land (1921-18-01-Parameters-Plan-dwg, received 17-04-20) and Draft Landscape Concept Plan Parcel 2 (1921-18-05-Parcel-2-plan-dwg, received 17-04-20), 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 for the implementation of the plan;
- h. Revised site-wide Biodiversity Impact Assessment calculation in accordance with the Warwickshire County Council metric version 19.1 metrics applied to the application site to demonstrate that no net loss to biodiversity will be achieved unless non-material variations are agreed in writing with the Local Planning Authority;
- 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, including details and timings of maintenance, provisions for ongoing monitoring and details as to how remedial measures will be undertaken.

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 part 1(g) and approved by the Local Planning Authority.

PART 2

No occupation of any building (or part thereof) is permitted 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 OSMP, 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 11:

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 Proposed Site Plan (PLOT1C-MSA-ZZ-ZZ-DR-A-2001-PL1, received 13-04-20):

- a. Covered cycle spaces;

- b. Substation transformer;
- c. Ring main unit;
- d. Lorry washing bay;
- e. Bin store;
- f. PV panels;
- g. Service yard access;
- h. Emergency access;
- i. 2.4m high mesh security fence; and
- j. Retaining feature.

The development shall not be carried out other than in accordance with the approved details. Unless otherwise agreed in writing with the Local Planning Authority, the building hereby approved shall not be occupied until the buildings and structures listed in condition 11 (a to l) have first been provided in accordance with the approved details. The covered cycle spaces 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 12:

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 13:

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 14:

No above ground development shall commence until full details of all areas of hard surfacing, including highway surfaces, footpaths, parking areas and service areas ~~and external seating area~~, 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 15:

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 16:

The building hereby approved shall not be occupied until full details showing how all parts of the existing northern Rolls-Royce access will be closed and the kerb and verge reinstated in accordance with the standard specification of the Highway Authority has been submitted to and approved in writing by the Local Planning Authority. The building hereby approved shall not be occupied until the existing northern Rolls-Royce access has been closed and the kerb and verge reinstated in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 17:

Unless non-material variations are agreed in writing with the Local Planning Authority, no development shall commence, including any groundworks, site clearance and construction work, until: the car parking area approved as part of planning permission ref: R18/2218 dated 07-03-2019 has been completed and made available for use; or alternative car parking provision to replace the existing car parking area located on the application site has been provided and made available for use in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure there is sufficient parking provision for existing businesses located on the Rolls-Royce Ansty site.

CONDITION 18:

Notwithstanding the Framework Travel Plan (IPD-19-499-R001-a, received 07-02-20), the building hereby approved shall not be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include details of 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.

The building hereby approved shall not be occupied until the Travel Plan and approved measures have been implemented in full. Unless non-material variations are agreed in writing with the Local Planning Authority, the 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 19:

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 20:

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 landscaping scheme and all planting, as detailed in the Landscape Concept Plan (PLOT1C-BCA-EX-XX-DR-L-0002-F, received 13-04-20) 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 ensure the proper development of the site, in the interest of visual amenity and to enhance biodiversity.

CONDITION 21:

The building hereby approved shall not be occupied until an Off-Site Landscape Improvement Scheme (OSLIS) relating to land to the immediate north of the site and up to the edge of the existing boundary with MTC has been submitted to and approved in writing by the Local Planning Authority. The OSLIS shall include planting plans with written specifications and details of: the quantity, size, species and position 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; and a scheme securing future maintenance and retention. The approved OSLIS and associated measures shall be implemented in full.

REASON:

In the interests of visual amenity and to mitigate the impact of development on the landscape.

CONDITION 22:

No external lighting, other than that shown on the approved External Lighting Plan (CPW-190558-E-EXT-XX-01 - P1, received 07-02-20) and detailed in the External Lighting Report (190558 P1, received 07-02-20) and required for construction, 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. 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 49.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 41.5 LA,r (dB) 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 (19-2346.02 1, received 07-02-20).

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 49.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 41.5 LA,r (dB) 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 (19-2346.02 1, received 07-02-20).

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.

INFORMATIVES

INFORMATIVE 1:

In relation to condition 3, Highways England advise that no construction deliveries to the site should take place during the morning peak period (07:30 – 09:30) or the evening peak period (16:30 – 18:30) due to the sensitive operation of the highway network at these periods.

INFORMATIVE 2:

WCC Highways advise that condition 16 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 3:

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 7 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. Please see the response from WCC Highways dated 29th May 2020.

INFORMATIVE 4:

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 5:

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 6:

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 7:

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.

INFORMATIVE 8:

RBC Environmental Health advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: Monday – Friday - 7.30 a.m. - 18.00 p.m.; Saturday - 8.30 a.m. - 13.00 p.m.; and no work on Sundays and Bank Holidays.

INFORMATIVE 9:

The applicant/developer is advised that separate advertisement consent may be required from the Local Planning Authority for any proposed signage.

INFORMATIVE 10:

To register the property and receive a postal address please complete an application form for Postal Naming and Numbering. This should be done prior to above ground works commencing. The form can be downloaded at: http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295.

INFORMATIVE 11:

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

INFORMATIVE 12:

If audible reversing alarms are fitted to any vehicle operated on site, these should only be of the broadband (white noise) alarm type. This should include any delivery vehicles or plant operated on site.

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.

DRAFT

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	24 June 2020
Report Title	Diversion of part of Footpath R167 Cawston
Portfolio	N/A
Ward Relevance	Dunsmore
Prior Consultation	
Contact Officer	Marian Allen Tel 3556
Report Subject to Call-in	N/A
Report En-Bloc	N/A
Forward Plan	N/A
Corporate Priorities	This report relates to the following priorities Environment
Statutory/Policy Background	Town and Country Planning Act 1990
Summary	Confirmation of public path order
Risk Management Implications	N/A
Financial Implications	N/A

Environmental Implications N/A

Legal Implications N/A

Equality and Diversity N/A

Options Confirm unopposed Diversion Order

Recommendation The Borough of Rugby (Part of Footpath R167) Public Path Order 2019 be confirmed.

Reasons for Recommendation No objections

Planning Committee – 24 June 2020

Diversion of part of Footpath R167 Cawston

Public Report of the Executive Director

Recommendation

The Borough of Rugby (Part of Footpath R167) Public Path Order 2019 be confirmed.

On 24 November 2016 the Council approved reserved matters relating to Planning permission R11/1521 for the erection of 250 dwellings with associated works. Part of the development requires the diversion of part of footpath R167.

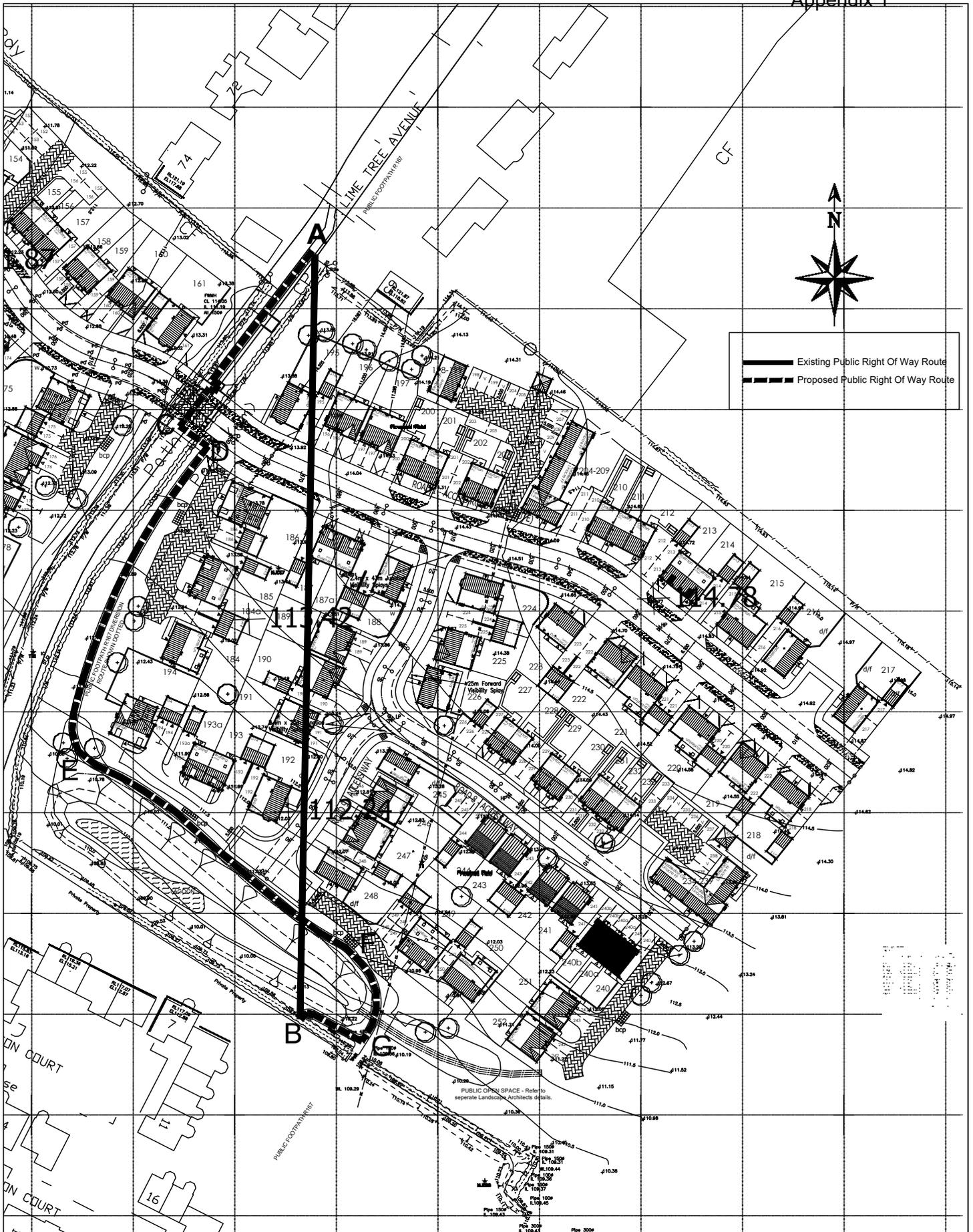
On 21 February 2018 an Order under the provisions of Section 257 of the Town and Country Planning Act 1990 was made and advertised. The effect of the Order is to stop up part of footpath R167 and create a replacement footpath as shown on the attached plan (Appendix 1). The Order was confirmed by Planning Committee on 25 April 2018.

The plan provided by the Developers to that Order was incorrect necessitating the making of a new Order which was made on 31 July 2019. One objection was received which was withdrawn. The Committee is therefore asked to confirm the Public Path Order unopposed.

Name of Meeting: Planning Committee
Date Of Meeting: 24 June 2020
Subject Matter: Diversion of part of Footpath R167
Originating Department: Executive Directors

* There are no background papers relating to this item.

(*Delete if not applicable)



Development Cawston Grange Rugby	Date July 2019	Bellway
	Scale 1:1250@A4	
Drawing Title Public Right Of Way Diversion	Drawn CW	
	Dwg. Ref. CW/RUG-PROW-01	

AGENDA MANAGEMENT SHEET

Report Title: Urgent decisions under emergency powers - April and May 2020

Name of Committee: Planning Committee

Date of Meeting: 24 June 2020

Report Director: Executive Director

Portfolio: Growth and Investment

Ward Relevance:

Prior Consultation: Chairman and Vice-Chairman of Planning Committee together with both opposition Group Leaders.

Contact Officer: Richard Holt, Development Control and Enforcement Manager 01788 533687 or 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):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background: The current Covid-19 situation placed a temporary moratorium on planning committee meetings until such time as virtual planning committee meetings could be constituted.

In the light of the current national emergency of Covid-19 the Ministry of Housing, Communities & Local Government (MHCLG) has issued guidance that the planning service should continue to operate by using powers available to it, for example delegated decisions taken by officers.

Summary: During April and May, emergency powers were used to make decisions on some planning applications and Tree Preservation Order confirmations. The Executive Director, in consultation with the Chairman and Vice-Chairman of Planning Committee, together with both opposition Group Leaders, approved decisions as detailed in the report.

Financial Implications: There are no financial implications arising from this report.

Risk Management Implications: There are risks that planning decisions and Tree Preservation Order confirmations taken using delegated emergency powers could be unsoundly based, unduly influenced or subject to insufficient review and scrutiny. However, the report demonstrates that these risks are being managed with the decisions being taken following consultation with the Executive Director, the Chair and Vice Chair of the Planning Committee and the opposition group leaders. The report demonstrates a transparent approach and also sets out the basis and rationale for these decisions

Environmental Implications:	All environmental implications are referred to in the report.
Legal Implications:	<p>In the absence of planning committee meetings (in person or virtual) the Executive Director has exercised his delegated authority under paragraph 2.1 (b) of Part 2B of Rugby Borough Council's Constitution, namely that the Executive Director is authorised for committees in cases of urgency and in consultation with the Chairman and Vice-Chairman of the relevant committee and the Leader or, in his absence, another nominee of the main opposition group, to make decisions on behalf of the committee, all such decisions to be reported to the next ordinary meeting of the relevant committee.</p> <p>The planning decisions set out in this report were considered to be cases of urgency and in accordance with the requirements of Rugby Borough Council's Constitution are being reported to the next ordinary meeting of the planning committee.</p>
Equality and Diversity:	There are no equality and diversity considerations arising from this report.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	Decisions have already been taken under delegated and emergency powers.

Planning Committee - 24 June 2020

Urgent decisions under emergency powers - April and May 2020

Public Report of the Executive Director

Recommendation

The report be noted.

1. INTRODUCTION

Due to the current COVID19 pandemic, meetings of Planning Committee were not held during April and May 2020 whilst arrangements were put in place to hold virtual meetings.

However, in light of the current national emergency, the Ministry of Housing, Communities & Local Government (MHCLG) had been keen that the planning service continued to operate by using powers available to it. The Council established emergency powers, in conjunction with the Council's urgent decision procedure under delegated powers, to allow planning applications to be determined.

A number of applications were considered and determined using these powers as detailed below.

2. PLANNING APPLICATIONS DETERMINED UNDER URGENT DECISION/EMERGENCY POWERS

2.1 PLANNING APPLICATION R19/1480, THE TROSSACHS, PARROTTS GROVE, COVENTRY, CV2 1NR

The planning application R19/1480 sought permission for the erection of three modern industrial units within Class B1 and B2 (outline – principle and access only).

It was considered that the proposal would not result in any adverse impacts on the occupiers of neighbouring properties. However, by virtue of the inappropriate nature of the development that would have a detrimental impact on the character, appearance and openness of the Green Belt it was considered that the proposal would be contrary to Section 13 of the National Planning Policy Framework and policies GP1; GP2; GP3; ED1; ED2; and ED3 of the Rugby Borough Local Plan 2011-2031 and should, therefore, be refused.

2.1.1 Financial costs

There were no financial costs.

2.1.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agree that Planning Application R19/1480 be refused on the grounds that the scheme would represent inappropriate development that would have a detrimental impact on the character, appearance and openness of the Green Belt.

2.2 PLANNING APPLICATION R20/0019, UNIT 7, DAVY COURT, RUGBY, CV23 0UZ

This was a full planning application R20/0019 for the change of use of the ground floor from B1 use class (office) to D2 use class (martial arts studio).

The proposed application site was within Central Park (a strategically significant employment site) and local policy looks at protecting these sites as they contribute to the overall employment need for the Borough over the Local Plan period. Whilst the proposals did go against this particular policy stance there was sufficient evidence provided by way of the sequential test assessment; and within the six tests set out in Policy ED1, to suggest that the ground floor unit and the immediate surrounding area were not compromised by this change of use. This also took into account issues relating to highway safety, parking facilities and any impacts on neighbouring properties. Subsequently, the proposal lent itself to an alternative use class in its place which would help support sustainable local communities and bring about a small level of employment opportunities.

2.2.1 Financial costs

There were no financial costs.

2.2.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed that Planning Application R20/0019 be approved subject to conditions and informatives as detailed in the officer's report, including an additional condition in relation to a parking management plan.

2.3 PLANNING APPLICATION R19/1429 AND LISTED BUILDING APPLICATION R19/1430 AT BOURTON HALL, MAIN STREET, BOURTON ON DUNSMORE, CV23 9QZ

The planning application R19/1429 and listed building application R19/1430 sought permission to change the use of the former offices (Class B1) to use for holding civil wedding ceremonies and associated receptions / functions, and the provision of 21 en-suite bedrooms for occupation by guests attending the wedding, along with an array of internal alterations.

The proposal sought to re-use and adapt an existing building in a rural area, providing a positive contribution to its historical character. Country House Weddings intended to bring the building back into a viable use which would preserve the significance of the heritage asset, provide jobs for the local community and support rural services. There was considered to be no loss of light or privacy to neighbouring properties and the unauthorised works had been carefully designed to preserve and enhance the special architectural and historic of the property. Concerns were raised in relation to traffic/highways and noise/environmental health, but both these technical consultees found the proposal to be acceptable and appropriate conditions had been put in place where necessary. Accordingly, the application was considered to be in accordance with the NPPF and the Local Plan.

With regard to R19/1430 – Listed Building Application, the proposal provided benefits through the re-use of an empty listed building as well as the removal of modern office related additions which negatively impacted upon Bourton Hall & Chapel. Country House Weddings intended on bringing the building back into a viable use which would prevent further decay and vandalism of the heritage asset, maintaining its significance. Whilst sections of the listed building had been altered and were proposed to be finished off, these had been carefully designed to match the historic character of the building and enhance the property back to its former glory. Overall, these factors would provide public benefit to an abandoned listed building and outweigh any harm caused. Accordingly, the application was considered to be in accordance with the NPPF and the Local Plan.

2.3.1 Financial costs

None.

2.3.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed that:

- (1) Planning Application R19/1429 be approved subject to conditions and informatives as detailed in the officer's report, including an additional condition in relation to landscaping together with a 10 year maintenance/replanting requirement; and

(2) Listed Building Application R19/1430 be approved subject to conditions and informatives as detailed in the officer's report.

2.4 PLANNING APPLICATION R19/0869, LAND EAST OFF COVENTRY ROAD, WOLVEY

The planning application R19/0869 sought outline planning permission for the erection of 18 dwellings with access only.

The site forms part of an allocated housing site on the edge of Wolvey village as detailed in the adopted Rugby Borough Local Plan 2011-2031. It was considered that the proposed development would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety. On balance, it was considered that the proposal constituted sustainable development. It complied with the Development Plan and there were no material considerations which indicated that the proposal should be refused. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the National Planning Policy Framework, it was considered that planning permission should be approved, subject to a Section 106 legal agreement for play and open space, NHS, sustainable travel packs, biodiversity, footpaths and affordable housing plus conditions and informatives.

2.4.1 Financial costs

None.

2.4.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed that Planning Application R19/0869 be approved, subject to a Section 106 legal agreement, conditions and informatives as detailed in the officer's report, but with slight amendments to combine conditions 17 and 19, an additional condition in relation to water efficiency, plus an additional informative that refers to the Council declaring a Climate Emergency on 18th July 2019 and that the developer/applicant should have regard to this when submitting details associated with the various conditions in order to try and reduce their carbon footprint during both the construction process and its operational use.

2.5 PLANNING APPLICATION R19/1528, BUTLER'S LEAP, CLIFTON ROAD, RUGBY, CV21 3TX

The planning application R19/1528 sought permission for the demolition of the existing structures, including a public house, and erection of a new 78-bedroom care home (Use Class C2) with associated access, car and cycle parking, structural landscaping and amenity space provision.

The site lies within the urban area of Rugby town which is the main focus for development in the Borough. It was considered that the proposed development would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety. On balance, it was considered that the proposal constituted sustainable development. It complied with the Development Plan and there were no material considerations which indicated that the proposal should be refused. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the National Planning Policy Framework, it was considered that planning permission should be approved, subject to condition and informatives.

2.5.1 Financial costs

None.

2.5.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed that Planning Application R19/1528 be approved subject to conditions and informatives as detailed in the officer's report, but with slight amendments to conditions, including the Construction Management Conditions 9 and 15, plus the addition of a levels condition and an additional informative that refers to the Council declaring a Climate Emergency on 18th July 2019 and that the developer/applicant should have regard to this when submitting details associated with the various conditions in order to try and reduce their carbon footprint during both the construction process and its operational use.

2.6 PLANNING APPLICATION R19/1512, ROLLS ROYCE, COMBE FIELDS ROAD, COVENTRY, CV7 9JR

The planning application R19/1512 sought permission for the erection of a 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 remodeling and associated works.

The site forms part of an allocated employment site at Ansty Park as detailed in the adopted Rugby Borough Local Plan 2011-2031.

On balance, it was concluded that the benefits of the proposed development (or 'other considerations') were such that they clearly outweighed the definitional harm and other identified harm to the Green Belt in this case. Very special circumstances did 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.

In view of the above, the proposed development complied with the Development Plan and no material considerations had been identified which indicated 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 was therefore considered that the proposal would comply with policy GP1.

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

2.6.1 Financial costs

None.

2.6.2 Consultation

The Executive Director, in consultation with Councillors Mrs Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed with the recommendation that Planning Application R19/1512 be referred to the Ministry of Housing, Communities and Local Government's Planning Casework Unit for approval subject to conditions and informatives as detailed in the agenda, with an amendment to Condition 11, as detailed on the final slide of the presentation (slide 34), relating to biodiversity matters.

3. CONFIRMATION OF TREE PRESERVATION ORDERS

3.1 INTRODUCTION

Where an objection has been received in relation to a provisional tree preservation order, the tree preservation order must be confirmed by the Planning Committee in accordance with Rugby Borough Council's Constitution (paragraph 16.1(ff)(ii) of Part 2A).

There are statutory timescales within which a tree preservation order must be confirmed, once the provisional tree preservation order has been made. These statutory timescales would have expired prior to the next planning committee meeting (virtual or otherwise), therefore an urgent decision was required on the cases below.

3.1 TREE PRESERVATION ORDER NO.412

A provisional tree preservation order (No.412) was made on 10 October 2019 in respect of 6 Oak trees and 2 tree groups located within the residential curtilage of Homestead Farm, Coventry Road, Dunchurch CV22 6RB.

The provisional tree preservation order was served in response to the receipt of a planning application (ref: R19/0878) for the outline application for four new dwellings including access on land adjacent to Homestead Farm, Dunchurch, Rugby with all other matters reserved. The trees are highlighted for retention within the application but the provisional tree preservation order ensures post development tree retention especially as plot 4 is in relative close proximity to Groups 1 and Group 2.

The trees contained within the order serve as a prominent visual amenity feature within the local landscape being highly visible to the public as viewed from the adjacent highway and public footpaths. Groups 1 and 2 also serve as an effective green screening feature to the proposed development.

An objection was received on 7 November 2019 in respect of the tree Groups 1 and 2 within the provisional tree preservation order, triggering the requirement for the provisional tree preservation order to be presented to the planning committee for confirmation in accordance with Rugby Borough Council's constitution.

If the Tree Preservation Order was not confirmed the trees in question may be removed. The trees are a valuable landscape feature and its loss would also result in a loss of sustainable public amenity and wildlife habitats which would then have a subsequent detrimental impact on the surrounding environment and biodiversity.

The Arboricultural Officer did not consider the objections to the Tree Preservation Order to be valid objections, sufficient to prevent the confirmation of the Tree Preservation Order.

3.1.1 Financial costs

None.

3.1.2 Consultation

The Executive Director, in consultation with Councillors Miss Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agreed that the Tree Preservation Order No. 412 be confirmed without modification to the schedule (being the Tree Preservation Order Plan).

3.2 TREE PRESERVATION ORDER NO.414

A provisional Tree Preservation Order (TPO) (No.414) was made on the 19th December 2019 in respect of 6 trees located within the residential curtilages of 9, 15 and 17 Bilton Lane and land at Edmondson Close Dunchurch Rugby.

The TPO was served in response to the receipt of a planning application (ref: R19/1309) for the demolition of No. 15 Bilton Lane and the erection of 5 new dwellings with associated access. The original planning application proposed 6 new dwellings, but this has since been scaled back to 5 following concerns regarding the negative impact on the trees contained within the TPO. The trees are all highlighted for retention within the application and the site designed to accommodate them. The TPO ensures post development tree retention in the interests of enhancing the proposed development and continuing to contribute to the visual amenity of the local area.

The trees contained within the order serve as a prominent visual amenity feature within the local landscape being highly visible to the public as viewed from the local surrounds.

5 objections to the TPO were received. From;

- 9 Bilton Lane in respect of T6 (Norway Spruce).
- 8 Weston Close in respect of T1 (Oak).
- 17 Bilton Lane in respect of T1 (Oak) T2 (Oak) and T3 (Silver Birch).
- 9 Weston Close in respect of T1 (Oak).
- RGS Arboricultural Consultants (on behalf of the applicant of the planning application) in respect of T3 (Silver Birch).

If the Tree Preservation Order had not been confirmed the trees in question may have been removed. The trees are a valuable landscape feature and its loss would also result in a loss of sustainable public amenity and wildlife habitats which would then have a subsequent detrimental impact on the surrounding environment and biodiversity.

The Arboricultural Officer did not consider the objections to the Tree Preservation Order to be valid objections, sufficient to prevent the confirmation of the Tree Preservation Order.

3.2.1 Financial costs

None.

3.2.2 Consultation

The Executive Director, in consultation with Councillors Miss Lawrence (Chair of Planning Committee), Picker (Vice Chair of Planning Committee), Mrs O'Rourke (Leader of the Labour Group) and Roodhouse (Leader of the Liberal Democrat Group) agree that the Tree Preservation Order No. 414 be confirmed without modification to the schedule (being the Tree Preservation Order Plan).

Name of Meeting: Planning Committee

Date of Meeting: 24 June 2020

Subject Matter: Urgent decisions under emergency powers - April and May 2020

Originating Department: Executive Director

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

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

AGENDA MANAGEMENT SHEET

Report Title: Planning Appeals Update

Name of Committee: Planning Committee

Date of Meeting: 24 June 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance:

Prior Consultation:

Contact Officer: Richard Holt

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):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

Statutory/Policy Background:	The Planning Appeals procedure which came into effect on 6th April 2009
Summary:	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2020 to 31/03/2020.
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:	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 - 24 June 2020

Planning Appeals Update

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

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

1.1 Appeals determined

During the last quarter from 1st of January 2020 to 31st of March 2020 a total of 4 planning appeal was determined, of which 1 was allowed, 3 was dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 31st March 2020 there were 4 planning appeals and 0 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date of Meeting: 24 June 2020
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

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st January 2020 – 31st March 2020

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Lodge Farm 301 Easenhall Road Harborough Magna Rugby CV23 0HX	Erection of a barn for storage relating to existing equestrian use	Frances Keenan R19/0848 APP/E3715/W/19/3237497	Refusal 05/09/2019 Written Reps	Dismissed 02/01/2020
Land adjacent to 3 Tattlebank Cottages London Road Willoughby CV23 8BL	Demolition of double garage and stable building, erection of 2 two-bedroom dwelling houses, creation of new vehicular access and closing of existing vehicular access	Thomas Leech R19/0423 APP/E3715/W/19/3235588	Refusal 29/05/2019 Written Reps	Allowed 22/01/2020
54 Ashlawn Road Rugby CV22 5ES	Proposed new dwelling	Paul Varnish R19/0730 APP/E3715/W/19/3234760	Refusal 23/07/2019 Written Reps	Dismissed 27/02/2020
Land at Spinney Farm Main Street Withybrook Rugby CV7 9LX	Without planning permission, the change of use of the land from agriculture to a mixed use of agriculture and siting of a residential caravan shown edged blue on the attached plan	Chris Davies ENF/2019/0063 APP/E3715/C/19/3234434	Written Reps	Dismissed 10/03/2020

APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.03.2020

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
35 Cedar Avenue Ryton on Dunsmore CV8 3QB	Erection of two storey side extension, part two storey part single storey rear extension and single storey front extension.	Chris Bates R19/0986 APP/E3715/D/19/3242365	Delegated Refusal 30/09/2019	Householder Appeals Service (HAS)
Advertising Board Newbold Road Rugby	Advertisement consent for the installation of digital LED advertisement display to replace existing advertisement hoarding.	Chris Bates R19/1184 APP/E3715/Z/19/3243406	Delegated Refusal 23/10/2019	Commercial Appeals Service (CAS)
Fosse Way Monks Kirby CV23 0RL	Certificate of Lawfulness for retention of 2no. mobile structures used for forestry purposes.	Chris Davies R19/0906 APP/E3715/X/19/3236796	Delegated Refusal 28/08/2019	Written Reps
The Brambles Bourton Road Frankton CV23 9NX	Resubmission of previously approved (Proposed demolition of existing outbuilding and the erection of a new single storey residential dwelling) reference R19/0668 on 11th July 2019 for amended design	Lucy Davison R19/1332 APP/E3715/W/20/3245337	Delegated Refusal 16/12/2019	Written Reps

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 13th March 2020 to 12th June 2020

Name of Committee: Planning Committee

Date of Meeting: 24 June 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: All

Prior Consultation: None

Contact Officer: Dan McGahey 3774

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):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

Statutory/Policy Background:	Planning and Local Government Legislation
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 - 24 June 2020

Delegated Decisions - 13th March 2020 to 12th June 2020

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

BACKGROUND

Decisions taken by the Head of Growth and Investment in exercise of powers delegated to her during the above period are set out in the Appendix attached.

Name of Meeting: Planning Committee

Date of Meeting: 24 June 2020

Subject Matter: Delegated Decisions - 13th March 2020 to 12th June 2020

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

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 13/03/2020 To 12/06/2020

APPENDIX 1

Delegated

8 Weeks PA Applications

Applications Refused

R19/1412 8 Weeks PA Refusal 03/04/2020	Land rear of 20, North Road, Clifton Upon Dunsmore, CV23 0BW	Erection of two-bedroom bungalow
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R20/0170 8 Weeks PA Refusal 27/04/2020	STATION HOUSE, 5, SMEATON LANE, STRETTON UNDER FOSSE, RUGBY, CV23 0PS	Erection of single storey rear/side extension (Resubmission of previously refused scheme R19/1273).
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Applications Approved

R19/1461 8 Weeks PA Approval 13/03/2020	50, BENN STREET, RUGBY, CV22 5LR	Erection of attached dwelling with vehicular access and off-street parking
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R20/0022 8 Weeks PA Approval 13/03/2020	117A, LYTHAM ROAD, RUGBY, CV22 7PH	The approval request is for height increase of an existing front fence by 50cm.
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R19/1336 8 Weeks PA	73, MARLBOROUGH ROAD, RUGBY, CV22 6DD	Outbuilding in rear of garden of dwelling house (retrospective)
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Delegated

8 Weeks PA Applications Applications Approved

Approval
16/03/2020

R20/0054
8 Weeks PA
Approval
16/03/2020

11, DUNCAN DRIVE, RUGBY,
CV22 7RS

Change to front elevation with
addition of a bow window in place
of existing ground floor window.

R20/0072
8 Weeks PA
Approval
16/03/2020

SPINNEY BROOK, GLEBE
FARM ROAD, DRAYCOTE,
RUGBY, CV23 9RB

Erection of rear extension

R20/0053
8 Weeks PA
Approval
18/03/2020

12, COVERLEY PLACE,
RUGBY, CV22 7BT

Erection of a single storey side
and rear extension to dwelling

R20/0130
8 Weeks PA
Approval
18/03/2020

DUNSMORE LODGE,
LILBOURNE ROAD, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BB

Proposed single-storey link
extension between garage and
house and other alterations

R20/0027
8 Weeks PA
Approval
19/03/2020

37, REGENT STREET, RUGBY,
CV21 2PE

Extension and alterations to shop
frontage

Delegated

8 Weeks PA Applications Applications Approved

R20/0055 8 Weeks PA Approval 19/03/2020	Land adjacent to 177, OXFORD STREET, RUGBY, CV21 3LY	Proposed Coach House at land adjacent to 177 Oxford Street
R19/1495 8 Weeks PA Approval 20/03/2020	Land adjacent 31, WOOD LANE, SHILTON, COVENTRY, CV7 9JZ	Outline planning application for the construction of 2 no. dwellings, all matters reserved.
R19/1433 8 Weeks PA Approval 23/03/2020	THE OLD HALL, 24 LILBOURNE ROAD, RUGBY, CV23 0BD	Erection of three dwellings together with associated works (Variation of condition 2 of approved planning permission R18/0535 dated 15.08.19 to substitute approved plans with amended plans (details of which are included within the summary of amendment document)).
R20/0061 8 Weeks PA Approval 23/03/2020	Land to the rear of 96-98 Hillmorton Road	Erection of three one-bed apartments with associated parking and access (Resubmission of previously refused scheme R19/1354 - erection of four one-bed apartments with associated parking and access dated

Delegated

8 Weeks PA Applications Applications Approved

17/01/20).

R20/0075
8 Weeks PA
Approval
23/03/2020

10, ELTER CLOSE, RUGBY,
CV21 1JD

Single storey extension to front
and alterations to front and side
of dwelling house

R20/0152
8 Weeks PA
Approval
23/03/2020

78, CROMWELL ROAD,
RUGBY, CV22 5LZ

Single storey rear extension to
dwelling house

R19/1526
8 Weeks PA
Approval
24/03/2020

The Stables, 2 Hillmorton Wharf,
Hillmorton, Rugby, CV21 4PW

Change of use of existing
building to an office (Class A2).

R20/0015
8 Weeks PA
Approval
24/03/2020

LAND REAR OF KIRBY
COTTAGE BARN, RUGBY
ROAD, PAILTON

Proposed conversion of former
agricultural buildings to 2 no.
residential units

R20/0051
8 Weeks PA
Approval
25/03/2020

ZAZAURA, CAWSTON LANE,
DUNCHURCH, RUGBY, CV22
7RX

Extensions and alterations to
dwelling including a single storey
rear extension, alteration to the
roof to create a first floor, a rear
dormer window, a rear balcony
and changes to the appearance

Delegated

8 Weeks PA Applications Applications Approved

of the dwelling.

R19/1524
8 Weeks PA
Approval
26/03/2020

11, CORNFLOWER DRIVE,
RUGBY, CV23 0UG

ERECTION OF TIMBER
FRAMED GARDEN BUILDING
FOR USE AS ANCILLARY
LIVING ACCOMMODATION
(GRANNY ANNEXE)

R19/1534
8 Weeks PA
Approval
26/03/2020

PADDOCK RISE, FLECKNOE
ROAD, FLECKNOE, RUGBY,
CV23 8AT

Proposed extensions, to both
ground and first floor to the front,
single storey with balcony to the
rear (replacing an existing
balcony) and a porch extension
to the front. Conversion of the
garage to ancillary
accommodation.

R19/1539
8 Weeks PA
Approval
26/03/2020

UNIT 1-2, MUNRO BUSINESS
PARK, MARTON ROAD,
BIRDINGBURY, RUGBY, CV23
8EH

CONVERSION OF EXISTING
BARN TO FORM TWO NEW
DWELLINGS AND
ASSOCIATED PARKING

R20/0056
8 Weeks PA
Approval
27/03/2020

ST CUTHBERTS CHURCH,
FOSSE WAY, PRINCETHORPE,
CV23 9PS

Change of Use of Church Hall to
residential dwelling together with
single-storey and two-storey rear
extensions

70, MAIN STREET, WOLSTON,

Delegated

8 Weeks PA Applications Applications Approved

COVENTRY, CV8 3HJ

R20/0106
8 Weeks PA
Approval
27/03/2020

Erection of a single storey rear extension, garage and workshop, demolition of conservatory and installation of a bay window, raising of existing roof and alterations/additions to dormers

R20/0127
8 Weeks PA
Approval
27/03/2020

125 , Lower Hillmorton Road,
Rugby, CV21 3TN

Erection of a single storey rear extension

R20/0113
8 Weeks PA
Approval
31/03/2020

119, Hillmorton Road, Rugby,
CV22 5AT

Single storey rear extension

R20/0141
8 Weeks PA
Approval
31/03/2020

8 Bell Lane, Monks Kirby,
MONKS KIRBY, CV23 0QY

Erection of single storey rear extension

R19/0607
8 Weeks PA
Approval
01/04/2020

HOLLY BANK ORGANICS,
SOUTHAM ROAD,
LEAMINGTON HASTINGS,
CV23 8DX

Construction of an agricultural workers bungalow

Delegated

8 Weeks PA Applications Applications Approved

R19/1532 8 Weeks PA Approval 01/04/2020	CALDECOTT PARK BOWLS CLUB, PARK WALK, RUGBY, CV21 2QL	Erection of a cantilever awning/canopy to the front of the bowling pavilion
R20/0092 8 Weeks PA Approval 01/04/2020	38, THE GREEN, LONG LAWFORD, RUGBY, CV23 9BL	Retrospective application for an ancillary garage with storeroom and home office
R19/0485 8 Weeks PA Approval 03/04/2020	ADVERTISING RIGHT BETWEEN 254-256, LAWFORD ROAD, NEW BILTON, RUGBY, CV21 2JE	Erection of 6 no. town houses with associated parking.
R20/0151 8 Weeks PA Approval 03/04/2020	BRETFORD HOUSE, BRANDON ROAD, BRETFORD, RUGBY, CV23 0JZ	Partial change of use of established funeral support/funeral carriage masters to include additional mortuary facilities (retrospective).
R20/0044 8 Weeks PA Approval 06/04/2020	27, RUGBY ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0DE	PROPOSED ADDITIONAL FLOOR ON TOP OF EXISTING BUNGALOW PLUS EXTERNAL AND INTERNAL ALTERATIONS AND A SINGLE STOREY REAR

Delegated

8 Weeks PA Applications Applications Approved

EXTENSION. NEW DETACHED
GARAGE.

R20/0158
8 Weeks PA
Approval
06/04/2020

14, SQUIRES ROAD,
STRETTON-ON-DUNSMORE,
RUGBY, CV23 9HF

first floor side extension

R20/0123
8 Weeks PA
Approval
08/04/2020

61, SOUTH ROAD, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BZ

Erection of single storey front and
side extensions and erection of
detached garage to the front of
dwelling.

R20/0125
8 Weeks PA
Approval
08/04/2020

ROSEMOUNT, HEATH LANE,
BRINKLOW, RUGBY, CV23 0NX

Retrospective planning
permission for the re-siting and
lowering of existing barn for the
stabling of horses and storage

R19/1451
8 Weeks PA
Approval
09/04/2020

MANOR FARM, BIRDINGBURY
LANE, FRANKTON, CV23 9PB

Conversion of agricultural
buildings at rear to 5no.
dwellinghouses including
demolition of existing agricultural
buildings, including the use of the
existing access from Birdingbury
Lane.

The Old Manor House Farm,
Harborough Parva, Nr. Rugby,

Delegated

8 Weeks PA Applications Applications Approved

CV23 0HN

R20/0068
8 Weeks PA
Approval
09/04/2020

Extensions and alterations to existing stable block to form kitchen area and a granny annexe along with external and internal alterations to convert existing barns to form a home based office and a garage.

R20/0133
8 Weeks PA
Approval
09/04/2020

12, THE SPINNEY, LONG
LAWFORD, RUGBY, CV23 9SH

Erection of single storey rear extension

R20/0093
8 Weeks PA
Approval
14/04/2020

HOME FARM, MAIN STREET,
BRANDON, COVENTRY, CV8
3HW

Erection of detached dwelling and formation of new site access

R20/0222
8 Weeks PA
Approval
14/04/2020

PARK HOUSE FARM, LITTLE
LAWFORD LANE, RUGBY,
CV23 0JJ

Conversion of two barns and erection of new car shelter at Park House Farm and formation of new access following closure of 3 existing accesses to farm (renewal of planning permission R17/0413).

R19/0836
8 Weeks PA

307, HILLMORTON ROAD,
RUGBY, RUGBY, CV22 5BS

Erection of dwelling with associated parking

Delegated

8 Weeks PA Applications Applications Approved

Approval
15/04/2020

R20/0071
8 Weeks PA
Approval
15/04/2020

IVY COTTAGE, RUGBY ROAD,
BRETTFORD, RUGBY, CV23 0LB

Conversion of existing outbuilding
into residential annex

R20/0157
8 Weeks PA
Approval
15/04/2020

8, BENN STREET, RUGBY,
CV22 5LT

Single storey garage to rear

R20/0159
8 Weeks PA
Approval
15/04/2020

PRINCETHORPE COLLEGE,
LEAMINGTON ROAD,
PRINCETHORPE, RUGBY,
CV23 9PX

Proposed Bicycle Store

R20/0169
8 Weeks PA
Approval
15/04/2020

CALIAS FARM, CALIAS LANE,
BIRDINGBURY, RUGBY, CV23
8HW

Demolition of existing outbuilding
and erection of building for
ancillary accommodation
including associated change of
use of land to be included within
residential curtilage.

R20/0031
8 Weeks PA
Approval

CROFT FIELD, MAIN STREET,
HARBOROUGH MAGNA,
RUGBY, CV23 0HS

Alteration to existing external
garage

Delegated

8 Weeks PA Applications

Applications Approved

17/04/2020

R20/0073 8 Weeks PA Approval 17/04/2020	26, LINNELL ROAD, RUGBY, CV21 4AN	Two storey side and single storey rear extension to dwelling
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R20/0115 8 Weeks PA Approval 17/04/2020	25, SHUCKBURGH CRESCENT, RUGBY, CV22 5JB	Erection of a single storey rear extension
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R20/0119 8 Weeks PA Approval 17/04/2020	4 , Tennant Close, Hillmorton, Rugby, CV21 3UH	Proposed remodelling of ground floor and first floor side extension
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R20/0138 8 Weeks PA Approval 17/04/2020	284 , Bilton Road, Bilton, Rugby, CV22 7EJ	Single storey side extension to dwelling house
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R20/0143 8 Weeks PA Approval 20/04/2020	21, LOVEROCK CRESCENT, RUGBY, RUGBY, CV21 4AJ	Retrospective planning permission for replacement roof of the rear extension and other minor alterations.
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Delegated

8 Weeks PA Applications Applications Approved

R20/0145 8 Weeks PA Approval 20/04/2020	23, FINMERE, RUGBY, CV21 1RT	conversion of the garage to a play room
R20/0165 8 Weeks PA Approval 20/04/2020	HOSPITAL OF ST CROSS, BARBY ROAD, RUGBY, CV22 5PX	Erection of entrance lobby to chemotherapy suite.
R19/1494 8 Weeks PA Approval 21/04/2020	LAMBING SHED OFF, OXFORD ROAD, RYTON-ON-DUNSMORE	Retrospective application for agricultural building (lambing shed).
R20/0147 8 Weeks PA Approval 22/04/2020	LILAC COTTAGE, EASENHALL ROAD, HARBOROUGH MAGNA, RUGBY, CV23 0HX	Erection of Agricultural Barn (amendments to the approved application ref. R18/2143).
R20/0074 8 Weeks PA Approval 23/04/2020	17, LOVEROCK CRESCENT, RUGBY, CV21 4AJ	PROPOSED TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR AND FRONT EXTENSION TO DWELLING
	6 HORNE CLOSE,	

Delegated

8 Weeks PA Applications Applications Approved

HILLMORTON, RUGBY, CV21
4ET

R20/0215
8 Weeks PA
Approval
23/04/2020

Erection of a single storey rear
extension; first floor side
extension to dormer and erection
of a front porch.

R20/0110
8 Weeks PA
Approval
24/04/2020

26, ORCHARD WAY, RUGBY,
CV22 7PS

Dormer extension and ground
floor extension

R20/0153
8 Weeks PA
Approval
24/04/2020

14, MARKET STREET, RUGBY,
CV21 3HG

Proposed conversion to 6no.
HMO rooms and 3no. 1bed
apartments (alteration to previous
approval R19/1107 Proposed
conversion of dwelling and
garage to 4no. HMO Rooms and
5no. 1 bed apartments dated
25th October 2019)

R20/0202
8 Weeks PA
Approval
24/04/2020

17, MACBETH CLOSE, RUGBY,
CV22 6LP

Erection of first floor side
extension above existing carport

R20/0203
8 Weeks PA
Approval

153, RUGBY ROAD, BINLEY
WOODS, COVENTRY, CV3 2AY

Erection of a single storey side
and rear extension

Delegated

8 Weeks PA Applications

Applications Approved

24/04/2020

R20/0155
8 Weeks PA
Approval
27/04/2020

50B, MAIN STREET, WOLSTON,
COVENTRY, CV8 3HJ

Proposed single storey rear
extension & retrospective
approval for existing single storey
rear extension

R19/1219
8 Weeks PA
Approval
28/04/2020

115, OVERSLADE LANE,
RUGBY, CV22 6EE

Erection of a two storey side and
rear extension and a single
storey rear extension.

R20/0208
8 Weeks PA
Approval
28/04/2020

ASHMOOR, COVENTRY ROAD,
LONG LAWFORD, RUGBY,
CV23 9ED

Variation of condition 2 of
planning permission R17/0438 to
allow for the reconfiguration of
landscaping and parking areas.

R20/0212
8 Weeks PA
Approval
28/04/2020

LODGE VIEW, MILL LANE,
WOLVEY HEATH, RUGBY, LE10
3HR

Installation of a bay window in the
front elevation.

R20/0226
8 Weeks PA
Approval
28/04/2020

250, NEWBOLD ROAD, RUGBY,
CV21 1EG

Proposed extension and
alterations to existing bungalow
to include the erection of a front
porch and the lining of all existing
walls with a cavity and brick outer
leaf

Delegated

8 Weeks PA Applications Applications Approved

GABLE END, SOUTHAM ROAD,
DUNCHURCH, RUGBY, CV22
6NR

R19/1413
8 Weeks PA
Approval
29/04/2020

Resubmission of application
R18/1359 Demolition of garage
and workshops and erection of
new dwelling served from new
highway access off Southam
Road

R20/0177
8 Weeks PA
Approval
29/04/2020

FIELD HOUSE FARM,
BROADWELL LANE,
BROADWELL, RUGBY, CV23
8HP

Erection of a 1.5 storey side
extension with link building

R20/0126
8 Weeks PA
Approval
30/04/2020

28, LOWER HILLMORTON
ROAD, RUGBY, CV21 3SU

Subdivision of a 3 bedroom
terrace house (C3) to two
dwellingapartments (C3)

R20/0186
8 Weeks PA
Approval
30/04/2020

TOFT HOUSE, SOUTHAM
ROAD, TOFT, RUGBY, CV22
6NR

Change of use of 4-bedroom
holiday let to 2 no. 1-bedroom
apartments

R20/0201
8 Weeks PA
Approval
30/04/2020

THE HAYLOFT, COVENTRY
ROAD, CAWSTON, RUGBY,
CV23 9JP

Creation of new vehicular access
to serve residential property.

Delegated

8 Weeks PA Applications Applications Approved

R20/0197 8 Weeks PA Approval 01/05/2020	13, HOLCOT LEYS, RUGBY, RUGBY, CV22 5SJ	Single storey side extension
R20/0200 8 Weeks PA Approval 05/05/2020	THE BIRCHES, CHURCH WALK, RUGBY, CV22 7LX	Erection of a single storey side extension, external staircase and balcony over rear elevation
R19/1521 8 Weeks PA Approval 06/05/2020	78, CRICK ROAD, RUGBY, CV21 4DY	Roof enlargement to form a first floor area
R20/0233 8 Weeks PA Approval 06/05/2020	40 BAWNMORE ROAD, BILTON, RUGBY, CV22 7QN	Erection of a first floor rear extension
R20/0164 8 Weeks PA Approval 11/05/2020	THE STABLES, GREEN LANE, BRINKLOW, RUGBY, CV23 0NU	Construction of garden sheds on each plot (granted planning permission under R16/0960 for the construction of 7 no. bungalows)
	53, ASHLAWN ROAD, RUGBY,	Front, rear and side extension

Delegated

8 Weeks PA Applications Applications Approved

CV22 5ET

R20/0080
8 Weeks PA
Approval
12/05/2020

R20/0207
8 Weeks PA
Approval
12/05/2020

High Lodge, Lutterworth Road,
Wolvey, Hinckley, LE10 3HW

Demolition of existing detached
single garage to be replaced with
a detached double garage.

R20/0221
8 Weeks PA
Approval
12/05/2020

20 HART CLOSE, RUGBY, CV21
3TP

Erection of tandem garage at the
side of the property.

R20/0232
8 Weeks PA
Approval
12/05/2020

3, LOWER HILLMORTON
ROAD, RUGBY, CV21 3ST

Conversion of outbuilding into
one residential unit

R20/0241
8 Weeks PA
Approval
13/05/2020

111, GROSVENOR ROAD,
RUGBY, CV21 3LE

Erection of rear dormer in loft
space.

CROWN POINT, CRICK ROAD,
RUGBY, CV23 0AB

Erection of a replacement
detached garage with ancillary

Delegated

8 Weeks PA Applications Applications Approved

R20/0247
8 Weeks PA
Approval
13/05/2020

accomodation above

R20/0144
8 Weeks PA
Approval
14/05/2020

52 , Loverock Crescent, Rugby,
CV21 4AS

2-storey side and single-storey
rear extension

R20/0206
8 Weeks PA
Approval
15/05/2020

30, BUTLERS LEAP, RUGBY,
CV21 3RQ

Change of use from Class B1(c)
to Class B8.

R20/0185
8 Weeks PA
Approval
18/05/2020

318 Hillmorton Road, Rugby,
CV22 5BP

Erection of a single storey rear
extension.

R20/0129
8 Weeks PA
Approval
19/05/2020

LAUREL FARMHOUSE, 58,
DAVENTRY ROAD,
DUNCHURCH, RUGBY, CV22
6NS

Two storey extension to annexe

R20/0258
8 Weeks PA

15, THE ARBOURS, RUGBY,
CV22 5AY

Delegated

8 Weeks PA Applications Applications Approved

Approval
19/05/2020

Conversion of garage into habitable living accommodation, erection of single storey rear/side extension and erection of detached shed to side of dwellinghouse.

R19/1294
8 Weeks PA
Approval
20/05/2020

BLACK HORSE, 43, THE
GREEN, RUGBY, CV22 7LZ

The construction of two semi-detached chalet bungalows (Use Class C3) to the rear of Black Horse Public House, re-configuration of the existing public house car parking area, the creation of two access driveways onto Magnet Lane and other associated works.

R20/0121
8 Weeks PA
Approval
21/05/2020

40 BROCKHURST LANE,
MONKS KIRBY, RUGBY, CV23
0RA

Erection of church hall

R20/0245
8 Weeks PA
Approval
22/05/2020

CHURCH FARM, CHURCH
STREET, CHURCHOVER,
RUGBY, CV23 0EW

Proposed change of use of an existing barn to a residential annex; to include a first floor extension.

Delegated

8 Weeks PA Applications Applications Approved

R20/0256
8 Weeks PA
Approval
22/05/2020

32 RATHBONE CLOSE,
HILLMORTON, RUGBY, CV21
4EP

SINGLE STOREY REAR
EXTENSION TO DWELLING

R20/0270
8 Weeks PA
Approval
22/05/2020

7, THE GREEN, RUGBY,
RUGBY, CV22 7LZ

Erection of single storey side and
rear extensions.

R20/0098
8 Weeks PA
Approval
26/05/2020

INWOODS FARM, ASHLAWN
ROAD, RUGBY, CV22 5QF

Erection of No.1 new agricultural
building for the storage of grain

R20/0162
8 Weeks PA
Approval
27/05/2020

Land at RUGBY GATEWAY,
LEICESTER ROAD,
CHURCHOVER

Formation of temporary
construction access, including
alteration to existing access from
Leicester Road.

R20/0218
8 Weeks PA
Approval
27/05/2020

1 , Butlin Road, Rugby, CV21
3SD

Erection of a single storey side
and rear extension.

9 , The Paddocks, Stretton-On-

Delegated

8 Weeks PA Applications Applications Approved

R20/0274 8 Weeks PA Approval 27/05/2020	Dunsmore, CV23 9NW	Conversion of garage into habitable living accommodation and various external alterations.
R20/0290 8 Weeks PA Approval 27/05/2020	29 RUGBY ROAD, DUNCHURCH, CV22 6PG	Erection of a single storey rear extension, garage conversion, two storey side extension and hip to gable roof alterations to accomodate loft conversion
R20/0216 8 Weeks PA Approval 28/05/2020	CROSSWAYS FARM, CICEY LANE, NUNEATON, CV11 6RJ	Proposed conversion of existing barns and workshops with linked extensions for the provision of a new dwelling. (Resubmission of the previously approved application - R17/0195 - Proposed conversion of existing barns and workshops with linked extensions for the provision of a new dwelling).
R20/0219 8 Weeks PA Approval 28/05/2020	100 EASTLANDS ROAD, RUGBY, CV21 3RR	Erection of a first floor side extension.

10, Grange Road, Newbold,

Delegated

8 Weeks PA Applications Applications Approved

Rugby, CV21 1EJ

R20/0223
8 Weeks PA
Approval
28/05/2020

Demolition of existing coal shed
& erection of a single storey rear
& side extension, incorporating
pitched roof windows in the rear
extension and the side extension.

R20/0240
8 Weeks PA
Approval
28/05/2020

11, Welton Place, Rugby, CV22
5JY

Two storey side and rear
extension

R20/0264
8 Weeks PA
Approval
28/05/2020

OLD ORCHARDS, POST
OFFICE ROAD, RUGBY, CV23
8DZ

Two storey rear extension and
single storey rear extension,
demolition of existing garage and
erection of two storey double
garage (re-submission of
previously approved R18/1511)

R20/0018
8 Weeks PA
Approval
29/05/2020

The School House, Main Street,
Brandon, CV8 3HW

Alterations, Extension and New
Detached Garage

R20/0254
8 Weeks PA
Approval
29/05/2020

FIRST FLOOR, 8a CHURCH
STREET, RUGBY, CV21 3PH

Conversion of Redundant Office
Space Over Units 8, 9 and 10
Into 6 Flats (3 No. 2 bedroom
and 3 No. 1 bedroom flats).

Delegated

8 Weeks PA Applications Applications Approved

10 WARING WAY, RUGBY,
CV22 6PH

R20/0266
8 Weeks PA
Approval
29/05/2020

PROPOSED REPLACEMENT
OF EXISTING FLAT GARAGE
ROOF TO A PITCHED ROOF

R20/0273
8 Weeks PA
Approval
31/05/2020

CHARLOTTE COTTAGE
, 6 SOUTHAM ROAD,
DUNCHURCH,
RUGBY,
WARWICKSHIRE
CV22 6NL

Replace existing translucent
conservatory roof with lightweight
roofing slates

R20/0339
8 Weeks PA
Approval
01/06/2020

DIRFT III LAND WEST OF A5,
WATLING STREET, RUGBY,

Discharge of Schedule 2
requirement 24 within the
Daventry International Rail
Freight Interchange Alteration
Order 2014 in relation to a
construction working method
statement for development which
directly affects a watercourse or
floodplain.

R20/0312
8 Weeks PA
Approval
03/06/2020

11, BRACKEN DRIVE, WOLVEY,
HINCKLEY, LE10 3LS

Alterations to existing rear
extension/conservatory, including
new tiled roof.

Delegated

8 Weeks PA Applications Applications Approved

57, WORDSWORTH ROAD,
RUGBY, CV22 6HZ

R20/0324
8 Weeks PA
Approval
03/06/2020

Proposed second storey
extension above existing single
storey extension and
enlargement of existing 2 storey
side extension.

R20/0267
8 Weeks PA
Approval
04/06/2020

7 , Hawthorne Close, Wolston,
CV8 3HN

Single Storey Rear Extension

R20/0211
8 Weeks PA
Approval
05/06/2020

266, DUNCHURCH ROAD,
RUGBY, CV22 6HX

Proposed extensions consisting
two-storey front extension, one-
and-a-half storey side extension
and part two-storey rear
extension

R20/0249
8 Weeks PA
Approval
05/06/2020

Land adjacent 2, GRACE
CLOSE, RUGBY, CV22 7YT

Proposed erection of bungalow
and alteration to parking
arrangement approved under
R17/1008 for 2 Grace Close.

R20/0253
8 Weeks PA
Approval
05/06/2020

305, RUGBY ROAD, BINLEY
WOODS, COVENTRY, CV3 2BE

Variation of Condition 4 of
previously approved development
(R16/2080 for a single storey
extension) to change the
approved/proposed render

Delegated

8 Weeks PA Applications Applications Approved

system and colour.

R20/0291
8 Weeks PA
Approval
05/06/2020

BYWAYS, FRANKTON ROAD,
BOURTON-ON-DUNSMORE,
RUGBY, CV23 9QT

Erection of two storey side/rear extension, single storey rear extension and various other external alterations. (Part retrospective along with various amendments following previous planning permission under R03/0653/23241/P).

R20/0305
8 Weeks PA
Approval
05/06/2020

18, HILLMORTON ROAD,
RUGBY, CV22 5AA

Demolition of existing porch & erection of replacement porch

R20/0329
8 Weeks PA
Approval
05/06/2020

9 FLEET CRESCENT, RUGBY,
CV21 4BQ

Erection of a single storey side and rear extension, new roof over existing porch, external render and resin bound surface to driveway

R20/0188
8 Weeks PA
Approval
09/06/2020

Land rear of The Old Forge,
Access via Biggin Hall Lane,
Thurlaston, Rugby, Warwickshire

Erection of a new detached dwelling and detached garage with access off Biggin Hall Lane.

Installation of 303 solar panels on

Delegated

8 Weeks PA Applications Applications Approved

R20/0282
8 Weeks PA
Approval
10/06/2020

THE VISITORS CENTRE,
BRINKLOW ROAD, COOMBE
FIELDS, COVENTRY, CV3 2AB

the roof of the Coombe Abbey
Country Park visitor's centre

R20/0323
8 Weeks PA
Approval
10/06/2020

The Shrubs, 21 , Wood Lane,
Shilton, CV7 9JZ

Alterations to provide additional
roofspace and the erection of
side and rear extensions

R20/0338
8 Weeks PA
Approval
10/06/2020

GATE FARM, MAIN STREET,
BOURTON-ON-DUNSMORE,
RUGBY, CV23 9QX

Demolition of an existing
outbuilding (annex) and erection
of a replacement annex
(resubmission of the previously
refused application R19/0885).

R20/0187
8 Weeks PA
Approval
11/06/2020

217, HILLMORTON ROAD,
RUGBY, CV22 5BA

Erection of two storey side and
rear extensions to include
conversion of detached garage to
living accommodation.

R20/0225
8 Weeks PA
Approval
11/06/2020

42 Holbrook Avenue, Rugby,
CV21 2QQ

Erection of single storey side and
rear extensions, a first floor rear
extension, a loft conversion and
alterations to the roof
(resubmission of planning
permission reference R16/2437,

Delegated

8 Weeks PA Applications Applications Approved

dated 30 March 2017).

R20/0142
8 Weeks PA
Approval
12/06/2020

HIGHWOOD FARM, COVENTRY
ROAD, BRINKLOW, RUGBY,
CV23 0NJ

Extensions and alterations to
Highwood Farm, Coventry Road,
Brinklow, CV23 0NJ.

R20/0317
8 Weeks PA
Approval
12/06/2020

19, SOUTHEY ROAD, RUGBY,
CV22 6HF

Erection of a single-storey front
extension.

R20/0353
8 Weeks PA
Approval
12/06/2020

15, CHURCH STREET, RUGBY,
CV21 3PN

Replace existing 2 no. ATMs with
2 no. New ATMs. Replace
window with black glass. Install
one CCTV monitor.

Certificate of Lawfulness Applications Applications Approved

R20/0042
Certificate of
Lawfulness
Approval
07/04/2020

4, MELTON COURT, RUGBY,
CV22 7TE

Certificate of Lawfulness for loft
conversion incl. 3no. roof
windows to front elevation and
2no. roof windows to rear
elevation.

Delegated

Certificate of Lawfulness Applications Applications Approved

16, JOHN SIMPSON CLOSE,
WOLSTON, COVENTRY, CV8
3HX

R20/0109
Certificate of
Lawfulness
Approval
07/04/2020

Certificate of Lawfulness for the
conversion of existing garage and
erection of single storey rear
extension to provide accessible
bedroom and shower room for
the purpose of a granny annexe.

R20/0099
Certificate of
Lawfulness
Approval
13/05/2020

SPARROW HALL BARN,
COMBE FIELDS ROAD,
COOMBE FIELDS, COVENTRY,
CV7 9JP

Certificate of Lawfulness for
erection of single storey
extension to rear of dwelling and
construction of a detached
garage and store room. The
building was formerly used as an
office until permission was
granted under reference
R11/1594 on 30 March 2012 for
conversion to a residential
dwelling. The conversion was
carried out and has since been
occupied as a dwelling.

Discharge of Conditions Applications Approved

R16/0960 The Stables, Green Lane,
Brinklow, Rugby, CV23 0NU

Delegated

Discharge of Conditions Applications Approved

16/03/2020

Demolition of existing buildings and construction of 7No. residential bungalows and associated works.

R19/1382 Land To Rear Of No.99 Lentons Lane, Coventry, CV2 1NY

16/03/2020

Conversion of existing garage to single storey dwelling house with increase in overall ridge height, width and depth along with associated car parking and vehicular access (cross boundary application).

R19/1137 Land to the West of Brambles Barn and The Coach House, Bilton Fields Farm Lane, Rugby, CV22 6RU

23/03/2020

Erection of four dwellings

R19/1138 North Site, Bilton Fields Farm, Rugby, CV22 6RU

23/03/2020

Erection of three dwellings

R19/1139 Land to the north-east of the Maverick and The Bungalow, Bilton Fields Farm Lane, Rugby, CV22 6RU

23/03/2020

Erection of five dwellings

Delegated

Discharge of Conditions Applications Approved

R19/1202	LAND ADJACENT TO LOMOND HOUSE, FAIR CLOSE, FRANKTON	Erection of one new dwelling
23/03/2020		
R19/1283	13, CLAREMONT ROAD, RUGBY, CV21 3NA	Subdivision of existing two storey dwelling to create two flats.
20/04/2020		
R17/0393	ST JOHN THE BAPTIST CHURCH, THE LOCKS, HILLMORTON, RUGBY, CV21 4PP	Demolition of Existing Lean-To Extension to West Elevation of Tower and replacement Extension to Accommodate Storage and WC.
29/04/2020		
R19/0117	60 South Road, Clifton Upon Dunsmore, CV23 0BZ	Erection of double storey front extension, single storey rear extension and various other external alterations.
04/05/2020		
R20/0068	The Old Manor House Farm, Harborough Parva, Nr. Rugby, CV23 0HN	Extensions and alterations to existing stable block to form kitchen area and a granny annexe along with external and internal alterations to convert existing barns to form a home based office and a garage.
04/05/2020		

Delegated

Discharge of Conditions Applications Approved

R19/1051	NEWNHAM PADDIX HOUSE, NEWNHAM PADDIX, MONKS KIRBY, RUGBY, CV23 0RX	Demolition of existing dwelling, garage and shed and erection of replacement dwelling and associated work
05/05/2020		
R19/0691	54, REGENT STREET, RUGBY, CV21 2PS	Proposed change of use of the ground floor, from a use class A2 Financial and professional services office, to a one bedroom residential apartment.
21/05/2020		
R19/1040	98, HILLMORTON ROAD, RUGBY, CV22 5AH	Subdivision of existing two storey dwelling to provide two flats with associated parking.
28/05/2020		
R19/1202	LAND ADJACENT TO LOMOND HOUSE, FAIR CLOSE, FRANKTON	Erection of one new dwelling
04/06/2020		
R20/0031	CROFT FIELD, MAIN STREET, HARBOROUGH MAGNA, RUGBY, CV23 0HS	Alteration to existing external garage
12/06/2020		

Delegated

Listed Building Consent Applications

Applications Approved

R20/0102 Listed Building Consent Approval 16/03/2020	THE OLD POST OFFICE, COVENTRY ROAD, DUNCHURCH, RUGBY, CV22 6NH	Listed Building Consent for the repair of the roof (to include the removal and replacement of the existing tiles)
R20/0086 Listed Building Consent Approval 23/03/2020	CLOCK HOUSE, FRANKTON ROAD, BIRDINGBURY, RUGBY, CV23 8EW	Listed Building Consent for the replacement of three windows
R20/0104 Listed Building Consent Approval 14/04/2020	WOOLSCOTT MANOR, WILLOUGHBY ROAD, GRANDBOROUGH, RUGBY, CV23 8DB	Listed Building Consent for rear door and rear porch structure replacements.
R20/0032 Listed Building Consent Approval 17/04/2020	CROFT FIELD, MAIN STREET, HARBOROUGH MAGNA, RUGBY, CV23 0HS	Alterations to existing external garage
R20/0167 Listed Building Consent Approval 21/04/2020	FARRIERS COTTAGE, 7, COOMBE ROAD, CHURCHOVER, RUGBY, CV23 0FW	Listed Building Consent for various works to include: A new internal doorway to access integral garage from hallway; installation of four bar black estate fencing to front of property; erection of greenhouse and summerhouse within the rear garden; and installation of

Delegated

Listed Building Consent Applications Applications Approved

security light above garage and various other external cameras.

R20/0306 18, HILLMORTON ROAD,
Listed Building Consent RUGBY, CV22 5AA
Approval
05/06/2020

Listed Building Consent for the demolition of existing porch & erection of replacement porch

Major Applications Applications Approved

R19/1284 RUGBY RADIO STATION, A5
Major Application WATLING STREET, CLIFTON
Approval of Reserved UPON DUNSMORE, RUGBY,
Matters CV23 0AQ
19/03/2020

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.

R19/1518 LEVC, LI CLOSE, ANSTY,
Major Application COVENTRY, CV7 9RF
Approval
22/04/2020

Erection of an extension to accommodate a paint shop and associated works

Delegated

Major Applications

Applications Approved

BOOTS FARM, STRAIGHT
MILE, BOURTON-ON-
DUNSMORE, RUGBY, CV23
9QQ

R20/0078
Major Application
Approval of Reserved
Matters
27/04/2020

Reserved matter application for
the restructuring of the existing
industrial buildings at Boots Farm
for layout; scale; appearance and
landscaping (Phase Two Only).

R19/1115
Major Application
Approval of Reserved
Matters
30/04/2020

GRIFFIN SCHOOL, LOWER
LODGE AVENUE, RUGBY

Erection of single storey, 1 Form
of Entry primary school, stand-
alone nursery building with
associated works including
vehicular and pedestrian access,
car and cycle parking facilities
and playing fields. Approval of
reserved matters in relation to
outline application R10/1272.

R19/1343
Major Application
Approval
07/05/2020

165, OXFORD STREET,
RUGBY, CV21 3LY

Variation of Condition 2 of
approval R17/1869 (Erection of
13 new dwelling houses and one
9 bedroomed HMO) dated 13th
February 2019 to alter design
features.

BOOTS FARM, STRAIGHT
MILE, BOURTON-ON-
DUNSMORE, RUGBY, CV23

Delegated

Major Applications Applications Approved

9QQ

R19/1372
Major Application
Approval of Reserved
Matters
22/05/2020

Reserved matters application for the restructuring of the existing industrial buildings at Boots Farm for layout; scale; appearance and landscaping (Phase One Only).

R17/0079
Major Application
Approval
01/06/2020

LAND AT ONLEY FIELDS
FARM, DAVENTRY ROAD,
WILLOUGHBY,

Variation of condition 2 and 3 of previously approved planning permission R12/0960, to refer to amended phasing plan and variation of conditions: 7, 8, 9 10, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 30 to allow for the hibernacula and refuge to be provided prior to submission of details.

Non Material Amendment Applications Applications Approved

R18/2165
Non-Material
Amendment agreed
27/03/2020

50 BROOKSIDE, STRETTON-
ON-DUNSMORE, CV23 9NH

Erection of a detached dwelling house (Resubmission of previously refused planning application R17/1323 dated 24/04/18)

R19/1315
2A, LOWER HILLMORTON
ROAD, RUGBY, CV21 3SU

Delegated

Non Material Amendment Applications

Applications Approved

Non-Material

Amendment agreed

22/04/2020

Change of use from medical practice (D1) to form 8 residential apartments (C3) including the erection of first and second floor side extension.

R18/2204

31 Rydal Close, Brownsover,
Rugby, CV21 1JP

Non-Material

Amendment agreed

23/04/2020

Erection of single storey rear/side extension and erection of attached garage to side of dwelling.

R17/1726

RUGBY WEST INDIAN
ASSOCIATION, ST PETERS
ROAD, RUGBY, CV21 3QP

Non-Material

Amendment agreed

04/05/2020

Conversion of existing building into 10 new dwellings with single storey areas rebuilt/infilled to internal facing elevations with associated amenity space, access and parking.

R19/1382

Land To Rear Of No.99 Lentons
Lane, Coventry, CV2 1NY

Non-Material

Amendment refused

07/05/2020

Conversion of existing garage to single storey dwelling house with increase in overall ridge height, width and depth along with associated car parking and vehicular access (cross boundary application).

Delegated

Non Material Amendment Applications Applications Approved

R19/0117	60 South Road, Clifton Upon Dunsmore, CV23 0BZ	Erection of double storey front extension, single storey rear extension and various other external alterations.
Non-Material Amendment agreed 05/06/2020		

R17/0484	Land adjacent to, 24 BAWNMORE ROAD, BILTON, RUGBY, CV22 7QL	Conversion and extension of a redundant electrical sub-station to create 1 No. dwelling with associated car parking and the erection of a car port
Non-Material Amendment agreed 10/06/2020		

Prior Approval Applications Prior Approval Applications

R20/0046	HOME FARM, HILLMORTON LANE, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BL	Application for prior notification of proposed development by telecommunications code system operators Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 16 for the erection of a the installation of a 20m lattice tower supporting 3No antennas and 2No 0.3mm microwave dishes and ancillary works
Telecoms Prior Approval Not Required 13/03/2020		

Delegated

Prior Approval Applications

Prior Approval Applications

ASHTREE FARM, RUGBY
ROAD, RUGBY, CV23 9PN

R20/0181
Agriculture Prior
Approval
Not Required
19/03/2020

Prior notification for the erection
of an agricultural building for the
storage of hay, straw, machinery
and equipment.

R20/0060
Prior Approval change
of use
Not Required
23/03/2020

44, LAWFORD ROAD, RUGBY,
CV21 2DY

Prior Approval for a Change of
Use from ground floor shop
(Class A1) to one bedroom flat
(Class C3) (Under Schedule 2,
Part 3, Class M)

R20/0252
Agriculture Prior
Approval
Not Required
02/04/2020

RYTON WOOD, OXFORD
ROAD, RYTON-ON-DUNSMORE

Prior approval application for the
construction of a private road for
forestry use: Construction of 20m
long stone track through
woodland for forestry purposes.

R20/0191
Prior Approval change
of use
Required and Refused
28/04/2020

LITTLE WALTON FARM
HOUSE, LITTLE WALTON,
MONKS KIRBY, RUGBY, CV23
0QL

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

R20/0234
Prior Approval
Extension

66, FISHER AVENUE, RUGBY,
CV22 5HW

Delegated

Prior Approval Applications

Prior Approval Applications

Not Required

29/04/2020

Prior Approval for single storey rear extension that will extend 5.3m beyond the rear wall and will have a total height of 3.2m and an eaves height of 2.9m.

R20/0315
Agriculture Prior
Approval
Required and Approved
22/05/2020

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

New Agricultural Barn

R20/0190
Prior Approval change
of use
Required and Approved
08/06/2020

LITTLE WALTON FARM
HOUSE, LITTLE WALTON,
MONKS KIRBY, RUGBY, CV23
0QL

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

Withdrawn Applications

Applications Withdrawn

R19/1447
8 Weeks Advert
Withdrawn by
Applicant/Agent
13/03/2020

PETROL STATION, COVENTRY
EASTERN BYPASS, BINLEY
WOODS, RUGBY, CV3 2ZZ

Advertisement Consent for 4No.
Canopy fascia signs, 1No.
Existing PID with replacement
signage panels as shown, 2No.
'Londis' branded fascia signs,
2No. 'Greggs' branded fascia

Delegated

Withdrawn Applications
Applications Withdrawn

signs, 3No. Poster panels
