

31 August 2018

PLANNING COMMITTEE - 12 SEPTEMBER 2018

A meeting of the Planning Committee will be held at 6.00pm on Wednesday 12 September 2018 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn
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 15 August 2018.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –

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

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

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

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Delegated Decisions – 19 July 2018 – 8 August 2018.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2018/19 – 6) are attached.

Membership of the Committee:

Councillors Mrs Simpson-Vince (Chairman), Mrs A'Barrow, Mrs Avis, Bearne, Brown, Butlin, Garcia, Gillias, Miss Lawrence, Lewis, Sandison and Srivastava.

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

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

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 – 12 September 2018

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)
- Applications recommended for approval with suggested conditions (yellow pages)

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	R18/0847	Land opposite 1-3 Avon Street, Clifton-upon-Dunsmore Erection of 2 dwellings.	3
2	R18/0764	Home Farm, Pailton Road, Harborough Magna, Warwickshire, CV23 0HG Change of use of land to provide six glamping tents, car park and associated works.	16
3	R18/0929	5 Somers Road, New Bilton, CV22 7DB Change of use from B2 to B1 (offices) and part D2 (martial arts)	23
4	R18/0843	19 Hillmorton Road, Rugby, CV22 5DF Proposed alterations to driveway/access with replacement of front wall and removal of Beech Tree on Hillmorton Road frontage all to facilitate safe access to the property.	32

Reference number: R18/0847

Site address: Land opposite 1-3 Avon Street, Clifton-upon-Dunsmore

Description: Erection of 2 dwellings.

Case Officer Name & Number: Karen McCulloch, 01788 533623

Description of site

This application relates to a site located on Avon Street in Clifton-upon-Dunsmore.

The site is located between the defined settlement Clifton-upon-Dunsmore and the Rugby Urban Area and is located within the countryside.

The site consists of an area of former private allotments located opposite 1-3 Avon Street and to the rear of 10-17 Vicarage Hill. The site is currently overgrown and slopes up away from Avon Street towards the rear of the site. There is a timber garage/store building at the front of the site with the door facing into the site. At the rear of the site are the remains of a shed/storage building which is in a dilapidated condition. There are post and wire fences to the site boundaries.

Avon Street is a private cul-de-sac which has traditional terraced houses located on the southern side of the street only. The existing houses are two storey properties which are a mix of brick, render and cladding, porches have been added to many of the properties. The existing houses do not have off-street parking facilities and parking occurs along the length of Avon Street, the road leads to an informal turning area.

Avon Street is accessed from Vicarage Hill. This road also contains traditional terraced properties with semi-detached houses opposite the junction. Numbers 10-18 (inclusive) Vicarage Hill have a rear pedestrian access which is located adjacent to the application site. Number 10 is the corner property and this has a detached garage accessed from Avon Street. There are double yellow lines on Vicarage Hill close to the Avon Street junction.

The Oxford Canal is located to the south of Avon Street and the Houlton Link Road is being provided to the south of this.

Description of proposals

This application is for the erection of a pair of semi-detached houses. These will be designed to reflect nearby terraced properties with a pitched slate roof, chimneys and painted elevations. The south eastern side elevation will include a Juliet balcony looking over the adjacent agricultural land.

Each property will have two bedrooms. The ground floor will have a living room, kitchen and WC and a dining room which will be sited within a single storey rear projection.

The houses will be set further back from Avon Street than the existing building and the garage at 10 Vicarage Hill. Each property will have 2 car parking spaces to the front. Cycle and bin storage is shown in the rear gardens and a terrace area is shown immediately adjacent to the proposed dwellings with steps leading up to the remaining garden area.

Technical consultation responses

Original plans

WCC Highways	No objection	Subject to condition
WCC Ecology	No objection	Subject to informatives
Environmental Services	No objection	Subject to conditions & informatives
Inland Waterways	No objection	
Canal & River Trust	No comment	
Warks Fire & Rescue	No objection	Should comply with Building Regulations & maintain vehicular access
Works Services	No objection	
Severn Trent	No comments received	

Amended plans

CPRE	Objection	Land is not previously developed, should be improved to become an amenity for the community or kept as an area of undeveloped land
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Third party comments

Original plans

Clifton-upon-Dunsmore Parish Council Objection

- Loss of existing parking spaces;
- Increased traffic using private road;
- Additional vehicle movements at Vicarage Hill junction;
- Overbearing on existing properties opposite and close to gardens on Vicarage Hill.

Councillor Hunt Objection

- If approval is recommended application should be determined by Committee and a site visit carried out to see traffic and parking issues and layout of the area;
- Access to Vicarage Hill is a on blind bend with fast traffic;
- Cars using the proposed parking would affect traffic leaving the main road;
- Volume and speed of traffic is predicted to increase, even with link road;
- Over-development of this small site;
- Site is elevated and there would be an overbearing impact on existing houses;
- Surface water drainage would affect existing houses.

Neighbours (14) Objection

- Not enough parking in the area, vehicles spill over onto Vicarage Hill;
- Occupiers may have 2 cars, where would second car park?
- Access to existing garage and gate are often blocked by parked vehicles;
- There are abandoned vehicles on Avon Street;
- Emergency vehicles would not be able to access properties;
- Turning area often blocked by parked vehicles, cars have to reverse onto Vicarage Hill;
- Lack of turning for proposed properties due to cars parked opposite;
- Increase in traffic, traffic congestion has worsened;
- There will be more damage to cars;
- Junction to Vicarage Hill is dangerous, cars speed on this road;
- Would cause problems for bin collections;
- Avon Street is a private road;
- New road to Houlton is very close to Avon Street;
- Residents have suffered major disturbance, vibration and construction traffic from nearby roadworks;
- Road surface has been damaged by construction vehicles;
- Noise and disturbance from works and lorries bringing materials;
- Loss of light, privacy and view;
- Will affect health of existing residents;
- Will affect beauty and character of Avon Street, properties are over 150 years old;
- Surface water must be addressed, there are no street drains and water would run towards existing houses;
- Would increase demand on existing sewers which are extremely old;
- Previous scheme refused as did not fit with Village Design Statement;
- Is next to agricultural land, this should not be developed;
- Loss of surrounding natural land and countryside which should be protected;
- Impact on wildlife through loss of habitat;
- No need for further housing development in the area, Houlton provides enough housing;
- This is not previously developed land, contains former allotment shed and garage, this was originally erected without consent and did not have a solid floor;
- Nothing has changed since previous refusal, should not be approved unless it can be proved that things have changed;
- This is a friendly area and the proposals will impact on village life;

Amended plans

Councillor Hunt – Objection

- Amendments do not overcome original objections;
- Not sure how amendment increases manoeuvring space as cars parked side by side

Neighbours (10) – Objection

- Does not overcome previous objections;
- Access to Vicarage Hill is dangerous and more vehicles would make this worse;
- Houlton link road will increase traffic and worsen issues;
- Will worsen parking problems in area by displacing parked vehicles;
- People will not be able to park near their homes leading to neighbour disputes;
- Provided photographs showing high levels of parking, loss of existing verge would remove existing parking spaces;
- Vehicles reversing from site would hit parked cars opposite, turning restricted by parked cars;
- Will provide plan showing that turning is not possible;
- Visibility will be restricted by parked cars;
- Site should be used to provide parking area;
- Poor street lighting makes driving dangerous;
- Road is in a poor condition with bumps and holes which have to be swerved round;
- Access for emergency vehicles is difficult;
- Junction is dangerous with poor visibility and speeding traffic;
- Turning area is often blocked and vehicles have to reverse onto the main road;
- Any additional properties will make accessing garage even more difficult;
- Will overlook relocated properties;
- Suffer vehicle damage from Houlton link road;
- Previous applications were refused;
- Will set a precedent for future development, no need for more development in Rugby;
- Should visit the site in the evening;
- Title deeds show applicant only owns to the edge of the garage;
- Deeds do not refer to vehicular access to the site, covenant also requires dwellings to be built close to the street;
- Could make decision unlawful and prevent properties being sold;
- Soakaways may not be suitable for surface water as soil does not percolate well;
- Paved area will be around 75 sq m which will not cope with the water flow;
- Water running onto the road will go towards properties opposite which are at a lower level;
- Will hold the Council responsible for any flooding;
- Fire brigade have visited street and raised concerns about access;

Relevant planning history

R05/0062 – Erection of a bungalow – Refused 02/03/2005

This application was refused for 4 reasons:

1. The site was in the Area of Restraint, the dwelling would be inappropriate development in the open countryside and would detract from the open character of the area;
2. The development involved the development of a green field site and there was sufficient previously developed land available to meet local housing needs;
3. The development was out of keeping with the character of the street scene and area to the detriment of visual amenity; &
4. The intensification of the use of a junction with inadequate visibility would be detrimental to highway safety.

R05/0685 – Erection of 3 private garages – Refused 15/08/2005

This application was refused for 3 reasons:

1. The site was in the Area of Restraint, the building would be inappropriate development in the open countryside and would detract from the open character of the area;
2. The development was out of keeping with the character of the street scene and area to the detriment of visual amenity; &

3. The intensification of the use of a junction with inadequate visibility would be detrimental to highway safety.

R07/1897 – Erection of a replacement building for use as storage – Approved 12/12/2007

This was subject to a condition restricting the use of the building to storage incidental to the use of the surrounding land as an allotment.

Relevant planning policies and guidance

Rugby Borough Core Strategy, 2011

CS1	Complies	Development Strategy
CS2	Complies	Parish Plans
CS4	Complies	Rugby Radio Station Urban Extension
CS11	Complies	Transport and New Development
CS14	Complies	Enhancing the Strategic Green Infrastructure Network
CS16	Complies	Sustainable Design

Rugby Borough Local Plan, 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking Facilities

Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031

The Main Modifications to the Submission Local Plan have been agreed with the Inspector, subjected to Sustainability Appraisal and Habitats Regulation Assessments, and published for consultation.

In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.

GP2	Complies	Settlement Hierarchy
GP5	Complies	Neighbourhood Level Documents
NE1	Complies	Protecting Designated Biodiversity and Geodiversity Assets
NE2	Complies	Strategic Green and Blue Infrastructure
SDC1	Complies	Sustainable Design
SDC2	Complies	Landscaping
D1	Complies	Transport
D2	Complies	Parking facilities

Planning Obligations Supplementary Planning Document, 2012

Sustainable Design and Construction Supplementary Planning Document, 2012

Clifton upon Dunsmore Parish Plan, 2004

National Planning Policy Framework, 2018 (NPPF)

Assessment of proposals

The key issue to assess in relation to this application is whether the principle of the proposed development is acceptable in this location. The impacts in relation to highway safety, car parking, visual amenity, impact on neighbouring properties and ecology must also be assessed.

Principle of development

As detailed above the site is located outside of the boundaries of Clifton-upon-Dunsmore and the Rugby Urban Area and is therefore located on land defined as countryside.

Policy CS1 sets out the settlement hierarchy for development within the borough, this seeks to direct development to the most sustainable locations such as Rugby Town Centre and Urban Area. Countryside locations are the fifth location within the hierarchy (out of six) and policy CS1 states that within the

countryside new development will be resisted and development will only be permitted where national policy allows. Draft policy GP2 contains a similar hierarchy and requirements for development in the countryside.

Paragraph 11 of the NPPF states that decision making should include a presumption in favour of sustainable development. The NPPF goes on to state that where a Local Planning Authority cannot demonstrate a five year supply of deliverable sites the development plan policies most important to the determination of the application will be considered out of date. In these cases the NPPF states development proposals should be granted unless policies within the NPPF provide a clear reason for resisting the development proposed, or any adverse impacts of doing so would be significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF as a whole.

At present the Council is unable to demonstrate a five year supply of deliverable housing sites to meet the identified housing need within the Borough and therefore as policy CS1 is considered to directly relate to the supply of housing it is deemed out of date. Nevertheless, this does not imply policy CS1 should be ignored but rather that consideration should be given as to what weight it holds in the decision making process whilst being mindful of the presumption in favour of sustainable development when the NPPF is considered as a whole.

The NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside and enable rural communities to grow and thrive. Para 79 of the NPPF states Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances such as re-use of redundant or disused buildings and enhance its immediate setting. The Court of Appeal Braintree District Council v SSCLG, 2017 stated the word 'isolated' should be given in its ordinary sense and on this basis the site is not considered to be isolated owing to its proximity to existing housing immediately to the north west and south west.

As stated within paragraph 59 of the NPPF is very clear that the Government's objective is to significantly boost the supply of homes. Therefore, whilst settlement boundaries, including Rugby urban edge, may play a role in steering development to particular locations the NPPF does not seek the protection of the countryside for its own sake and the context of a site needs to be considered in terms of whether a proposed scheme would constitute sustainable development. Para 38 of the NPPF states that decision makers at every level should seek to approve applications for sustainable development where possible.

As detailed above the site is located outside of the boundaries of Clifton-upon-Dunsmore and the Rugby Urban Area. However, consideration must be given to the accessibility of services from the site.

The Chartered Institute of Highways and Transportation published Guidelines for Providing Journeys on Foot. This states that 800m is an acceptable walking distance with 1.2km the preferred maximum walking distance to facilities.

The application site is around 480m from the Butlers Leap public house, around 800m from Clifton-upon-Dunsmore Church of England Primary School and around 965m from facilities in Clifton-upon-Dunsmore Village Centre. These are all within the preferred maximum walking distance.

In addition there is an hourly bus service to Rugby Town Centre and Clifton-upon-Dunsmore which runs along Vicarage Hill and the bus stops are around 50m from the site. The application site is also around 1.77m from Rugby Station and this is considered a reasonable cycling distance.

The NPPF refers to sustainable transport and states that opportunities to promote walking, cycling and public transport should be identified and pursued. It is considered that all services to meet the needs of future residents would be accessible from the site by foot, cycle or through public transport. In this respect the location of the site can be considered accessible and therefore sustainable.

However, whether a proposal constitutes sustainable development is not simply a matter of location and accessibility. The NPPF states that there are 3 dimensions to sustainable development: an economic objective, a social objective and an environmental objective. These objectives will be considered in relation to the overall balancing of the proposals later in this report.

The agent has referred to the proposals resulting in the reuse of a previously developed site which is encouraged by the NPPF.

However, the definition of previously developed land refers to land occupied by a permanent structure, including the curtilage of the structure but specifically excludes land that is occupied by agricultural buildings. As detailed above the planning permission for the storage building on the site included a condition which linked the use of the building to the use of the site as allotments. Case law has concluded that the use of land as allotments constitutes an agricultural use (*Crowborough Parish Council v Secretary of State and Weadon District Council, 1981*). As the lawful use of the building and site is for allotments and therefore agriculture, the site cannot be considered to constitute previously developed land.

The application site falls within an area identified by policy CS4 for the delivery of the Rugby Radio Station Development and is within an area indicatively shown as providing the link road and Green Infrastructure Corridor. However, the site was not included within the application site boundary for the Radio Station outline application (R11/0699) and the link road is being provided to the south of Avon Street. Therefore the current proposals would not have an adverse impact on the delivery of the Radio Station development.

Policy CS2 states that Parish Plans should be taken into account by the planning system and draft policy GP5 states these are material considerations in determining planning applications. The Clifton upon Dunmore Parish Plan, 2004, which includes a Village Design Statement, makes reference to the rear of Avon Street properties being prominent when approaching from Rugby. This document states that development should respect the style, scale and materials of existing buildings. The proposed dwellings include chimneys, slate tiles and multi-paned windows as recommended and this is considered in keeping with existing buildings.

The Parish Plan goes on to state that future development should be contained within the village boundaries and the proposals do not comply with this requirement.

However, policy CS2 and draft policy GP5 are clear that Parish Plans must be in conformity with the development plan in order to be taken into account. As the requirement to direct development to within the village boundaries is in conflict with the NPPF and therefore policy CS1 this requirement cannot be given weight in the determination of the application.

It is therefore considered that the proposal is in general accordance with the Parish Plan and policy CS2 and draft policy GP5 are complied with.

Highway Safety

As detailed above previous applications for the development of the site were refused on highway safety grounds due to the intensification in the use of the access to Vicarage Hill which has inadequate visibility.

Objections due to the impact on highway safety have also been raised by local residents and the Ward Councillor.

However, a traffic calming scheme is to be implemented at Vicarage Hill and Rugby Road which includes the provision of speed cushions and works at the Vicarage Hill / Avon Street junction.

These works include a “build out” at the junction of Avon Street and Vicarage Hill as shown on the extract from the submitted block plan.

This moves the Give Way marking forward within the carriageway which increases visibility at this junction.

The Highway Authority, Warwickshire County Council, commented on the application and advised that the proposed junction improvements will overcome their previous objections to the development of the site.



They have requested a condition restricting the occupation of the dwellings until the junction works have been completed and, subject to this condition, raise no objection to the application.

The impact on highway safety is therefore considered acceptable in accordance with policy CS11 and draft policy D1.

Parking Facilities

Objections received from the Ward Councillor and local residents refer to existing parking problems experienced in the area and raise concerns that the proposed development will lead to additional parking.

The proposed dwellings will each be provided with 2 car parking spaces to the front with cycle parking proposed in the rear gardens.

The Council's Parking Standards, contained within the Planning Obligations SPD require 1.5 car spaces for two bedroom dwellings in the low access area. The proposed development with 2 spaces per dwelling exceeds this requirement and therefore complies with saved policy T5 and draft policy D2.

Avon Street is a narrow road which is around 4.8m wide. The usual requirement for manoeuvring space behind car parking spaces is 6m and this cannot be achieved within the roadway. Amended plans have been received which set back the property within the site. These allow 1.5m manoeuvring space behind the spaces giving a total of 6.3m. This allows the turning movement to commence within the site and provides the necessary turning distance. Amended plans also removed the originally proposed planting area to increase the manoeuvring space within the site.

Residents have raised objections on the grounds that vehicles would not be able to reverse out of the site if cars are parked opposite. This point has been raised with the applicant who has provided plan showing that vehicles would be able to enter or exit the parking spaces with a car parked opposite the site.

Objections also refer to the proposed development reducing the amount of car parking available to existing residents as the area to the front of the site is currently used for parking. However, the existing properties do not have off-street parking and the area does not include specifically allocated spaces.

Whilst concerns have been raised regarding existing parking issues in the area the Highway Authority have not raised any objection in relation to parking and the existing situation is not considered grounds to refuse the application.

Design

The proposed dwellings have been designed to reflect nearby terraced properties with pitched slate roofs, chimneys and painted elevations. The south eastern side elevation will include a Juliet balcony looking over the adjacent agricultural land. It is considered that the properties would be of a high quality design and reflect the character of the nearby dwellings and the surrounding area.

The application site is currently developed, albeit with a smaller single storey building, and is seen in association with the existing dwellings on Avon Street and Vicarage Hill. It is therefore not considered that the development of the site would cause material harm to the amenity of the area.

The development therefore complies with the relevant part of policy CS16 and draft policy SCD1.

Residential Amenity

Concerns have been raised regarding the impact of the proposals in terms of the impact on amenity of neighbouring properties.

The side elevation of the proposed dwelling will be around 20m from the rear elevation of properties on Vicarage Hill. No windows are proposed in the side elevation and this level of separation is considered acceptable.

The front elevation of the proposed dwellings will be around 15.3m from the front elevations of the properties opposite which is a relatively small separation. This is due, in part, to the existing properties

being close to the road with limited amenity areas to the front. The properties are viewed across the publically accessible road and this level of separation is not unusual on roads of traditional terraced properties. It is therefore considered, in this case, that the level of separation is acceptable.

The application site is at a higher level than the existing properties on Avon Street and the land rises up towards the rear of the site. The submitted plans show parts of the building being provided within excavations and a condition is suggested requiring details of levels to be agreed.

The Council's Environmental Services team commented on the application and raised no objection subject to conditions relating to site investigation and the submission of a noise assessment and informatives.

Subject to conditions and informatives the impact on the residential amenity of neighbouring properties and future occupiers is considered acceptable in accordance with the relevant part of policy CS16 and draft policy SDC1.

Landscaping & Ecology

The site comprises overgrown former allotment land and it is not considered there are landscape features that are worthy of retention.

The submitted plans indicatively show limited planting to the front of the properties, planting will also be provided within the rear gardens. As the properties are to be private dwellings without public areas it is not considered necessary to impose a landscaping condition as this will be a matter for future occupiers therefore saved policy GP2 and draft policy SDC2 are complied with.

The site is located within the strategic Green Infrastructure network where policy CS14 and draft policy NE2 state appropriate suitable linkages should be provided as part of new development. It is considered that planting within the garden will provide linkages to the surrounding area as required by these policies.

The County Ecologist raised no objection to the application subject to a range of informatives relating to protected species. On this basis it is considered that the impact on biodiversity and protected species is acceptable in accordance with saved policy E6 and draft policy NE1.

Other matters

Works Services commented on the application and advised that the rear access to Vicarage Hill properties should be maintained and that bins should not be positioned on the footway. The proposed plans show the rear access maintained and there is no footway on this side of Avon Street, on this basis Works Services have no objection to the proposals.

Warwickshire Fire Service raised no objection to the application, but made comments that Building Regulations must be complied with and the access must not be obstructed. These are not controlled by planning however an informative is proposed bringing this to the applicants' attention.

A local resident has raised concerns regarding drainage and comments that it may not be possible to connect to the existing drainage system and that water does not percolate through the ground. The application form states the existing mains drainage system will be used and the applicant has indicated that surface water drainage could be addressed through a soakaway. However, a condition is suggested requiring drainage details to be submitted and agreed.

An objection also refers to the ownership of the site and comments that the land to the front of the existing garage is not within the applicant's ownership. They also refer to covenants attached to the deeds regarding the positioning of dwellings and access rights.

The applicant has completed an ownership certificate on the application form which states that they do not own all of the application site and has served notice on the relevant landowners. Landownership and restrictive covenants are private legal matters and do not impact on the planning process.

Planning Balance, Weight & Sustainable Development

As detailed above the application site lies within a countryside location and whilst this weighs against the proposal it is not considered to lie within an unsustainable location for development and the proposals would only be contrary to policy CS1 if national planning policy did not allow development.

The NPPF identifies three interdependent and overarching objectives to sustainable development. Firstly, an economic objective, jobs would be created during the construction phase and thereafter and the new residents would inject money into the local economy and support local shops and facilities and help maintain their viability. These factors carry weight in favour of the proposals. There would also be Council Tax revenues and the Local Planning Authority would potentially benefit from New Homes Bonus although these are considered to be given limited weight.

Secondly in terms of a social role, the scheme would provide a 2 homes in a sustainable location with accessible services. Based on the ongoing need for housing within the Borough the development would make a valuable contribution to supply and this would be a positive factor of significant weight.

Thirdly, from an environmental aspect, some day-to-day trips could be undertaken by alternative modes of transport to the car such as by public transport, walking and cycling. This would minimise pollution and is considered to carry weight in favour of the development.

The impact on the natural environment is considered to be minimal and the proposals would result in no net loss to biodiversity. Although the site does not constitute previously developed land it will involve the reuse of a site that is currently unused which will make the effective use of land. In addition, the position of the site adjacent to existing development means the harm to the character and appearance of the area is minimal.

Therefore, the development of the site would result in significant social and economic benefits as well as environmental benefits. Whilst the site is in a countryside location the collective weight that the identified benefits would bring, as well as contributing to the Council's lack of 5 year housing land supply, means on balance the proposal would represent sustainable development in terms of the NPPF and is considered to accord with the Development Plan and the NPPF.

Recommendation:

Approval, subject to conditions and informatives.

Report prepared by: Karen McCulloch

DRAFT DECISION

APPLICATION NUMBER

R18/0847

DATE VALID

04/06/2018

ADDRESS OF DEVELOPMENT

LAND OPPOSITE 1-3 AVON STREET
AVON STREET
CLIFTON UPON DUNSMORE

APPLICANT/AGENT

Mr Richard Palmer
HB Architects
The Old Telephone Exchange
Albert Street
Rugby
CV21 2SA
On behalf of Electrafix Ltd

APPLICATION DESCRIPTION

Erection of 2 dwellings.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Plan/Document	Reference	Date Received
Design and Access Statement	30-18	19/04/2018
Location Plan (only)	30-18-01/A	04/06/2018
Sketch Scheme	30-18-02/D	29/08/2018
Block Plan (only)	30-18-01/A	02/08/2018

REASON:

For the avoidance of doubt.

CONDITION: 3

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

REASON:

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

CONDITION: 4

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

REASON:

In the interest of visual amenity.

CONDITION: 5

Notwithstanding the details shown on the approved plans, no development shall commence unless and until full details of finished floor levels of the approved dwellings and ground levels of the parking areas and gardens have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 6

The dwellings hereby approved shall not be first occupied unless and until the proposed traffic calming works on Rugby Road/Vicarage Hill have been completed and the visibility improvements to the Avon Street/Vicarage Hill junction have been carried out.

REASON:

In the interest of highway safety.

CONDITION: 7

The accommodation for car parking shown on the approved plan shall be provided before the first occupation of the development and shall be retained permanently for the parking of vehicles.

REASON:

In order to ensure that satisfactory parking facilities are maintained.

CONDITION: 8

No above ground development shall commence unless and until a full noise survey and assessment, including detail of any mitigation works has been submitted to and approved in writing by the Local Planning Authority.

Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of residential amenity.

CONDITION: 9

Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) An investigation and risk assessment must 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 are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

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

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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 must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must 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 must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of 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, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

CONDITION: 10

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

REASON:

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

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be found on-line at rugby.gov.uk Alternatively, you can contact the Street Naming and Numbering Team for an application form at: servicedesk@rugby.gov.uk or by ringing 01788 533456.

INFORMATIVE: 2

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE: 3

The noise assessment required by condition 8 must take into account road noise emitted from the local road network and the new Houlton Link Road. Any proposed mitigation must ensure that the internal noise climate for each habitable room achieves compliance with noise levels contained within BS8233:2014.

INFORMATIVE: 4

The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition): Drainage and Waste Disposal.

INFORMATIVE: 5

Warwickshire Fire and Rescue advise that the development must comply with Building Regulations Approved Document B, Volume 2, Section B5 - Access and Facilities for the Fire Service. In addition the access to the site, during construction and once completed, must be maintained free from obstructions to allow access for emergency vehicles.

INFORMATIVE: 6

The applicant is respectfully advised that as additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be pleased to provide further advice regarding which species to use (Tel: 01926 418060).

INFORMATIVE: 7

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, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE: 8

Consideration should be given to the provision of suitable bat and bird boxes within the new build or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to loss of roost, nest and foraging sites as a result of development. However a variety of bat and bird species use boxes and they can be particularly useful in the built environment, where natural nesting places can be scarce. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use.

INFORMATIVE: 9

In view of the nearby hedgehog record(s) and or suitable habitat, care should be taken when clearing the ground prior to development, particularly piles of deadwood, leaves, bonfire mounds. If a hedgehog is found, work should stop until WCC Ecological Services is contacted. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC Act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.

INFORMATIVE: 10

In view of the suitable habitat nearby, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while Warwickshire County Council Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) 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 (as amended).

INFORMATIVE: 11

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

Reference number: R18/0764

Site address: Home Farm, Pailton Road, Harborough Magna, Warwickshire, CV23 0HG

Description: Change of use of land to provide six glamping tents, car park and associated works.

Case Officer Name & Number: Jo Orton – 01788 533549

Introduction

This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as the application constitutes major development as the site area is in excess of 0.5 hectares.

Application Proposal

This application seeks full planning permission for the change of use of land from agricultural to provide six glamping tents for use as leisure breaks for families. The proposal also provides car parking for six vehicles with associated access along with the provision of an 830 metres squared orchard.

The framed tents would have a maximum height of 4 metres; a width of 5 metres including the overhang from the roof with a depth of 11 metres. Each tent benefits from interchangeable steps with wheelchair ramps and also contains disability width doors. Each unit includes facilities such as a bathroom; open plan kitchen; dining and sitting room facilities; a double bed and two single beds. There is also a veranda with seating area to the exterior.

Site and Surrounding Area

The application site is located within the designated West Midlands Green Belt with the village of Harborough Magna which lies 300 metres to the south-east of the application site. The site currently consists of 1.255 hectare fields immediately south of Home Farm, Harborough Magna. The field has a gentle 5 metre fall from east to west and is surrounding by mature, well grown trees.

Relevant Planning History

The application site has an extensive planning history relating to various works in the past. However, this is not directly relevant to the proposals.

Technical Responses

No objections have been received from:

Warwickshire County Council (Rights of Way)
Warwickshire County Council (Highways)
Warwickshire County Council (Ecology)
Rugby Borough Council (Environmental Services)
Rugby Borough Council (Arboriculture Officer)
Rugby Borough Council (Work Services)
Warwickshire Fire and Rescue
Cadent Gas

No comments have been received from:

Ramblers Association

Third Party Responses

Harborough Magna Parish Council have commented on the application and advised that:

1. Back Lane must not be used at any time for vehicular access and egress;
2. Suitable refuse bins are placed on site; and
3. Foul water drainage and fresh water are connected through existing utilities on Home Farm.

A site and press notice have been posted as part of this application and one letter of observation has been received raising the following:

1. Any waste and recycling facilities should be provided and written into any consent; and
2. The planting of an orchard seems a nice feature of the proposal.

Relevant Planning Policies and Guidance

National Planning Policy Framework – 2012

Section 6: Building a Strong, Competitive Economy

Section 12: Achieving Well Designed Places

Section 13: Protecting Green Belt Land

Section 15: Conserving and Enhancing the Natural Environment

Core Strategy – 2011

Policy CS1: Development Strategy

Policy CS2: Parish Plans

Policy CS16: Sustainable Design

Saved Local Plan Policies – 2011

Policy GP2: Landscaping

Policy E6: Biodiversity

Policy T5: Parking Facilities

Policy LR10: Tourism and Visitor Facilities and Attractions

Harborough Magna Parish Plan – June 2007

Harborough Magna Village Design Statement – March 2015

Determining Considerations

The main considerations in the determination of this application are the principle of development, design and character and the impact the proposal will have on the Green Belt, biodiversity and highway safety.

Principle of Development

Policy CS1 of the Core Strategy states that the location and scale of development must comply with the settlement hierarchy and it must be demonstrated that the most sustainable locations have been considered ahead of those further down the hierarchy.

The application site is location with the Green Belt of Rugby Borough as defined in Policy CS1 of the Core Strategy. As such; new development will be resisted in these locations and only where national policy on Green Belt locations allows will development be permitted. Therefore the proposal needs to be assessed against Section 13 of the NPPF which states that development within the Green Belt should be considered inappropriate unless it meets certain exceptions. In this instance the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation provided that it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.

Similarly Section 6 of the NPPF states that Local Planning Authorities should support economic growth in rural areas through sustainable rural tourism and leisure developments which respect the character of the countryside. This is further supported by Saved Local Plan Policy LR10 states that development maybe considered acceptable outside of the Urban Area provided it is appropriate to its countryside location. It further states that development which diversifies farming, to enhance the vitality and viability of rural communities which can include camping facilities as a type of facility likely to be considered appropriate to a rural location.

Policy CS2 of the Core Strategy states that where the views of a community are expressed within a Parish Plan they will be taken into account in the planning system. The Harborough Magna Parish Plan was adopted in June 2007 within this report there are no details which would raise any issues with the provision of glamping tents for leisure facilities within the Parish.

As the application seeks the change of use to agricultural land to create a facility to provide family leisure breaks through the provision of glamping tents the proposal complies with the requirements of the NPPF through the provision of outdoor recreation and through the promotion of rural tourism. This application is considered to be acceptable in principle subject to all planning matters being appropriately addressed.

This application is therefore considered to be in accordance with Section 6 and 13 of the NPPF; Policy CS1 of the Core Strategy and Saved Local Plan Policy LR10.

Design and Character/Impact on Openness

Policy CS16 of the Core Strategy seeks development which demonstrates high quality, inclusive and sustainable design which is of a scale, density and design that would not cause material harm to the qualities, character and amenity of the area. Similarly Section 12 of the NPPF seeks proposals which are sympathetic to local character [...] including surrounding environment and landscape setting.

The proposal would be sited within close proximity to the existing farm buildings and would be located approximately 560 metres, as the crow flies, from Pailton Road and as such would not have an adverse impact on the character and appearance on the street scene.

Whilst the proposal by virtue of adding structures to the open countryside would have some impact in the openness of the Green Belt given that each unit would have a cubic volume of 220 cubic metres equating to a total of 1320 cubic metres. Given the small scale of the glamping units it is not considered that they would result in a material harm to the openness of the Green Belt.

The glamping tents would be constructed from a solid wooden frame with industrial strength ratchets to ensure full protection within the structure which is covered by an inner canvas tent which hangs from the frame and contains a heavy duty olive green material roofing. The inner canvas tent comes in a variety of different colours, however, given its rural location the desert shade is considered more appropriate. This will allow the proposal to blend seamlessly into the natural environment.

This application is therefore considered to be in accordance with Section 12 of the NPPF and Policy CS16 of the Core Strategy.

Impact on Residential Amenity

Policy CS16 also states that development will ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The nearest residential dwellings are sited at least 220 metres away from the application site and as such it is considered that there will be no impacts on the residential amenity neighbouring properties.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy.

Impact on the Environment and Biodiversity

Saved Policy E6 of the Local Plan states that the Borough Council will seek to safeguard, maintain and enhance features of ecological importance, in particular priority habitats and species of conservation concern. Section 15 of the NPPF also states that new development should recognise the intrinsic character and appearance of the countryside.

Rugby Borough Council (Arboriculture Officer) has confirmed that in the Landscape Assessment of the Borough of Rugby (Sensitivity and Condition Study) the application site is contained within Landscape character type "High Cross Plateau, Open Plateau" an area which is sparsely populated by wide rolling ridges and valleys which has high landscape sensitivity with "little opportunity to mitigate impact". However, the topography of the gently undulating land and existing vegetation means the site (and proposed glamping units) will be well screened from public view with only partial, long reaching views from specific and very limited viewpoints (e.g. Cord Lane and the footpath crossing the agricultural land to the south). The footpath to the south west there will be partial views of the top of the units against a backdrop of the existing agricultural unit. Cord Lane to the North West is approximately 600m away and is raised above the application site. The existing agricultural hedgerow provides almost complete screening with the exception of a 7m gap where long reaching but limited views of the site are available.

Along the south western boundary is species rich native hedgerow ranging in height from 2.5 to 6m in height and interspersed with early mature Horse Chestnut trees located at approximately 10 metre spacings which will develop and get larger. Similarly the north western boundary also has a species rich native hedgerow interspersed with early mature Horse Chestnut and also mature Oak/Ash. To the south there is an existing spinney surrounding a pond which provides additional screening. There are no views from the B4112 Harborough Magna to Pailton Road. Similarly, there are no views into the site from the public footpath to the east. Given the low intensity proposed usage of the site and existing vegetation/tree cover (and proposed orchard planting) and surrounding topography there will be no negative impact upon the surrounding landscape character.

Warwickshire County Council (Ecology) have confirmed that the site has no specific nature conservation designation, and there are no records of protected species within the application site. As such there are no objections to the proposal subject to appropriate informatives being attached to any permission.

This application is therefore considered to be in accordance with Section 15 of the NPPF and Saved Local Plan Policy E6.

Conclusion

The proposal 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. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and the Core Strategy and is therefore recommended for approval subject to conditions.

Report prepared by: Jo Orton, Senior Planning Officer

DRAFT DECISION

APPLICATION NUMBER

R18/0764

DATE VALID

26/06/2018

ADDRESS OF DEVELOPMENT

HOME FARM
PAILTON ROAD
HARBOROUGH MAGNA
RUGBY
CV23 0HG

APPLICANT/AGENT

Nigel Brotherton
Howkins & Harrison
7-11 Albert Street
Rugby
Warwickshire
CV21 2RX
On behalf of Mold and Clarke

APPLICATION DESCRIPTION

Change of use of land to provide six glamping tents, car park and associated works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON: 1

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

CONDITION: 2

The development shall not be carried out other than in accordance with the plan numbers HF/1/A; HF/2/A; HF3; and HF/3/A received by the Local Planning Authority on 26 June 2018.

REASON: 2

For the avoidance of doubt.

CONDITION: 3

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Local Planning Authority on 26 June 2018 and on plan HF3 received by the Local Planning Authority on 26 June 2018.

REASON: 3

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

CONDITION: 4

All orchard planting as detailed within the approved plans and particulars must be planted in the 1st planting season following completion of development. If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree 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: 4

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

CONDITION: 5

A scheme of works for the storage and disposal of liquid and solid waste shall be submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development. Foul waste shall then be stored and disposed of in accordance with the approved scheme thereafter.

REASON: 5

To ensure that waste is disposed of in an acceptable manner and to prevent pollution of ground water.

CONDITION: 6

Full details of the siting, design and materials of any additional bin stores required shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be provided, in accordance with the approved details before the commencement of the scheme and presented in a place suitable to withstand a minimum of a 26 tonne vehicle.

REASON: 6

In the interest of visual and residential amenity.

CONDITION: 7

Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall only be occupied and used for purposes linked to the operational use for leisure breaks and for no other purpose.

REASON: 7

To ensure the proper development of the 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.

INFORMATIVE: 1

The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition)– Drainage and Waste Disposal.

INFORMATIVE: 2

The development meets compliance with Approved Document B, Volume 2, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc regarding this can be found at www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning

Where compliance cannot be met, please provide details of alternative measures you intend to put in place.

Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.

INFORMATIVE: 3

Warwickshire Fire and Rescue Authority fully endorse and support the fitting of Sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

INFORMATIVE: 4

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

INFORMATIVE: 5

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: 6

If mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to works commencing. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2017, the latter of which deems them a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. In considering planning applications that may affect European Protected Species, the Local Authority is bound by the Conservation of Habitats and Species Regulations 2017 to have regard to the Habitats Directive when exercising their functions.

INFORMATIVE: 7

Lighting can have a harmful effect on bats impacting on their use of a roost and also their commuting routes and foraging areas. Light falling on a roost access point is likely to delay bats from emerging, which can be especially damaging around dusk as that is when there is a peak in the number of insects. In the worst case scenario, it can cause the bats to desert the roost. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), the latter of which deems them a European Protected Species. Bats, birds and other nocturnal animals should always be taken into account when lighting is being considered. It is respectfully advised that lighting is kept to a minimum around the roof area and is limited to illuminating the ground and not any possible access points or foraging corridor. For further advice on this please contact the WCC Ecological Services on 01926 418060.

INFORMATIVE: 8

In view of the suitable hedgerow habitat to the boundaries, 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 2010.

INFORMATIVE: 9

Consideration should be given to the provision of suitable bat and bird boxes within the new build or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to loss of roost, nest and foraging sites as a result of development. However a variety of bat and bird species use boxes and they can be particularly useful in the built environment, where natural nesting places can be scarce. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use.

INFORMATIVE: 10

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

INFORMATIVE: 11

Public footpath R89 must remain open and unobstructed at all times

INFORMATIVE: 12

Back Lane must not be used at anytime of vehicular access and egress.

Reference number: R18/0929

Site address: 5 Somers Road, New Bilton, CV22 7DB

Description: Change of use from B2 to B1 (offices) and part D2 (martial arts)

Case Officer Name & Number: Frances Keenan – 01788-533 845

Introduction:

This application is being reported to Planning Committee, as this proposal is a departure from the Rugby Borough Core Strategy.

Site and Surrounding Areas:

The application site is located on Somers Road Industrial Estate, New Bilton. The property is a detached B2 industrial unit with office provisions over two floors, the gross internal floor area measures as 835.68 sq. metres (8,994 sq. ft.).

Proposal:

This application seeks full planning permission for the change of use from B2 to B1 (offices) and part D2 (martial arts).

Planning History:

E2E 105	Extension of existing factory Withdrawn 29/04/2009
R95/0241	Change of use from warehouse to Switch Centre with associated offices and stores Withdrawn – 19/04/1995
R95/0241	Change of use from warehouse to Switch Centre with associated offices and stores Withdrawn - 06/02/1995
R88/0781	Erection of warehouse extension with display area, office and store <i>Conditional Full Permission 31/08/1988</i>
R81/1567	Use of existing warehouse and showroom for retail sale of furniture and household effects Refusal – 23/03/1982

Technical Responses:

No objections have been received from:

- Environment Agency (Midlands Central)
- Warwickshire County Council Ecology Unit

Comments received from;

- Environmental Health Department (Rugby BC) - No objection, subject to a condition and an informative
- Warwickshire County Council Highways Department;

First Consultation – Objection, based on insufficient information

- ‘Echelon’ bays as currently presented have a width significantly less than 2.5 metres, and effective length less than 5.0 metres taking into account their irregular shape.

- Concerns regarding suitable manoeuvring space for vehicles to adequately access and egress all of the bays, particularly the echelon bays along the front elevation of the building.
- Unclear block plan regarding tarmacking the existing grass verge and how this will integrate into the existing paved surface.
- Submission of a 'Swept path analysis' - including identification of refuse vehicles
- Concerns regarding the location of the proposed disabled parking bay west of the site
- Identification is needed regarding waste storage and collection, to prevent this impacting car parking and manoeuvring

Second Consultation – No objection

The Highway Authority has no objection to the revised planning application subject to conditions

Third Party Responses

Neighbours notified, site notice has been posted and press notice published. No letters of representation have been received.

Relevant Planning Policy and Guidance

National Planning Policy Framework – 2018

Town and Country Planning (Use Classes) Order 1987

Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

The Main Modifications to the Submission Local Plan have been agreed with the Inspector, subjected to Sustainability Appraisal and Habitats Regulation Assessments, and published for consultation. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration.

Core Strategy - 2011

Policy CS1: Development Strategy

Policy CS16: Sustainable Design

Policy CS18: Portfolio of Employment Land

Emerging Local Plan (2011-2031)

Policy GP2: Settlement Hierarchy

Policy SDC1: Sustainable Design.

Policy ED1: Protection of Rugby's Employment Land

Saved Local Plan Policies - 2011

Saved Policy ED5: Retention of existing strategically significant employment sites

Policy T5: Parking Facilities

Supplementary Planning Documents

Sustainable Design and Construction – 2012

Determining Considerations

The main considerations in respect of this application are the principle of development, character and design, impact on neighbouring properties and highway safety.

Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy. Policy GP2 of the emerging new Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.

The application site is located within the Rugby Urban Area as defined in Policy CS1 of the Core Strategy; as such there is a principle in favour of development subject to all planning matters being appropriately addressed.

This application is therefore considered to comply with Policy CS1 of the Core Strategy and the emerging new Local Plan Policy GP2.

Employment Land

Policy CS18 states that Economic Development employment uses are considered to be Classes B1, B2 and B8 as defined in the Town and Country Planning (Use Classes) Order 1987, as amended. Other non B use classes will be permitted where it is demonstrated that a suitable contribution to the local economy is made and it is demonstrated that no suitable alternative sites are available. Policy ED1 of the emerging new Local Plan reiterates very much the same ideas as Policy CS18.

As written in the Supporting Document “Cover Letter” provided by the applicant, it further details how Business Mastery Success LTD and G Force Martial Arts contribute to the local economy and how other sites, plus their current site on Wood Street are not suitable, due to their desire to combine both business on one premises.

There current premises on Wood Street is also considered unsuitable for their expansion plans due to the Xercise4Less business running from the Unit next door. This has created a large increase of traffic in the area, restricting parking and affecting the safety of their members. Double yellow lines where installed on Wood Street to alleviate daytime traffic issues but has subsequently cause restrictions in the evening when the majority of their members attend martial arts classes. The new location of 5 Somers Road will offer members a safer environment when using the facilities of G Force Martial Arts.

Both businesses; G Force Martial Arts and Business Mastery Success LTD currently employ a total of 19 permanent staff, plus 6 casual instructors for the G Force Martial Arts, providing employment opportunities for the local residents of Rugby. This is something the applicant is also hoping will grow with the additional space the premises on Somers Road will offer. G Force Martial Arts also hold international events and their Fight Squad has represented Rugby nationally and worldwide. Five events per year are held in Rugby in connection with the World Martial Arts Organisation bringing visitors and economic benefits to the area. They also hold bi-monthly training and development causes in connection to Business Mastery Success LTD, bringing more people to the Rugby local area.

Somers Road is a strategically significant employment site. Local Plan (2006) Policy ED5 states that uses other than B1, B2 or B8 should not be permitted in Somers Road Industrial Estate. Core

Strategy Policy CS18 does support non B class uses where a suitable contribution to the local economy is made, evidence has been provided which indicates that a contribution will be made.

B1a and D2 uses should be directed to the town centre in the first instance. No information was initially provided to satisfy the sequential test as set out in paragraph 86 of the NPPF as highlighted by Development Strategy. This was later corrected and the applicant submitted additional supporting information illustrating the lack of Units within the Rugby area to meet this size and use class requirements for his businesses. Estate agent details online note that there is a lack of light industrial units with the office and open space provision for both aspects of their businesses available in Rugby Town Centre and surrounding locations. One Unit available for rent on Howkins and Harrisons website was located on Valley Drive. Similar to Somers Road, Valley Drive is located on Glebe Farm Industrial Estate 1 ½ miles from the town centre and is a designated significant employment site for B1, B2 and B8 uses. If this Unit was chosen it would face the same issues regarding the D2 change of use that Somers Road has. In summary this sequential test demonstrates not only a lack of properties in the town centre with the correct size requirements but also a lack of sites available for conversion into D2.

Marketing:

As written in the Supporting Documents and Marketing Information George & Company have marketed the application property since Mid-February 2017 and Loveitts have marketed it since Feb 2018. There has been a total of 11 viewings, none of which have resulted in a tenancy.

Viewings:

- 2 x March 2017
- 2 x April 2017
- 1 x May 2017
- 1 x August 2017
- 2 x November 2017
- 1 x February 2018
- 1 x March 2018
- 1 x April 2018

It is the opinion of George & Company that the lack of interest in the property is probably due to the non-conventional layout of the property and the current demand for freehold property over leasehold. Since it was first put on the market back in February 2017, the application property has reduced in price from £42,500 per annum to £36,000 per annum.

Overall under the headings of *Employment Land, Development Strategy and Marketing* evidence has been provided to demonstrate that the two businesses in question will contribute to the local economy and no other suitable alternative sites are available within the Rugby town centre or surrounding area. 5 Somers Road has also been vacant since February 2017 without any other interested parties.

This application is therefore considered to be in accordance with Policy CS18 of the Core Strategy, the emerging new Local Plan Policy ED1 and Paragraph 86 of the National Planning Policy Framework (2018) as sufficient evidence and justification has been provided.

Character and Design

Policy CS16 states that development should be of a scale, density and design that would not cause any material harm to the character and amenity of the surrounding area. Policy SDC1 of the emerging new Local Plan supports the same principles as Policy CS16, stating that all developments should aim to add to the overall quality of the areas in which they are situated.

The property is a detached industrial unit with office provision over two floors and a large open space area to the rear of the property. The unit is constructed of steel portal frame with a sheet clad façade, plastic coated steel sheets and a felt roof, all of which is to be maintained. The only alteration to the building is the removal of the canopy area to the front elevation and metal fencing/gates to the side elevations, which will create a more uniform appearance and usable area for parking. There is also the addition of a low level brick wall to the boundary with the footpath to prevent vehicles manoeuvring onto the footpath and endangering the public.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy and the emerging new Local Plan Policy SDC1.

Impact on Residential Amenity

Policy CS16 also states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded, which is again reiterated in the emerging new Local Plan Policy SDC1.

The nearest neighbouring properties to the application site are No.3d, No.7 and No.6 Somers Road;

No.3d Eden Tyre & Servicing t/a Runabout Autocentre is located to the East of the application property, with a separation distance approximately 9.0 metres. The majority of their work is conducted on the East side elevation, where their car servicing area is located. Thus, it is considered that the proposal is not to have a detrimental impact upon the amenity of this occupant.

No.6 Modern Plant Hire Ltd is located to the North of the application property, with a separation distance of over 27.0 metres with a highway in between. Although the application site is clearly visible, the proposal is not considered to have a detrimental impact on the amenity of this neighbour.

No.7 Plumb Center is located to the West of the application property, with a separation distance of approximately 6.0 metres. No.7 has their own parking provision for seven customers and a separate drop-off/loading bay for deliveries. The business operates between the hours of 7:30am – 5:00pm (Monday-Friday) and 8:00am – 12:00pm (Saturday). The majority of the vehicle movement for the proposal will be associated with the D2 use of the building which will have limited impact on this neighbour due to their operating hours. Thus, this proposal is not considered to have a detrimental impact on the amenity of this neighbour.

A further 17 neighbours were consulted on the proposal and overall it is not considered to cause any detrimental impact on their operating functions.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy and the emerging new Local Plan Policy SDC1

Highway Safety

Saved Local Plan Policy T5 states that permission will only be granted for development incorporating satisfactory parking facilities are incorporated.

The B2 aspect of the business will run during normal working hours (8:00am/9:00am – 4:00pm) following suit of other business on the street. The D2 G Force Martial Arts part of the business will operate as follows:

- Mondays to Fridays: 4.30pm - 8.30pm; and
- Saturday and Sundays: 9:00am – 12:00noon.

The applicant has identified there will be a 15 minute gap between evening Martial Arts sessions, to allow the movement of vehicles in the parking area. The G Force Martial Arts business will run outside normal operating hours, evenings and weekends and will therefore cause little disruption to neighbouring business and traffic on a normally busy industrial road. The addition of a drop off/pick up area, along with 22 parking spaces should also assist with easing any traffic problems and the health and safety of their customers

Warwickshire County Council Highways initially raised objections towards the proposal based on;

- Size of parking bays
- Parking layout design
- Manoeuvring
- Location of disabled parking bays
- Storage of waste bins on site

After the second consultation and the submission of a swept path analysis, parking front wall elevation and parking supporting statement the Highway Authority has no objection to the revised planning application subject to conditions. Conditions including the marking out of the car park as presented in the swept path analysis and the maintenance of a wall between the vehicular manoeuvring area and public highway footway in the interests of highway safety.

Appendix 2 of Planning Obligations highlights that RBC seeks well designed solutions to all parking provision that will accommodate the likely level of car ownership in any given area and reduce the level of on street parking.

The proposal is for B1 (Offices) and D2 (Leisure Centres and Other Sports Facilities). The B1 low access parking standards requirements are for 1 space / 30 sq. metres. The D2 low access parking standards requirements are 1 space / 3 staff and 1 space / 30 sq. metres of playing area.

- First floor office space B1; 127.2 sq. metres
- Ground floor office space B1; 310.08 sq. metres
- Total B1 space; 438 sq. metres
- Total D2 space; 381.6 sq. metres

B1 maximum requirements = 15 spaces

D2 maximum requirements = 13 spaces

As shown on the Swept Path Analysis there is parking allocation for 22 spaces which meets both the B1 and D2 parking standard requirements. As highlighted in the Parking Additional Information and the Cover Letter documents there will be 16 permanent staff for the B1 aspect of the business and there has been 10 parking spaces allocated for their use specifically (due to current staff member's car sharing, walking to work).

In regards to the D2 aspect of business there are 3 permanent employees (2 administrators and 1 Instructor) and 6 casual instructors. The D2 business therefore is only required to have 3 spaces for the maximum of 9 members of staff on site, which is significantly smaller than what is available. The B1 business closing at 16:00 and the D2 business opening at 16:30 (along with the 15 minute gap between classes), will also allow all 22 spaces to be accessible for the permanent staff and customers using the facility.

It is also worth noting that G Force Martial Arts is currently located on Wood Street, Rugby where there is only 5 parking spaces available. Since the opening of Xercise4Less on Wood Street

parking has also become restricted due to the double yellow lines painted outside. Xercise4Less' car park is also for gym members only, not allowing any overflow for G Force's members or staff.

This application is therefore considered to be in accordance with Planning Obligations (2012) in terms of parking.

Environmental Health Department (Rugby BC)

RBC's Environmental Health Department have recommended that a noise condition and a no training in external spaces informative is attached to any permission granted. Following their report, they did discuss issues surrounding internal sound insulation and hours of operation but decided against conditioning these due to the premises being a single use operator and the uses of the neighbouring properties.

Conclusion

The proposal is considered to respect the scale and character of the surrounding business, it would not adversely affect the amenities of the occupiers of neighbouring properties and would not impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and Core Strategy. The proposal conflicts with the Saved Local Plan Policy ED5 and the emerging new Local Plan Policy ED1, however there has been sufficient evidence provided that this proposal is considered sustainable development. Therefore this application is recommended for approval subject to conditions and informatives.

Report prepared by: Frances Keenan, Planning Officer

DRAFT DECISION

APPLICATION NUMBER

R18/0929

DATE VALID

28/06/2018

ADDRESS OF DEVELOPMENT

5 SOMERS ROAD
NEW BILTON
RUGBY
CV22 7DB

APPLICANT/AGENT

Gordon Burcham
109 Lawford Road
New Bilton
Rugby
Warwickshire
CV21 2HP

APPLICATION DESCRIPTION

Change of use from B2 to B1 (offices) and part D2 (martial arts)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

The development shall not be carried out other than in accordance with the plans; [Site location plan, Front elevation photos, Ordnance survey plan, First floor proposed plans and block plan] received by the Local Planning Authority on [28/06/2018]. [Ground floor existing floor plan/ received by the Local Planning Authority on [29/06/2018]. Amended plans [ground floor proposed floor plans] received by the Local Planning Authority on [29/06/2018]. [Swept Path Analysis, Parking front elevation photo and parking additional information] received by the Local Planning Authority on [18/07/2018]

REASON:

For the avoidance of doubt.

CONDITION: 3

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the building, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to such plant being installed. Equipment shall then be installed in accordance with the approved details.

REASON:

In the interests of the amenities of neighbouring properties.

CONDITION: 4

The development shall not be first occupied until space has been provided and marked out within the site for the parking and manoeuvring of cars in accordance with drawing number 1648-001. These spaces plus manoeuvring areas shall then be permanently retained for the parking of vehicles plus associated turning.

REASON:

In the interest of highway safety.

CONDITION: 5

The development shall not be occupied until a wall has been constructed at the front boundary of the application site with a height not greater than 0.6 metres above the level of the public highway carriageway,

in general accordance with the Parking Front Wall Elevation drawing received by the Local Planning Authority on 18th July 2018. The wall shall thereafter be maintained in this position at all times that the site is in use.

REASON:

In the interest of highway safety.

INFORMATIVE: 1

The applicant is advised that in order to minimise any adverse impact to the amenity of neighbouring properties, no training sessions should take place in the external areas of the premises.

INFORMATIVE: 2

The applicant is advised that separate advertisement consent may be required from the Local Planning Authority for signage

STATEMENT OF POSITIVE ENGAGEMENT:

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

Reference number: R18/0843

Site address: 19 Hillmorton Road, Rugby, CV22 5DF

Description: Proposed alterations to driveway/access with replacement of front wall and removal of Beech Tree on Hillmorton Road frontage all to facilitate safe access to the property.

Case Officer Name & Number: Lucy Davison 01788 533 696

Proposal Description

Planning permission is sought for the proposed alterations to driveway/access with replacement of front wall and removal of Beech Tree on Hillmorton Road frontage. The proposal includes the removal of Beech Tree TPO reference TR4.276-T1-Beech with a new Beech Tree to be planted and area forward of the front elevation of the dwelling landscaped. This is an alteration to the initial proposal of parking at the front. The front wall is proposed to be rebuilt on the existing line with diaper brick pattern work 9 courses high in blue bricks with cross and diamond work, the inner wall is proposed to be removed.

Site Description

The property is a two storey detached property believed to date back to the 19th Century. The property sits within the Rugby School Conservation Area along one of the key routes into Rugby. There are listed buildings both adjacent to the property and within the immediate vicinity and the presence of a mature tree in the front garden which is protected by a Tree Preservation Order (TPO). Of note is that the property is also highly visible along Horton Crescent on the approach to Hillmorton Road.

The property is accessed off Hillmorton Road via a side drive which leads into the rear garden. The walled front garden and character of the property itself are considered to make a significant contribution to the conservation area by virtue of their aesthetic and historical value.

Relevant Planning History

APP. NO	DEVELOPMENT	Planning		REMARKS
		Dec	Date	
R06/1609/TCA	Reduce crown of Copper Beech tree.	A	26.09.2006	
R10/0362	Pruning of Beech tree	A	13.05.2010	
R15/2537	Erection of two storey rear extension, two storey coach house and associated works	R	07.04.2016	Refused
R16/0896	Erection of single storey rear extension and associated works to existing dwelling to include erection of new parapet wall to side elevation, demolition of garage and erection of two storey annex in rear garden with associated turning area (re-submission of planning application reference R15-2537)	A	31.10.2016	COND
R16/0778	Proposed partial demolition of inner boundary wall to front elevation to facilitate access to additional hardstanding to create parking/turning area to front elevation, erection of replacement front and inner boundary wall, removal of Lime tree to side elevation and associated landscaping	R	28.11.2016	Refused

R16/2461	Proposed repositioning of vehicular access to include demolition of existing front wall and its replacement with low wall, gates and railings, extension to existing dropped kerb and removal of protected beech tree to front elevation and removal of protected lime tree to side elevation (re-submission of previously refused planning application R16/0778)	R	13.01.2017	Refused
R17/0033	Demolition and reconstruction of boundary wall to Eastern elevation with alterations to previously approved single storey rear extension (partial re-submission of R16/0896- Erection of single storey rear extension and associated works to existing dwelling to include erection of new parapet wall to side elevation, demolition of garage and erection of two storey annex in rear garden with associated turning area)	A	22.02.2017	COND
R17/0652	Erection of three car garage to rear after demolition of existing garage.	A	13.06.2017	
R17/1822	Erection of three car garage to rear after demolition of existing garage (amendments to planning permission reference R17/0652)	A	29.11.2017	
R18/1233	Retrospective application for three-car garage with loft space	A	20.08.2018	

Technical Consultation Responses

WCC Ecology	No objection subject to condition and informatives
WCC Highways	No objection
Tree Preservation Officer	No objection subject to condition

Third Party Responses

Councillor Roodhouse called in the application for determination by committee due to the importance of the Conservation area and the impact the proposal may have on this.

Neighbours notified and six letters of representation have been received. One presenting comments on the proposal and five raising objections. The representations raised the following:

- 1) Parking issues addressed at rear of property, parking at the front would impact on character of Conservation area
- 2) Pleased the wall will be upgraded from present state
- 3) Objection to the removal of the tree and existing front wall
- 4) Adverse impact on the setting of surrounding listed buildings and the character of the conservation area

Relevant Planning Policies and Guidance

National Planning Policy Framework (NPPF)
Part 12 Achieving well-designed places

Core Strategy
CS16 Sustainable Design

Saved Local Plan Policies
E6 Biodiversity
T5 Parking Facilities

Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

The Main Modifications to the Submission Local Plan have been agreed with the Inspector, subjected to Sustainability Appraisal and Habitats Regulation Assessments, and published for consultation.

In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration, alongside the adopted 2011 Core Strategy, and the NPPF.

Rugby Borough Council Local Plan 2011-2031 (proposed policies)

Policy SDC1 Sustainable Design

Policy SDC3 Protecting and enhancing the Historic Environment

Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets

Policy D2 Parking facilities

Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on:

- effect on the Conservation Area
- the qualities, character and amenity of the area,
- the amenity of neighbouring properties
- biodiversity

These factors will be discussed in more detail below.

Effect on the Conservation Area

A Conservation Area is defined by the Planning (Listed Buildings and Conservation Areas) Act 1990 as an 'area of special architectural or historic interest, the character of which it is desirable to preserve or enhance'.

The starting point for assessing an application in a Conservation Area is that "New development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings."

The Rugby School Conservation Area Appraisal identifies the property as an important non-listed building. In relation to the wider Conservation Area, the appraisal states that "Boundary treatment is a further important element to the Conservation Area. Removal of the historically and visually important brick walls would significantly affect the character. The loss of the mature trees would weaken the appearance of the area as would the loss of front gardens for car parking." P.35

Removing the walls and tree is a material change and as such is not conserving the Conservation Area. However the proposed addition of new wall and railings is not considered to have a detrimental impact on the Conservation Area. The walled front garden is considered to make a significant contribution to the conservation area by virtue of their aesthetic and historical value. As this is the case an amendment was sought to keep the front garden landscaped to prevent undermining the integrity of the Conservation Area.

The complete loss of the tree would be detrimental to the Conservation Area as it is a highly prominent amenity feature- with views from both directions along Hillmorton Road to a considerable distance, and views when exiting Horton Crescent. The removal of the tree is required for health and safety reasons due to a basal cavity and fibre buckling just above the cavity which a biomechanical sign of stress/decay. RBC Tree Preservation Officer has reviewed the report submitted and tree and stated that physiologically the tree is in good order and is an attractive specimen however due to the extent of the cavity they do not object to the removal of the tree on health and safety grounds. The tree has a very limited long term retention span. To maintain continuity of tree cover in the conservation area a replacement Beech tree of sufficient dimensions must be planted which would be conditioned in the case of approval.

Impact on the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. New Local Plan Policy SDC1 states that development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated. Section 12 of the NPPF require all development proposals to be of a high quality design.

The existing wall is modern in character and on Hillmorton Road there are examples of where the wall fronting a property does not coincide with the age of the main property. The proposed wall reflects the existing character of the Conservation Area and does not detract the value of the area.

Having made an assessment of the potential impacts of the proposal in relation to its scale, density and design, the proposal is considered to be compliant with Policy CS16 in relation to character and appearance and new local plan policy SDC1.

Impact on the amenity of neighbouring properties

Policy CS16 states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded. Policy SDC1 of the new local plan states that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. The potential impact on neighbouring amenity is only in relation to visual amenity, due to the nature of the proposal there is no impact in terms of overshadowing, overlooking etc.

Having made an assessment of the potential impacts from all elevations, the proposal is not considered to cause any material harm to the qualities, character and amenities of the area and is therefore compliant with Policy CS16 in terms of neighbouring amenity and new local plan Policy SDC1.

Impact on biodiversity

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. Policy NE1 states that The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity. In addition, Part 15 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity.

WCC Ecology has no objection to the proposal subject to condition and informatives. It is therefore considered that this proposal will not have an adverse impact on biodiversity.

Impact on parking

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Policy D2 of the new local plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development.

WCC Highways has no objection to the proposal. It is therefore considered that this proposal will not have an adverse impact on highway safety.

Conclusion

With regard to the above, it is considered that the overall proposal will comply with the NPPF, Policy CS16 of the Rugby Borough Core Strategy and Policies E6 and T5 of the Saved Local Plan and policies from the emerging local plan.

Recommendation:

Approve subject to appropriate conditions.

Report prepared by: Lucy Davison

DRAFT DECISION

APPLICATION NUMBER

R18/0843

DATE VALID

03/05/2018

ADDRESS OF DEVELOPMENT

19 HILLMORTON ROAD
RUGBY
CV22 5DF

APPLICANT/AGENT

Mr Richard Palmer
Hb Architects Limited
The Old Telephone Exchange 32-42
Albert Street
Rugby
Warwickshire
CV21 2SA
On behalf of Mr and Mrs Iain Ralston, Ralston
Developments Ltd

APPLICATION DESCRIPTION

Proposed alterations to driveway/access with replacement of front wall and removal of Beech Tree on Hillmorton Road frontage all to facilitate safe access to the property.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**CONDITION 1:**

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

REASON:

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

CONDITION 2:

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

- Application form
- 177-15-Site location plan
- 177-15-51A Existing site plan
- 177-15-50D Driveway Scheme
- "Aerial Tree Surveys for Bats" prepared by GB Ecology Limited

REASON:

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

CONDITION 3:

The replacement Beech tree detailed within drawing no. 177:15-HBA-DR-A-50 (Dated 17-4-19) must be planted in the 1st planting season following substantial completion of the altered access/driveway. If within a period of 10 years from the date of planting the tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON:

To maintain and enhance continuity of tree cover within the local conservation area.

CONDITION 4:

The removal of the tree hereby permitted shall be timetabled and carried out to wholly accord with the detailed measures for the safeguarding of bats as set out in the document "Aerial Tree Surveys for Bats" prepared by GB Ecology Limited and received by the Local Planning Authority on 2nd August 2018.

REASON:

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

CONDITION 5:

Prior to above ground works full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks must 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 details.

REASON:

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

CONDITION 6:

Prior to the felling of the protected beech tree a comprehensive hard and soft landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The approved hard and soft landscaping scheme shall be implemented no later than the first planting season following the removal of the existing protected beech tree and be retained in perpetuity.

REASON:

To ensure the proper development of the site, including appropriate landscaping in relation to the replacement of the protected beech tree and in the interest of visual amenity within the Conservation Area.

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.

INFORMATIVE 1:

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.

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 19th July 2018 to 8th August 2018

Name of Committee: Planning Committee

Date of Meeting: 12 September 2018

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 - 12 September 2018

Delegated Decisions - 19th July 2018 to 8th August 2018

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

1.1 BACKGROUND

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

Name of Meeting: Planning Committee

Date of Meeting: 12 September 2018

Subject Matter: Delegated Decisions - 19th July 2018 to 8th August 2018

Originating Department: Please select

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 FROM 19.07.2018 TO 08.08.2018

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R18/0848 Refused 27.07.2018</i>	89 Yates Avenue Newbold Rugby CV21 1DF	Proposed driveway and retaining wall to front garden.
<i>R18/1103 Refusal of Certificate of Lawful use or development 31.07.2018</i>	Alverno 7 Birdingbury Road Marton CV23 9RY	Certificate of lawful development proposed rear extension to existing detached garage to be incidental to the residential use of Alverno, 7 Birdingbury Road, Marton
<i>R18/0996 Refused 03.08.2018</i>	Apple Tree House 10 Oxford Road Marton Rugby CV23 9RT	Retention of a tree house.
<i>R18/1095 Refused 06.08.2018</i>	Willoughbrook London Road Willoughby CV23 8BL	Retrospective application for the erection of 1no. Dwellinghouse
Applications Approved		
<i>R18/0557 Approved 19.07.2018</i>	The Trossachs Parrotts Grove Shilton CV2 1NR	Erection of a commercial unit (Outline - Access Only)
<i>R18/1082 Approved 19.07.2018</i>	62 Fisher Avenue Rugby CV22 5HW	Demolition of existing rear conservatory and erection of a single storey rear extension
<i>R18/1063 Approved 19.07.2018</i>	Grove Farm Straight Mile Bourton on Dunsmore Rugby CV23 9QG	Erection of an agricultural building for the accommodation of sheep

<i>R18/0902 Approved 19.07.2018</i>	1 Regent Place Rugby CV21 2PJ	Use of ground floor for D1 (non-residential institution) use, change of use of first and second floor to class B1a (office) or for the provision of 3 no. residential apartments, including extension to roof, elevational changes and 2m wall to rear.
<i>R18/1083 Approved 19.07.2018</i>	8 Warren Road Rugby CV22 5LQ	Erection of two storey side and rear extension and single storey rear extension
<i>R18/0401 Approved 19.07.2018</i>	1 Pretorian Way Rugby CV21 1RN	Erection of industrial/warehouse building for use for purposes within Class B2 (General industrial).
<i>R18/0526 Approved 19.07.2018</i>	Land to North East of The Maverick and The Bungalow Bilton Fields Farm Lane Rugby CV22 6RU	Outline planning application for five dwellings and associated works, including layout and access.
<i>R18/0573 Approved 19.07.2018</i>	Land to the West of Brambles Barn and The Coach House Bilton Fields Farm Lane Rugby CV22 6RU	Outline planning application for four dwellings and associated works, including layout and access.
<i>R18/0729 Approved 20.07.2018</i>	45 Fareham Avenue Hillmorton Rugby CV22 5HS	Erection of a two storey side extension and single storey rear extension with alterations to the front porch
<i>R18/1110 Approved 23.07.2018</i>	21 Cave Close Cawston Rugby CV22 7GL	Erection of a double storey rear extension.
<i>R18/0769 Approved 23.07.2018</i>	16 Birdingbury Road Marton Rugby CV23 9RY	Conversion of existing garage to provide further living accommodation (W.C and Utility Room).
<i>R18/1130 Approved 23.07.2018</i>	3 Aqua Place Rugby Cv21 1by	Erection of a two storey rear extension.

<i>R18/0896 Approved 23.07.2018</i>	The Royal Bank Of Scotland Plc 17 Church Street Rugby CV21 3FB	The removal of existing signage and ATM machine along with external alterations to the building.
<i>R18/0977 Approved 23.07.2018</i>	40 Main Street Clifton upon Dunsmore Rugby CV23 0BH	Proposed change of use of part of existing ground floor of premises to a sports rehabilitation and massage therapy studio and provision of new frontage.
<i>R17/1726 Approved 23.07.2018</i>	Rugby West Indian Association St Peters Road Rugby CV21 3QP	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.
<i>R18/1066 Approved 23.07.2018</i>	45 Lower Lodge Avenue Rugby CV21 1NU	Erection of single storey front extension and garage conversion
<i>R18/0989 Approved 24.07.2018</i>	Tuckeys Farm Cathiron Lane Harborough Magna Rugby CV23 0JH	Demolition and extension of existing barn to residential dwelling (previously approved under R17/0177).
<i>R18/0826 Approved 25.07.2018</i>	142 Railway Terrace Rugby CV21 3HN	Conversion of a single dwelling into 2 flats
<i>R18/0951 Approved 25.07.2018</i>	Red Lion House 23 Main Street Wolston CV8 3HH	Erection of automated gates.
<i>R18/1051 Approved 25.07.2018</i>	49 Percival Road Rugby CV22 5JU	Erection of side porch
<i>R18/1042 Approved 26.07.2018</i>	23 Grange Road Newbold Rugby CV21 1EJ	Erection of a two storey side extension
<i>R18/0878 Approved 26.07.2018</i>	35 North Road Clifton upon Dunsmore CV23 0BN	Proposed two storey side extension (building on top of garage) and single storey rear extension, with a new lean-to pitched roof

		across the front of the house, and patio to the rear with steps down to the garden (Amended Plans - Re-submission of Planning Permission R18/0037)
<i>R18/1139 Approved 26.07.2018</i>	22 Park Road Rugby CV21 2QH	Demolition of existing garage and erection of new garage
<i>R18/1160 Approved 27.07.2018</i>	151 Rugby Road Binley Woods CV3 2AY	Extensions and alterations to dwelling.
<i>R18/0973 Approved 27.07.2018</i>	1 Smithhill Place Rugby CV23 0JF	Alterations to roof including the installation of two dormers and rooflight to the front elevation, three rooflights to the rear elevation and erection of a single storey rear extension to dwellinghouse
<i>R18/0376 Approved 27.07.2018</i>	198 Percival Road Rugby CV22 5JX	Erection of a two storey side and rear extension, single storey front side and rear extensions, and a detached single garage.
<i>R18/1171 Approved 30.07.2018</i>	111A-11B Clifton Road Rugby CV21 3QJ	Variation of Condition 2 of planning permission R15/2318 to allow for more convenient installation of the stairs and provide more space within the garage.
<i>R18/1158 Approved 30.07.2018</i>	Land at Gypsy Lane Gypsy Lane Hinckley LE10 3HQ	New stables and menage (variation of condition 2 of planning permission ref: R16/0951 to alter the position of the building) (retrospective).
<i>R18/0271 Approved 30.07.2018</i>	Clifton Mill Farm Station Road Clifton upon Dunsmore CV23 0BU	New roof and extension to outbuilding
<i>R18/0052 Approved 30.07.2018</i>	2 Fog Cottages Smeaton Lane Stretton under Fosse Rugby CV23 0PS	Retention of bridge over brook connecting the main highway and dwelling
<i>R18/0596 Approved 30.07.2018</i>	Land adjacent to Stockton Road Birdingbury Rugby CV23 8EF	Erection of a lean-to store extension to the side of the existing building, to be used incidentally to the main building.

<i>R18/1176 Approved 30.07.2018</i>	68 Magnet Lane Bilton Rugby CV22 7NJ	Erection of a single-storey rear extension, porch extension and single-storey outbuilding to the bottom of the garden
<i>R18/1180 Approved 31.07.2018</i>	34 May Lane Bilton Rugby CV22 7HE	Rear single storey extension to the lounge and a garage conversion
<i>R18/0209 Approved 31.07.2018</i>	Mill Road Car wash Mill Road Rugby CV21 1BA	Relocation of the existing hand car wash and veleting service including the associated container and canopy, previously granted planning permission under ref. no. R11/0013 on 14th April 2011 for the continuation of use of part of the existing car park as a hand car wash and car valeting service, including retention of associated storage container and a canopy.
<i>R18/0811 Approved 31.07.2018</i>	9 Larch Close Bilton Rugby CV22 7PJ	Erection of a two storey side extension
<i>R18/1061 Approved 31.07.2018</i>	55 Avondale Road Brandon CV8 3HS	Demolition of an existing outbuilding and conversion and extension to the existing detached garage to form a detached bungalow (Amendment to a previously approved scheme under R17/1900 for the demolition of an existing outbuilding and conversion and extension to the existing detached garage to form a detached bungalow granted 21st February 2018)
<i>R17/0968 Approved 31.07.2018</i>	Valley View Vicarage Hill Clifton Upon Dunsmore Rugby CV23 0DG	Proposed balcony on top of existing single storey rear flat roof
<i>R15/0605 Approved 31.07.2018</i>	A One Club A One Social Club 1A Market Street Rugby CV21 3HG	Outline planning permission for the partial demolition, conversion and extension of the existing social club to form 7 flats and the erection of 5 new dwelling houses, together with the formation of car parking and associated works (all matter with the exception of layout reserved)
<i>R18/1084</i>	Land to the North of	Outline planning application for three dwellings

<i>Approved</i> 01.08.2018	Farmhouse Apartments Bilton Fields Farm Lane Rugby CV22 6RU	and associated works, including layout and access.
<i>R18/1013</i> <i>Approved</i> 01.08.2018	Building adjacent to 91 Heath Lane Brinklow Rugby CV23 0NX	Conversion of the detached garage building to a separate studio flat.
<i>R18/0653</i> <i>Approved</i> 01.08.2018	1 Manor Farm Cottages Flecknoe Village Road Flecknoe Rugby CV23 8AT	Erection of a timber garden store.
<i>R18/0713</i> <i>Approved</i> 02.08.2018	22 Longrood Road Bilton Rugby CV22 7RG	Erection of a single storey side extension
<i>R18/0976</i> <i>Approved</i> 03.08.2018	220 Rugby Road Binley Woods CV3 2BD	Proposed new dwelling to the rear of 220 Rugby Road, with access on to Ashdale Close.
<i>R17/1567</i> <i>Approved</i> 03.08.2018	21 Mill Road Rugby CV21 1BB	Erection of a building providing 9 self-contained apartments (six no. one-bed and three no. two-bed) with associated access, car parking and landscaping.
<i>R18/1105</i> <i>Approved</i> 03.08.2018	2 Monarch Close Old Brownsover Rugby CV21 1NX	Erection of an attached double garage to the side of the property.
<i>R18/0368</i> <i>Approved</i> 03.08.2018	40 Wheatfield Road Bilton Rugby CV22 7LN	Erection of a first floor side extension and re-roofing existing property.
<i>R18/1206</i> <i>Approved</i> 06.08.2018	Kingfishers Rest Draycote Water Kites Hardwick Rugby CV23 8AB	Erection of a porch
<i>R18/0987</i> <i>Approved</i>	22 Langton Road Rugby	Proposed 2 storey side extension and part two storey part single storey rear extension to

06.08.2018	CV21 3UA	dwelling
<i>R18/0880 Approved 07.08.2018</i>	5 Frobisher Road Bilton Rugby CV22 7HU	Erection of front dormer and enlargement to rear dormer.
<i>R18/0452 Approved 07.08.2018</i>	Rear of 1 and 1a Gladstone Street New Bilton Rugby CV21 2JP	Erection of a two storey attached building comprising 2no.residential flats, and associated works.
<i>R18/1102 Approved 08.08.2018</i>	Brickhill Farm Birdingbury Road Leamington Hastings Rugby CV23 8DY	Conversion of brick built stables to residential dwelling including new pitched roof and single storey extension.
<i>R18/1217 Approved 08.08.2018</i>	The Meadow Hayway Lane Rugby CV23 8HH	Provision of a porch to the front/side elevation of the property.
Temporary Planning Permission		
<i>R18/0443 Temporary planning permission 20.07.2018</i>	Jaguar Land Rover Property Unit DC1 (Unit 5) Imperial Road Ryton on Dunsmore CV8 3LF	Installation of a paint spray and prep booths building
Listed Building Consent		
<i>R18/0649 Listed Building Consent 20.07.2018</i>	Red Rose Cottage 26 Southam Road Dunchurch Rugby CV22 6NL	Listed Building Consent for widening of the existing fireplace in the sitting room.
<i>R18/0480 Listed Building Consent 27.07.2018</i>	62 Oxford Road Marton Rugby CV23 9RG	Listed Building Consent for a replacement window and repairs to the single storey front extension roof.
Prior Approval Applications		

R18/1172 <i>Prior approval not required</i> 07.08.2018	16 Lyndhurst Road Rugby CV21 4HL	Prior Approval application for a single storey rear extension projecting 3.94 metres from the original rear elevation of the dwelling, 2.25 metres to the eaves with a maximum height to the peak of the roof of 3.70 metres.
Certificate of Lawful Use or Development		
R18/1152 <i>Certificate of Lawful Use or Development</i> 20.07.2018	40 Lindale Brownsover Rugby CV21 1PH	Certificate of Lawfulness for Proposed Development - Erection of a single storey rear extension
Prior Notification		
R18/1124 <i>Prior Notification of proposed demolition</i> 23.07.2018	Former Riverside Cantonese 424 London Road Stretton on Dunsmore Rugby CV23 9HN	Prior approval for the demolition of the former Goji Restaurant, outbuildings and hardstanding's.
Approval of Details/ Materials		
R15/1702 <i>Approval of Details</i> 23.07.2018	Land at Wharf Farm Crick Road Hillmorton Rugby	A Hybrid Planning Application consisting of: 1/ Outline planning permission for the erection of up to 380 new homes including a new access from A428 Crick Road; a spine road from Crick Road to northern boundary of the site; a local centre; associated infrastructure including storm water balancing arrangements on land between Moors Lane and the Oxford Canal and the demolition of redundant farm buildings, (all matters except access are reserved) and 2/ Full planning permission for the erection of 88 dwellings including access, appearance, layout and scale. Landscaping is reserved. (phase 1).
R17/1241 <i>Approval of Details</i> 23.07.2018	206 Dunchurch Road Dunchurch Rugby CV22 6HR	Erection of 3 dwellings, garaging, access improvements and associated works.
R14/2369 <i>Approval of Details</i> 23.07.2018	Newbold Farm Main Street Newbold Rugby CV21 1HW	Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. Dwelling houses with associated garages and car parking.
R16/2333	CIA Insurance Services	Demolition of existing buildings and

<i>Approval of Details</i> 24.07.2018	LTD Inwoods House Ashlawn Road Rugby CV22 5QF	development of retirement village consisting of 11 bungalows (Use Class C2), 40 apartments (Use Class C2) and a 60-bed care home (Use Class C2), highways and drainage infrastructure and landscaping (access unreserved)
<i>R16/0096</i> <i>Approval of Details</i> 27.07.2018	Land at Lower Hillmorton Road (part of former college) Lower Hillmorton Road Rugby	A housing (use class C3) development consisting of 17 no. self-contained dwellings for adults with learning and/or physical disabilities and/or sensory impairment, and/or mental health issues, incorporating communal area, shared gardens, staff office, parking area and all associated works.
<i>R17/1920</i> <i>Approval of Details</i> 31.07.2018	Longroods Back Lane Birdingbury CV23 8EN	New detached two bedroomed dwelling with access and driveway works.
<i>R15/1591</i> <i>Approval of Details</i> 01.08.2018	Manor Farm Main Street Frankton Rugby CV23 9PB	Erection of agricultural dwelling [Amendment to layout of approved planning permission R12/1077]
<i>R14/0011</i> <i>Approval of Details</i> 02.08.2018	Warren Field Warren Close Ryton on Dunsmore CV8 3JZ	Erection of 29 affordable dwellings with access, landscaping and associated works.
<i>R17/1550</i> <i>Approval of Details</i> 03.08.2018	Land to the rear of 56 Leamington Road Ryton on Dunsmore CV8 3FN	Erection of a dwelling
<i>R17/1049</i> <i>Approval of Details</i> 07.08.2018	Warwickshire County Council Warwickshire College Rugby Centre Rugby CV21 1AR	Erection of a detached two-storey building for education purposes.
<i>R11/0114</i> <i>Approval of Details</i> 07.08.2018	Cawston Extension Site Coventry Road Cawston Rugby	Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).
<i>R17/1235</i>	65 Church Street	Conversion of existing floor space to 1-bed

<i>Approval of Details</i> 07.08.2018	Rugby CV21 3PT	apartment and alterations to existing restaurant.
<i>R17/1240</i> <i>Approval of Details</i> 07.08.2018	Rear of 61, 64/65, 66 and 68 Church Street Rugby CV21 3PT	Erection of a three storey detached building comprising 6no. 1 bed apartments.
<i>R16/2423</i> <i>Approval of Details</i> 07.08.2018	Rear of 61, 64/65, 66 and 68 Church Street Rugby CV21 3PT	Creation of 5 one-bedroom apartments as 3 storey buildings and extensions to existing, together with parking and access court.
Approval of reserved matters		
<i>R18/0544</i> Approval of reserved matters 20.07.2018	Land at Wharf Farm Crick Road Hillmorton Rugby	Erection of 380 dwellings with associated works and landscaping. (Approval of reserved matters in relation to outline planning permission R15/1702)
Approval of Non Material Changes		
<i>R16/0226</i> <i>Approval of Non material changes</i> 23.07.2018	36 Newland Street New Bilton Rugby CV22 7BJ	Conversion of existing garage/workshop to 2no.one bedroom apartments
<i>R14/1658</i> <i>Approval of Non material changes</i> 24.07.2018	Land East of Newton Lane Newton CV23 0EA	Outline planning permission for up to 40 dwelling house, together with the creation of a new vehicular access, and provision of play area and amenity space together with associated works (all matters with the exception of access reserved)
<i>R10/1286</i> <i>Approval of Non material changes</i> 24.07.2018	Rugby Gateway Phase R2 Leicester Road Rugby	Erection of 230 dwellings with associated open space, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
<i>R17/1401</i> <i>Approval of Non material changes</i> 27.07.2018	12 Eastlands Road Rugby CV21 3RP	Erection of a two storey side and rear extension and a single storey rear extension and the erection of a detached garden building.
<i>R17/1342</i> <i>Approval of Non material changes</i>	23 Elsee Road Rugby CV21 3BA	Erection of single storey rear extension and first floor side extension

01.08.2018		
<i>R11/0239 Approval of Non material changes 07.08.2018</i>	Land at Stretton Croft Wolvey Road Burbage	Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.
<i>R16/1255 Approval of Non material changes 07.08.2018</i>	Land at Stretton Croft A5 A Road Watling Street Wolvey	Mixed use development incorporating C1 hotel with ancillary A3 restaurant, B1 offices and D2 leisure unit with associated works. Approval of reserved matters in relation to outline planning permission R11/0239 (Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.)
Section 106 Agreement		
<i>R17/0022 Section 106 Agreement – Schedule 4, Part 1, Obligation 17 Key Phase 3 07.08.2018</i>	Radio Station Rugby Watling Street Rugby CV23 0AS	Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary schools; public art; green infrastructure including formal and informal open space and amenity space; retention of existing hedgerows, areas of ridge and furrow and grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, and diversions as necessary); sustainable drainage systems including ponds, lakes and water courses; a link road connecting the development to Butlers Leap, estate roads and connections to the surrounding highway, cycleway and pedestrian network; ground remodelling; any necessary demolition and any ground works associated with the removal of any residual copper matting, with all matters reserved for

		<p>future determination except the three highway junctions on the A428, the two junctions on the A5 and the link road junctions at Butlers Leap and Hillmorton Lane - Variation of conditions 5,6,7,63 64 and 81 of the outline planning permission R11/0699 dated 21/05/2014 to cover minor material changes to the approved Parameter Plans and Development Specification and to reflect approvals already granted pursuant to the outline planning permission and the latest land control position; removal of condition 73 and consequent renumbering of conditions 74 - 81 inclusive.</p>
Withdrawn		
<p>R18/0763 Withdrawn 07.08.2018</p>	<p>110-112 Murray Road Rugby CV21 3JP</p>	<p>Conversion and extension of existing outbuilding to form 3no. Flats</p>