

15th May 2017

## PLANNING COMMITTEE - 24TH MAY 2017

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 24th May 2017 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 meetings held on 26th April and 18th May 2017.

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. Tree Preservation Order No. 396.
6. Planning Appeals Update.
7. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
8. Delegated Decisions – 9th March 2017 – 19th April 2017.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be considered.

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

The Reports of Officers (Ref. PLN 2017/18 – 2) are attached.

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

To be confirmed at Annual Council Meeting on 18 May 2017.

***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](mailto: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](http://www.rugby.gov.uk/speakingatplanning)).*

**Planning Committee – 24th May 2017**

**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

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
1	R15/1124	Coton House, Lutterworth Road, Churchover, Rugby, CV23 0AA Retention of an acoustic bund to south of Coton House with fencing and landscaping.	3

**Reference number:**

R15/1124

**Site address:**

Coton House, Lutterworth Road, Churchover, Rugby, CV23 0AA

**Description :**

Retention of an acoustic bund to south of Coton House with fencing and landscaping.

**Case Officer Name & Number:**

Richard Holt 01788 533687

This application is being reported to Planning Committee as it relates to a full application for a major development.

**Description of Site:**

Coton House is a Grade II\* listed building dating from late 18<sup>th</sup> Century. It has a parkland setting and is surrounded by many mature trees extending to around 50 hectares. Coton House itself is set back approximately 400 metres from A426 Lutterworth/Leicester Road and the site as a whole is accessed by a long drive lined by mature lime trees. Approximately 200 metres to the west of Coton House is the Grade II listed former Stable Block.

Between Coton House and the former Stable Block use to be an array of pre-dominantly 20<sup>th</sup> century buildings but these have now been demolished and the site has been cleared. The western and central parts of the overall site are currently being developed with the first and second phases of residential housing approved by the hybrid scheme, R12/1353 (56 new build dwellings).

In the south western portion of the overall site, to which this application relates, it comprised of open grassland with a few mature parkland trees. This land lay outside the red line of the application site of the original hybrid application but within the adjacent blue edged land. To the immediate south of the application site is an established row of trees, with a high proportion of evergreen, which provide a buffer between the site and a small field beyond and the M6 motorway. The urban edge of Rugby lies beyond the M6 motorway.

At its closest point Coton House lies approximately 90 metres from the base of the bund to the north. The houses approved as part of Phase 2, particularly plots 22-25, lie approximately 35 metres from the base of the bund to the north west. However, between these plots and the proposed bund a further 2 to 3 metre high bund has been approved as part of the scheme for the new houses and is currently being constructed.

Churchover village lies approximately 1 kilometre (0.6 miles) north west of Coton House.

**Description of Proposals:**

This is a full application that relates to the formation of approximately a 250 metre long acoustic bund which varies in width between 28 to 54 metres. Originally it was intended that the bund would be 15 metres in height however this was later revised to between 2.5 to 5 metres (owing partly to existing ground level changes which drop by approximately 3 metres from east to west). A 3 metre high closeboarded timber acoustic fence will run along the top of the bund. Approximately 70,000 cubic metres of inert fill material involving around 9,400 heavy goods vehicle loads was originally intended for the 15 metre high bund, but this was significantly reduced to around 17,350 cubic metres following the reduction in the bund's height. Inert fill material from within the site was also used to form a portion of the bund.

The bund has now been formed and the acoustic fence has been erected along its top.

Extensive soft landscaping is proposed along the entire northern side of the bund facing Coton House and this has yet to be planted.

A Planning Statement, Heritage Impact Assessment, Noise Impact Assessment, Landscape & Visual Assessment, Landscape Management Plan, Archaeological Report, Environmental & Geotechnical Contaminated Reports, and Transport Statement has also been submitted in connection with the proposal.

**Relevant Planning History:**

The overall site has an extensive planning history dating back to 1949. It is understood that from the late 1940s the site was used as a training centre with associated accommodation for students and apprentices working at nearby industrial premises. The site then became the Post Office Management and Training Centre in the 1970s and extensive works were carried out in the mid to late 1970s. A variety of proposals have been subject to planning permission and listed building consent since then as the site has developed.

The fire at Coton House itself was in June 2010 and in January 2012 the Post Office closed the Management Centre.

Since 2013 a series of listed building and planning applications have been submitted across the site. The most relevant to this current application are listed below:

R12/1353 - A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).

Approved 09/05/2014

R14/1794 – Application for Reserved Matters for 18 dwellings relating to appearance, landscaping and scale (Phase 1).  
08/04/2015

Approved

R14/2183 - Listed Building Application for various internal and external alterations to form one dwelling.  
28/07/2015

Approved

R14/2199 - Change of use of Coton House to a single dwelling house, erection of associated garaging, gym and spa, re-instatement of former north drive, alterations to the access onto A426 with associated boundary treatments and provision of bat barns.

Approved 31/07/2015

R15/0371 – Application for Reserved Matters for 38 dwellings relating to appearance, landscaping and scale (Phase 2).

Approved 14/07/2015

R15/1990 – Formation of an acoustic bund and relocation of sewage treatment plant with associated access track.

Approved 08/01/2016

**Technical Consultees:**

Health & Safety Executive  
National Grid  
Historic England  
WCC Ecology  
WCC Archaeology

Do not advise against development on safety grounds  
No comments received to date  
No comments  
No objection, subject to conditions  
No objection

Highways England	No objection
WCC Highways	No objection, subject to a condition
WCC Flooding & Drainage	No objection, subject to an informative
RBC Environment & Public Realm	No objection, subject to a condition

**Third Party Consultations:**

Churchover Parish Council (Original Plans)	Object	<p>40%-50% of bund already in situ;          Not needed for acoustic reasons;          Its current presence being employed to justify on acoustic grounds;          Previous noise assessment indicated no more protective measures needed against traffic noise;          15 metres high is twice the height of new dwellings;          Report indicates how much a 15 metre high bund will reduce noise rather than assessing what height of bund is actually required;          45 degree slope too steep for landscaping;          Material of bund should be recycled or used in construction;          No policy support;          Concerns at lack of enforcement to date;          Failure of Council to protect communities &amp; heritage assets;          Illegal tipping deplorable – some material from DIRFT;          Warwickshire County Council should deal with application;          On balance consider removal of material from site would be disruptive in terms of traffic and environmental, plus impact on listed building;          Much shallower bund with conservation grassland could be beneficial, albeit no more beneficial than what could have been achieved without the bund; &amp;          Recommend refusal, but developer could resubmit an amended scheme with no more importing and restoring with grassland.</p>
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(Revised Plans) No comments received to date.

Neighbour (Original Plans)	Support	<p>Heritage assets as well as being affected by views also effected by noise, dust and vibration;          Noise from M6 motorway causes substantial harm to Grade II* listed building;          Bund will reduce noise levels by more than half;          Very major public benefit to proposal to both Coton House and other dwellings in vicinity;          No visual harm to heritage assets setting;          Even if harm is judged to occur only less than substantial harm, which is clearly outweighed by public benefit; &amp;          Significance of asset and setting will be considerably enhanced by proposal.</p>
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(Revised Plans) No comments received to date.

**Relevant Planning Policies & Guidance:**

Rugby Borough Council Local Plan 2006 – Saved Policies:

GP2	Landscaping	Complies
E6	Biodiversity	Complies

E17 Development Affecting Parks & Gardens & Other Elements of the Historic Landscape  
Complies

Rugby Borough Council Core Strategy 2011:

CS1	Development Strategy	Complies
CS11	Transport & New Development	Complies
CS16	Sustainable Design	Complies

National Guidance & Policies:

National Planning Policy Framework, 2012  
National Planning Practice Guidance, 2014  
The Setting of Heritage Assets (HEGPAP 3), Historic England 2015

Other:

Rugby Borough Council Sustainable Design & Construction Supplementary Planning Document, 2012

**Assessment of Proposals:**

General Principles:

The application site lies within the countryside and Policy CS1 considers that new development in the countryside will be resisted and only where national policy on countryside locations allows will development be permitted.

Annex 2 of the National Planning Policy Framework (NPPF) states that previously developed land comprises of land which is or was occupied by a permanent structure, including the curtilage of the developed land. However, the application site for the proposed bund lies outside the site which formed part of the hybrid planning application site boundary and in the opinion of the Local Planning Authority formed part of the wider parkland landscape surrounding Coton House. In addition, there was a clear physical boundary of hedging and fencing between the application site and the edge of the Coton House site. On this basis, the application site is not judged to be previously developed land.

A combination of two bunds, primarily for acoustic purposes, have previously been approved running along the southern boundary edge of the hybrid application for both Phases 1 and 2 of the new build residential dwellings. The largest of these two bunds (Bund 1) is 300 metres in length which varies in width between 5 to 36 metres and in height between 1.5 to 7 metres (owing to existing ground level changes which drop by approximately 2.5 metres in certain parts where that bund will be formed). A 1 to 1.8 metre high acoustic fence will run along the top of that bund. The second bund (Bund 2) is approximately 130 metres in length and around 11 metres in width rising to approximately 3 metres in height with a 1 metre high acoustic fence on top. These bunds are currently being constructed.

The provision of acoustic bunds on the Coton House site in order to mitigate for the noise primarily from the M6 motorway was judged to be a key requirement of redeveloping the site for residential purposes. Therefore, the presence of landscaped mounds in the southern portion of the site is already apparent for both visual and noise purposes.

The presence of this further bund along the southern extremities of the overall site is primarily to enable an additional reduction in both the visual appearance of the M6 motorway as well as acting as a noise buffer upon the Grade II\* listed building of Coton House from the M6 motorway. It is acknowledged that returning Coton House to a single dwelling was the ideal solution from the Local Planning Authority's, Historic England's and the National Amenity Societies view. However, it was anticipated that the likelihood of this happening was unlikely partly owing to the restoration cost of Coton House following the fire in 2010 and the proximity of the M6 motorway, especially when factoring in the aspirations of a single purchaser seeking a mansion house in an appropriate setting. Nevertheless, the granting of planning permission and listed building consent for the use of Coton House as a single dwelling was approved and this has now been substantially implemented and this further bund will assist in creating an acceptable living environment for future residents of the property.

Bunding can appear very alien in a countryside location but it is accepted that the proposed landscaped acoustic bunding will be seen in association with existing and consented built form across the Coton House Estate as well as other bunding around the southern edge of the site plus the woodland belt of trees. As detailed above, initially approximately 70,000 cubic metres of material was to be imported on to site to form a 15 metre high bund, but this has now been significantly reduced as the bund will now equate to approximately 17,350 cubic metres of material following its reduction in height of up to 5 metres.

#### Heritage:

The construction of this further bund also represents a change to the setting of the heritage assets at Coton House. Policy CS16 states 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 NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Previously a Heritage Assessment for the overall Coton House site notes that Coton House and grounds are of significance primarily as a result of their survival as an example of a medium sized country house, with its associated structures, gardens and parkland, primarily dating from 18<sup>th</sup> & 19<sup>th</sup> Centuries. The significance is archaeological, architectural and historical but it notes the level of change that has occurred to the various buildings and the grounds has reduced its architectural significance. However, Coton House itself remains of high architectural and historic interest which is noted by its Grade II\* status.

A Heritage Assessment accompanied this current application which identified the key heritage assets as being the Park and Gardens, Coton House, the Former Stable Block, Stable Block curtilage buildings and the Old Dairy & Game Larder. The Heritage Assessment considers the affected settings are those of both Coton House and the surrounding gardens and parkland. Following on from the previous Heritage Assessments conducted the significance of these assets are considered first and then the contribution of their respective settings.

This latest Heritage Assessment considers that the setting of the House contributes to its significance by virtue of its openness and landscaped gardens from which the House can be experienced. It considers that recent permissions which have involved the removal of the former training block structures have improved the setting of the house together with the erection of new built dwellings and landscaped acoustic bunds. Views into and out of the gardens across the surrounding parkland are also significance along with the interrelationship between them and Coton House.

The Heritage Assessment considers that there would be a negligible impact upon the significance and setting of Coton House and that the remaining parkland and gardens would remain legible, particularly when considered in conjunction of the consented residential scheme across the Coton House complex. Furthermore, it considers that the bund would reinforce the visual enclosure currently provided by the band of woodland located approximately 150 metres south of Coton House.

Despite these conclusions it is not considered that the impact of the bund on Coton House and surrounding parkland would be negligible. As the height of the bund together with the acoustic fence will rise up to 8 metres above the surrounding ground levels and is within 100 metres of the southern façade of Coton House its presence is clearly apparent. Furthermore the open area of parkland between Coton House and the band of woodland to the south has been broken up by the presence of the bund and whilst the parkland trees remain the bund curves around them and the open aspect and spacious relationship of this part of the site with the surrounding parkland and gardens and setting of Coton House has been diminished.

On this basis, it is considered that the provision of the bund will have a minimal rather than negligible impact on the setting of Coton House and the surrounding parkland as well as their significance. Nevertheless, the change is not as significant as the alterations which have occurred on site when it was a training centre and once the approved residential schemes have been built out. The presence of other bunds to the south west of Coton House approved as part of the new build residential schemes have also altered the character and appearance of this part of the Coton House Estate.

Any less than substantial harm caused by the presence of the bunding is clearly outweighed by the wider public benefit which has secured the longevity of Coton House as a single dwelling by reducing the noise pollution and visual intrusion of the motorway on surrounding the heritage assets. The presence of this new bund will also indirectly benefit the future occupants of the new dwellings across the site, including those individuals residing in the converted listed Former Stable Block, listed Old Dairy and curtilage listed Building H. Furthermore, Historic England has assessed the proposals and wishes to make no specific comments.

In addition extensive native species of trees and shrubs are to be planted on the northern side of the bund together with a wildflower/grass seed mix to the southern side of the bund which will assist in the integration of the bund with the wider landscape setting. Over time the planting will grow and mature visually softening the appearance of the acoustic fence and blending its transgression from the open parkland and gardens towards the woodland belt to the south.

The impact on the Former Stable Block, Old Dairy and Building H is regarded as negligible because of their degree of separation from the bund along with intervening built and landscaped features and on this basis there would be no harm to the setting of these buildings.

Therefore, the proposal is considered to accord with policy CS16, the NPPF and Historic England guidance.

#### Archaeology:

An archaeological desk top assessment was submitted for the Coton House site as part of the hybrid application. Whilst this acknowledged building works during the 19<sup>th</sup> & 20<sup>th</sup> Centuries would have resulted in considerable destruction of earlier archaeological remains or historic landscape features there are still undeveloped areas across the site, but it is very unlikely that any archaeological remains survive that warrant statutory protection. Since the approval of the hybrid application further archaeological reports have been submitted to the Local Planning Authority and Warwickshire County Council Archaeological Unit.

The NPPF states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and field evaluation, where necessary, should be submitted. Historic England guidance advises that where a heritage asset is thought to have archaeological interest the potential knowledge which may be unlocked by investigation may occasionally be harmed by even minor disturbance thus damaging the significance of the asset. It advises that expert advice may be needed but that a proportionate approach should be maintained.

WCC Archaeology previously identified that the site is within an area of archaeological potential as identified in the archaeological desk-based assessment accompanying the Hybrid Application, R12/1353. Various trial trenches have been undertaken across the first phase of the residential scheme, to the south west of the application site and no archaeological findings of significance were uncovered just evidence primarily of 19<sup>th</sup> Century activity. WCC Archaeology note that unfortunately the mound has been constructed prior to the determination of the application and its construction may have had an impact upon any archaeological features which previously survived across that area. However, they have advised that given no further groundworks are going to be necessary to complete the works and they cannot identify anyway in which any archaeological disturbance to date can be reasonably

mitigated, they do not consider it would be appropriate to require any further archaeological work to be undertaken on the application site and thus do not object.

In the light of the above the proposed development is considered to accord with policy CS16, the NPPF and Historic England guidance.

#### Highways:

The formation of the bund as originally proposed was intended to result in the importation of 70,000 cubic metres of inert fill material equating to around 9,400 heavy goods vehicle loads. A Transport Statement was submitted with the scheme which advised that the material would be imported over a 6 month period and that it was not expected to result in a significant increase in operations at the site over the previously accepted uses and thus there would be no impact on highway capacity or safety. However, following the reduction in the overall bund height from 15 to 5 metres the volume of material actually required to form the bund was significantly less at 17,350 cubic metres.

The vehicle movements created by this development and their impact on the nearby highway network would be for a limited period and thus both Warwickshire County Council Highways Section and Highways England consider that there would be no material impact on the highway network that would affect its operation and raise no objection to the principal of the proposals. Warwickshire County Council Highways Section were seeking the imposition of a condition requiring details of a Construction Method Statement to be submitted which included wheel wash facilities, HGV routing, waste recycling and on-site storage and parking. However, the bund has already been constructed and it is understood that some of the existing facilities on the Coton House Estate site sought by the Construction Method Statement were already in place because of ongoing building works by the residential house builders. Therefore, the imposition of this condition is now regarded as superfluous.

Overall the proposal is considered to accord with saved policy T5, policy CS11 and the NPPF.

#### Landscaping & Ecology:

The submitted Landscape Visual Impact Assessment (LVIA) accepts that the presence of the bund will constitute a noticeable degree of change to that which exists at present, particularly on the immediate setting of this part of the Coton House site. In visual terms the degree of change is considered to be of a medium magnitude. Nevertheless, the assessment acknowledges that the proposed landscape treatment to the bund will both soften and integrate it into the surrounding area. It states that existing vegetation structures which define the southern and western boundaries afford a high degree of containment to this part of the site and that this level of containment is further strengthened by the M6 motorway with the built up edge of the Rugby urban area beyond.

The LVIA considers that owing to the element of containment of this southern part of the site together with existing landscape features the landscaped bund can be accommodated within its setting without harm to the wider landscape character. A single mature tree has been lost to the proposals which is regrettable but the rest of the bund lies outside the root protection areas of other existing trees on site. To off-set the loss of the tree and the impact of the bund a total of 83 extra heavy and heavy standard trees will be planted on and around the bund, including oak, maple, alder, birch, cherry and elm.

The presence of existing built form and consented development restricts views of the site from the north. The LVIA concludes that views of the bund in the wider visual environmental context are considered to represent a minor effect, particularly based on the established woodland edge to the south which it is seen in conjunction with. Therefore, the assessment ascertains that the bund can be accommodated within its setting without harm to the wider character, quality and visual environment and setting of adjacent heritage assets, namely Coton House and the Former Stable Block.

The site lies outside the designated Strategic Green Infrastructure Network but does form part of an EcoSite. Several Ecological Appraisals and Reports have been done across the Coton House site that have concluded that whilst bat activity and roosts have been identified close to the site they are either

being retained in situ or lost and mitigated for under a derogation licence with Natural England. Warwickshire County Council Ecological Unit have advised that they welcome the proposed landscaping plans including the planting of native species of scrub and trees, and creation of a wildflower meadow on the southern slope of the bund, which will create basking habitat for reptiles and wildflower rich habitat for invertebrates.

Together with the 83 extra heavy standard and standard trees to be planted as detailed above, over 5000 trees/shrubs will be planted as part of a woodland mix to the bund. A Landscape Management Plan has also been submitted which identifies how the landscaping will be managed for initially the first five years but also how ongoing maintenance will be dealt with in the future, including weeding, watering, fertilising, strimming, pruning and pest control.

Subject to securing the above landscaping and maintenance regime Warwickshire County Council Ecological Unit raise no objections to the proposal and it is considered that the scheme would accord with saved policies E6, E17 & GP2, policy CS16 and the NPPF.

#### Noise, Contamination & Amenity:

A noise impact assessment has been produced which incorporates the revised bunding height. The report concludes that the provision of a 5 metre high bund will reduce noise levels at the closest southern façade of Coton House by approximately 0.3dB. With a 3 metre high acoustic fence on top noise levels will be reduced further to a total reduction of around 1.3dB which the report considers will be a beneficial reduction for Coton House. The presence of the bund will also partly remove a line of sight to the M6 Motorway from Coton House and the report considers that this perception will also help lessen the impact of noise from the M6 Motorway if it cannot be actively visible. The Council's Environment & Public Realm Section agrees with the findings of the report.

The applicant has confirmed that no material imported into site contained contamination and that the whole site has been chemically tested which identified only one area of hydrocarbon contamination and this has been removed from site under licence. Additional environmental and geotechnical documents have been received identifying the importation of both top soil and bulk fill material which have been chemically tested to confirm their acceptance for a residential site. A selection of waste transfer notes have accompanied these documents identifying that the imported material came from the ongoing development works at Daventry International Rail Freight Terminal II (DIRFT) near Crick.

A verification report and plan with photographs is required in order to determine that the correct type and quantity of material has been used on site and the Council's Environment & Public Realm Team are content for this to be addressed via a condition and on this basis the proposed development would accord with policy CS16 and the NPPF.

The closest residential properties to the base of the bund will be the rear facing facades of the new build Plots 22 and 23 at approximately 35 metres away. However, between this distance is another bund and acoustic fence approved as part of the reserved matters scheme for the Phase 2 houses which rises to between 2 to 3 metres with a 1 metre high acoustic fence on top. The bunding approved as part of the Phase 2 houses does not run in front of the southern facade of Coton House, however the southern façade of Coton House will lie approximately 90 metres away from the base of this latest bund that is subject to this application.

Based on all the intended landscaping and the aforementioned distances, the provision of the bund and acoustic fencing is considered acceptable and would still result in an acceptable outlook and amenity for future residents and accord with policy CS16.

#### Other:

Warwickshire County Council Flood Risk Management Team had sought a condition requiring a shallow cut-off trench with dams at appropriate places along the base of the bund to intercept and attenuate any increased surface water run-off from the slopes of the bund. However, this condition was based on the

bund being 15 metres high with a gradient of 1:1 rather than 5 metres high with a gradient of 1:3. Based on the revised bund height and profile it is not considered such works at the base of the bund are required, particularly as it is grassland surrounding the bund which is not part of residential gardens.

Overall, on balance, the proposal is considered to accord with the Development Plan, the NPPF and Historic England guidance and therefore is recommended for approval subject to conditions and informatives.

**Recommendation:**

Approve subject to conditions and informatives.

**DRAFT DECISION**

**APPLICATION NUMBER**

R15/1124

**DATE VALID**

02/07/2015

**ADDRESS OF DEVELOPMENT**

Coton House  
Lutterworth Road  
Churchover  
Rugby  
CV23 0AA

**APPLICANT/AGENT**

Mr Peter Frampton  
Framptons  
Oriol House  
42 North Bar  
Banbury  
Oxfordshire  
OX16 0TH  
On behalf of Investin Coton House Jersey Ltd

**APPLICATION DESCRIPTION**

Retention of an acoustic bund to south of Coton House with fencing and landscaping.

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

**CONDITION 1:**

This permission shall be deemed to have taken effect on 24th May 2017.

**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:

Detail Planting Plan (1 of 2) ref 5180/ASP04.1 PP Rev A; &

Detail Planting Plan (2 of 2) ref 5180/ASP04.2 PP Rev A;

both of the above plans received by the Local Planning Authority on 1st December 2016;

Landscape Management Plan ref 5180.Land.Man.001 by Aspect Landscape Planning dated October 2016 received by the Local Planning Authority on 11th November 2016;

Bund Detail Sections ref 5180/ASP002 Rev C;

Bund Survey ref 16/1502-1 Rev B;

Heritage Impact Assessment ref 352A03 by Malcolm Payne Group Limited dated August 2016;

Landscape & Visual Assessment ref 5180.Bund LVA.003.VF by Aspect Landscape Planning dated August 2016; &  
Noise Impact Assessment ref 90670R5 by Resource & Environmental Consultants Limited dated 16th August 2016;  
all of the above received by the Local Planning Authority on 30th August 2016;

Location Plan ref PF/9225.01 received by the Local Planning Authority on 18th June 2015;

Design Statement Coton House and Estate by Soiltechnics Environmental & Geotechnical Consultants ref STM3056A-DS01 Rev 0 dated April 2015 received by the Local Planning Authority on 23rd February 2017 (excluding reference to volume of material imported);

Materials Management Plan Zone 2, DIRFT II by Soiltechnics Environmental & Geotechnical Consultants ref STM3056A-MMP01 Rev 0 dated April 2015 received by the Local Planning Authority on 23rd February 2017 (excluding reference to volume of material imported);

Archaeological Unevaluated Areas Report by Cotswold Archaeology ref 17098 dated March 2017 received by the Local Planning Authority on 3rd March 2017;

Email from the applicant, Barry Howard Homes, to the Local Planning Authority dated 20th December 2016 at 16:16 re no contamination; &

Email from the applicant, Barry Howard Homes, to the Local Planning Authority dated 6th March 2017 at 17:22 re bund volume.

**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 landscaping scheme, as detailed on the approved plans in Condition 2 above, shall be implemented no later than the 2017-2018 planting season. If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

**REASON:**

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

**CONDITION 4:**

Unless otherwise agreed in writing with the Local Planning Authority, within two months of the date of this decision notice a verification report relating to the material used to construct the bund, shall be submitted to the Local Planning Authority. The Local Planning Authority will subsequently approve in writing the verification report and any mitigation measures/recommendations contained within that verification report shall be carried out in accordance with the approved verification report.

**REASON:**

In the interest of health and safety.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

INFORMATIVE 1:

With regard to Condition 4 above, the verification report shall include the following:

- Analysis of 1 sample per 500m<sup>3</sup> of imported soils which is considered reasonable based on the source of the soils coming from a greenfield development. This equates to 35 samples which shows the soils are suitable for a residential end use across the bund area;
- Soil samples would look to be recovered within the top 0.5m deep at varying depths across the bund;
- Soils will be analysed for a number of contaminants: general suite (metals, PAHs, including phenols, pH, TOC) and asbestos screen as required. If asbestos is identified then an asbestos quantification test will be undertaken;
- Assessment of the laboratory results and compared to a residential end use development as agreed;
- Photographic record of the completed bund;
- Survey of the bund (ie plan/s);
- Confirmation of the imported soils and appropriate duty of care protocols have been completed;
- Transfer notes/delivery certificates.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	24 <sup>th</sup> May 2017
<b>Report Title</b>	Tree Preservation Order No. 396
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	David Gower, Arboricultural Officer
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	This report relates to the following priorities: Environment
<b>Statutory/Policy Background</b>	Town and Country Planning Act 1990 Town and Country Planning (Tree Preservation) (England) Regulations 2012
<b>Summary</b>	<p>A provisional Tree Preservation Order (TPO) (No.396) was made on the 23rd December 2016 in respect of 19 mature trees located at Inwood House, Ashlawn Road, Rugby.</p> <p>The TPO was served in response to a planning application to develop the site (Ref:R16/2333) which would have required the removal of 10 mature Lombardy Poplars located alongside the eastern boundary of the site and three mature Lime trees located adjacently to Inwood House to implement the scheme.</p>

The poplars are upwards of 25 metres in height are in generally good condition and constitute significant landscape features in the local area being highly visible from Ashlawn Road and public footpath which runs parallel with the western boundary.

The 3 Lime trees highlighted for removal (along with 4 other retained Lime trees) do not have the same height and stature of the Poplar trees but are still an attractive feature within the site are in generally good condition and can still be partially viewed from specific viewpoints on Ashlawn Road and from the adjacent footpath.

Two other mature Oak trees have also been included within the Tree Preservation Order due to their significance within the local landscape and partial public view points.

All of the trees were assessed using the “TEMPO” method (Tree Evaluation Method for Preservation Orders) and were found to be highly prominent visual amenity features in the local area.

One objection was made by Neil Crofts (for and behalf of Brindle & Green Limited) on 20<sup>th</sup> January 2017.

***Financial Implications***

None

***Environmental Implications***

The potential removal of valuable landscape features with the associated loss of sustainable public amenity and wildlife habitat with a subsequent detrimental impact on the surrounding environment and biodiversity.

***Legal Implications***

There are no legal implications other than those associated with establishing and administering Tree Protection Orders under the Town and Country Planning Act 1990.

***Options***

1. To confirm the order without modification to the schedule
2. To confirm the order with modification to the schedule.
3. To reject the order.

***Recommendation***

Tree Preservation No.396 be confirmed without modification to the schedule.

***Reasons for Recommendation***

1. The trees contained within the tree preservation order display generally good form and vitality with no major external signs of disease, decay or structural defects.
2. The majority of the trees are highly visible to the general public as viewed from Ashlawn Road and the public footpath which runs adjacently to the western boundary with others being partially visible. Collectively they form prominent visual amenity features in the local area.
3. Removal of the trees would have a detrimental impact upon the local landscape character of the area.

Planning Committee – 24th May 2017

Tree Preservation Order NO. 396

Report of the Head of Growth and Investment

**Recommendation**

Tree Preservation Order No.396 be confirmed without modification to the original schedule.

**1. Background**

In December 2016 the Council was consulted on a planning application (Ref:R16/2333) in relation to Inwood House, Ashlawn Road Rugby. The application was;

*“Demolition of existing buildings and 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)”.*

Officers visited the site on 15<sup>th</sup> December 2016 to assess the impact upon the existing tree stock.

Following the assessment of the trees, the Council’s Arboricultural Officer objected to the application due the adverse negative impact upon the existing tree stock and detrimental impact upon the local rural landscape character of the area. It was recommended that 19 of the subject trees be included within a new Tree Preservation Order (No.396). (Appendix 1).

The proposal highlighted significant tree removal to implement the scheme including the removal of 10 mature Lombardy Poplar trees (T1-T11) located along the eastern boundary and adjacent to the existing access lane. Collectively these are upwards of 25 metres in height and constitute a significant and established landscape feature. They are visible and prominent to the west of Ashlawn Road and from the public footpath which runs parallel with the western boundary (Appendix 2).

The trees are in good condition (as identified in the tree report submitted) and still have a contribution of 20 + years given their current dimensions and species.

Similarly, there are 2 significant mature Oak trees (T5, and T12) located along the eastern boundary (Appendix 3). Whilst highlighted for retention there may still be a negative impact upon T5 given the relative close proposed new development. Therefore, it was also recommend that these Oak trees be included within the TPO

given their stature within the landscape and positive contribution they could make to any future land use change in terms a new planning permission being implemented.

Immediately to the north of the existing property there are 7 Lime mature trees (T13-T19) upwards of 16/17 metres in height which appear to be in good condition. Similarly, this is also recognised in the tree report submitted. Whilst not attaining the same height as the Poplars, collectively they still constitute an attractive feature within the site especially as a group and can still be viewed from the north east corner of the site and from the western side of Ashlawn Road and adjacent footpath which runs parallel with the western boundary (Appendix 4). The proposal highlighted the removal of 3 of these trees (T14,T15,T16).

Following a TEMPO assessment (Tree Evaluation Method for Preservation Orders) (Appendix 5) it was recommended that the subject trees be protected with any revised scheme being re-configured so as to achieve a design whereby trees and the new built form be successfully incorporated and as per the recommendations of BS5837:2012 (Trees in relation to design and construction – recommendations).

On 20<sup>th</sup> January 2017 the Council received a letter of objection from Neil Crofts for and on behalf of Brindle & Green Limited in relation to the protected trees (appendix 6).

## **2. Government Advice**

Government advice is that tree preservation orders should be used to protect selected trees, if their removal would have a significant impact on the environment and its enjoyment by the public. Local Planning authorities (LPA) should be able to show that a reasonable degree of public benefit would accrue before orders are made and confirmed and therefore, the trees should be visible from a public place. The benefits may be present or future, and the trees may be worthy of preservation for a number of reasons including their intrinsic beauty or their contribution to the surrounding area, or their contribution to the landscape or because they serve as a screen to an eyesore or future development. The value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland or historical importance, may be taken into account, which alone would not be sufficient to warrant a TPO. In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

It may be expedient to make a TPO if the Local Planning Authority considers there is a risk of trees being cut down or pruned in ways that would have a significant impact on the amenity of the area. It is not necessary for the risk to be immediate. In some cases the LPA may believe that certain trees are generally at risk from development pressures. The LPA may have some other reason to believe that the trees are at risk; changes in property ownership and intention to remove trees are not always known in advance, and so the protection of selected trees by a precautionary TPO might sometimes be considered expedient.

The Government further advises that tree preservation orders should be administered positively and local planning authorities should consider their approach to applications for pruning and felling when making a TPO. They are also encouraged to offer advice on tree management and ensure that necessary tree

work takes place in an orderly fashion so as to maintain the amenity of the tree(s) as long as possible.

### **3. The case for confirming the order**

The trees contained within the Tree Preservation Order form a significant visual amenity, are in generally good condition and contribute positively to the overall landscape character of the area.

### **4. Response to Objections - Objection received from Mr Crofts (For and behalf of Brindle & Green limited)**

*“ T9-19 are located to the rear of the site meaning they have only have very limited visibility. We do not consider that their removal would have a significant impact on the local environment. It is therefore our opinion the protection of the trees is not in the interests of amenity”*

T9, T10 and T11 are mature Lombardy Poplar's are upwards of 25 metres in height and highly visible from Ashlawn Road and the adjacent footpath (see appendix 2). T12 is a mature Oak which is highlighted for retention within the scheme and has been rated “A1” in the applicants BS 5837 tree report submitted to accompany the planning application.

BS5837:2012 states that trees classified as “A1” are trees that are particularly good examples of their species with a very high emphasis on retaining these trees within development schemes. Whilst not being highly visually prominent as viewed from a public place a high emphasis has been made on its stature, contribution to the local landscape character and potential to make a very positive contribution within the context of a new development and associated change in land use.

T13-T19 are mature Lime trees located immediately adjacent to the north of the existing building. Whilst not attaining the same height and stature as the poplars, collectively they still constitute an attractive feature within the site and can still be viewed from the north east corner of the site, from the western side of Ashlawn Road and adjacent footpath (appendix 4). These trees were identified as “B2” trees with the BS5837 tree report submitted. BS5837:2012 states that “B2” trees are of “moderate” quality, growing as groups such that they attract a higher collective rating than they might as individuals and should be considered for retention because of the collective positive contribution they can make within the context of a new development and associated change in land use.

*Trees along the eastern boundary are causing damage to the access drive and will continue to do so. We consider the serving of this objection to be putting on notice of the risk of further damage. Should further damage occur as a result of the TPO then legal advice may need to be sought in order to recover costs.*

The tree report submitted to accompany the planning application identified the subject Poplar trees as “B2” trees with an estimated remaining contribution “20+ years”. This is at odds with the above statement and the requirement to fell. There are areas of sporadic root ingress through the tarmac of the access road (appendix

7). Some areas have previously been patched. However, the access remains operational with little or no impact to the numerous cars which use the site on a daily basis. No repair proposals have been made in terms of resurfacing and if this is not an option justification has not been provided.

Officers consider it is possible to retain trees in these circumstances with the implementation of specific design solutions which also aid the health of the trees. For example, it may be possible to install a 3 dimensional cellular confinement system. This is a “no –dig” solution which enables successful installation of hard surfaces in close proximity to trees and their roots.

If in future there is a situation where it can be proven that an engineering solution cannot be implemented successfully to maintain the trees and access road in-situ and there is a threat to the usage of the access road this will be dealt with on a case by case basis.

*Councils are advised within the guidance to develop ways of assessing amenity in a structured and consistent way to ensure that TPO's are justified. This does not appear to have happened. There is a vague comment on the TPO being made in the interests of amenity but no actual amenity assessment. We would ask that a full amenity assessment is prepared to support the TP order.*

The trees were assessed for their suitability for TPO using the “TEMPO” (Tree Evaluation Method for Preservation Orders) method (appendix 5). This method is based on condition, estimated retention span relative public visibility, “other factors” and threat level. The Lime trees scored 15 “TPO defensible”, the Lombardy Poplars scored 17 “Definitely merits TPO”. The Oaks scored 20 “Definitely merits TPO”.

Name of Meeting: Planning Committee

Date of Meeting: 24<sup>th</sup> May 2017

Subject Matter: Environment

Originating Department: Technical Services/Planning

### LIST OF BACKGROUND PAPERS

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

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

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)



## Appendix 1



## Appendix 2

Appendix 2  
View from  
Footpaths



Appendix 2  
View from  
Ashlawn Rd

T1

T2

T3

T4

T5

T6

T7

T8

T9

T10

T11



row of Poplars

TS



## Appendix 3

Appendix 3

FS  
(bank)

1-1



TS oak





112 (oak)

## Appendix 4

Appendix 4  
Views of Limes  
from public  
footpath

T13 - T16

T17 T18

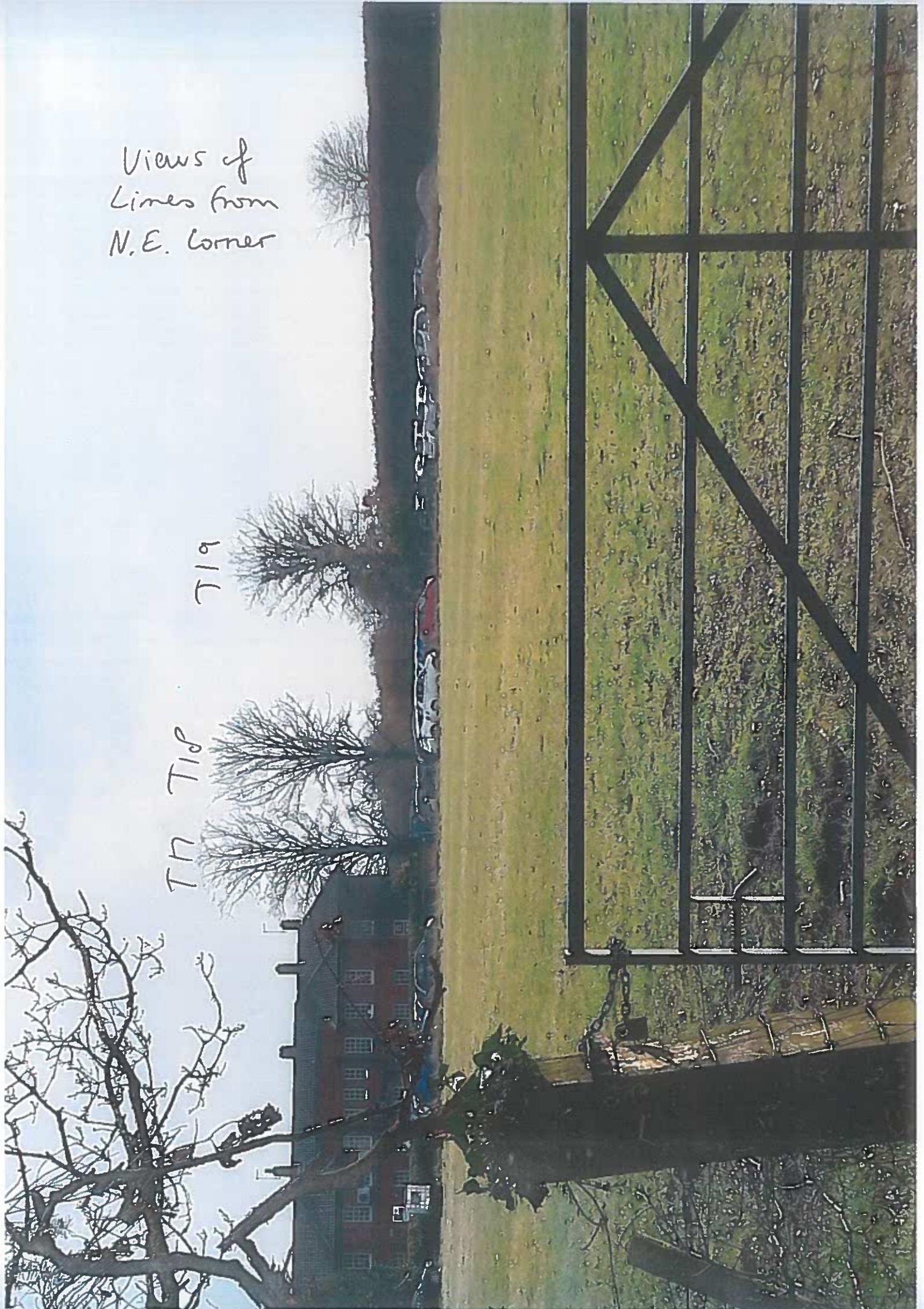
T19



Views of  
Lines from  
N.E. Corner

T19

T17 T18



## Appendix 5

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 5-12-16		Surveyor: D Gower	
Tree details		T1-T11	
TPO Ref (if applicable): 396	Tree/Group No:	Species:	Group of 2 Poplars
Owner (if known):	Location: Inwood house		

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous\* Unsuitable

Score & Notes  
3 - Generally good some clear wood pining wounds - some

\* Relates to existing context and is intended to apply to severe irremediable defects only roots damaged compacted protruding through fence

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10\* Unsuitable

Score & Notes  
2 - "Barked" in tree report mature pop

\*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes  
5 - V large 25m visible from Ashlawn Rd

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes  
4 - line of trees form important cohesive group

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes  
3 - planning application to remove

Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:  
17

Decision:  
TPO

# TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

## SURVEY DATA SHEET & DECISION GUIDE

Date: 1S-12-16		Surveyor: DGower	
Tree details	396	Tree/Group No: T13TA	Species: group of Limes
TPO Ref (if applicable):		Location: Inwood house	
Owner (if known):			

### REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

#### Part 1: Amenity assessment

##### a) Condition & suitability for TPO

- |                          |                         |
|--------------------------|-------------------------|
| 5) Good                  | Highly suitable         |
| 3) Fair/satisfactory     | Suitable                |
| 1) Poor                  | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable              |

##### Score & Notes

3 - some dieback/deadwood  
epiornic (ground compaction  
carparks)

\* Relates to existing context and is intended to apply to severe irremediable defects only

##### b) Retention span (in years) & suitability for TPO

- |           |                 |
|-----------|-----------------|
| 5) 100+   | Highly suitable |
| 4) 40-100 | Very suitable   |
| 2) 20-40  | Suitable        |
| 1) 10-20  | Just suitable   |
| 0) <10*   | Unsuitable      |

##### Score & Notes

2 - mature Limes long lived

\* Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

##### c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- |   |                     |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees  | Highly suitable     |
| 4) Large trees, or medium trees clearly visible to the public       | Suitable            |
| 3) Medium trees, or large trees with limited view only              | Suitable            |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable     |
| 1) Trees not visible to the public, regardless of size              | Probably unsuitable |

##### Score & Notes

3 Large trees  
with limited view  
partially visible from

##### d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

##### Score & Notes

4 - line of trees collectively  
form cohesive group

Ashdown rd & Footpath  
potential to form attractive feature  
within development

#### Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

##### Score & Notes

3 - Planning application

#### Part 3: Decision guide

- |       |                       |
|-------|-----------------------|
| Any 0 | Do not apply TPO      |
| 1-6   | TPO indefensible      |
| 7-11  | Does not merit TPO    |
| 12-15 | TPO defensible        |
| 16+   | Definitely merits TPO |

##### Add Scores for Total:

15

##### Decision:

TPO

"B2" trees should be retained

# TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

## SURVEY DATA SHEET & DECISION GUIDE

Date: 15-12-16 Surveyor: DGW

Tree details  
 TPO Ref (if applicable): 396 Tree/Group No: TS/T12 Species: Oak  
 Owner (if known): Location:

### REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

#### Part 1: Amenity assessment

##### a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous\* Unsuitable

Score & Notes  
5 - Dead wood

\* Relates to existing context and is intended to apply to severe irremediable defects only

##### b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10\* Unsuitable

Score & Notes  
4 - Oak - long lived

\*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

##### c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees Highly suitable
- 4) Large trees, or medium trees clearly visible to the public Suitable
- 3) Medium trees, or large trees with limited view only Suitable
- 2) Young, small, or medium/large trees visible only with difficulty Barely suitable
- 1) Trees not visible to the public, regardless of size Probably unsuitable

Score & Notes  
3 - large trees with limited view from public footpath & Ashlawn Rd

##### d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes  
5 - Mature Oaks Principle components of formal arboricultural feature ('A1') rated from patch parkland type character

#### Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. s.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes  
3 - Planning app

#### Part 3: Decision guide

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total:  
20

Decision:  
TPO

## Appendix 6

'Legal Services'  
Rugby Borough Council  
Town Hall,  
Evreux Way, Rugby  
CV21 2RR  
C/o Landmark Planning Ltd.



**Our REF BG16.197.5**

FAO: Charlie Foran

20<sup>th</sup> January 2017

Cc'd: Andy Bird (B&G), Helen Wallis (Landmark Planning & Peter Wilkinson (Landmark Planning).

**RE: TREE PRESERVATION ORDER NUMBER 396. LAND AT INWOODS HOUSE, ASHLAWN ROAD, RUGBY**

Dear Mr Foran,

Further to your letter dated 23<sup>rd</sup> December 2016 we have set out below our objection to the award of tree preservation order No. 396 with particular attention to the value of the Lime trees on site. The reasons for objection are as follows;

1. T9 - T19 are located to the rear of the site meaning they have only very limited visibility. We do not consider that their removal would have a significant negative impact on the local environment. It is therefore our opinion the protection of the trees is not in the interests of amenity.
2. Trees along the eastern boundary are causing damage to the access drive and will continue to do so. We consider the serving of this objection to be putting the council on notice of the risk of further damage. Should further damage occur as a result of the TPO then legal advice may need to be sought in order to recover costs.
3. Councils are advised within the guidance to develop ways of assessing amenity in a structured and consistent way to ensure that TPOs are justified. This does not appear to have happened. There is a vague comment on the TPO being made in the interests of amenity but no actual amenity assessment. We would ask that a full amenity assessment is prepared to support the TP order.

I look forward to hearing from you.

Kind Regards,

Neil Crofts  
For and on behalf of Brindle & Green Limited

Brindle & Green Ecological Consultants Ltd  
ECOLOGISTS FOR BUSINESS  
www.brindlegreen.co.uk  
TEL: 0800 222 9105

Brindle & Green Ecological Consultants Ltd, Unit 3, Silverhill Court, Radbourne, Ashbourne, Derbyshire, DE6 4LY

Registered in England Company No. 8174516

## Appendix 7







**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	24/05/2017
<b>Report Title</b>	Planning Appeals Update
<b>Portfolio</b>	
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Reporting Director</b>	Head of Growth and Investment
<b>Contact Officer</b>	Greg Vigars Tel: Ext.3621
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	<p>This report relates to the following priority(ies):</p> <p>Ensure all the Borough's residents are aware of our services and can access and influence them. Enable the delivery of excellent Value for Money services in line with our corporate plans.</p>
<b>Statutory/Policy Background</b>	The Planning Appeals procedure which came into effect on 6 <sup>th</sup> April 2009.
<b>Summary</b>	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/01/2017 to 31/03/2017.

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

**Planning Committee – 24 May 2017**

**Planning Appeals Update**

**Report of the Head of Growth and Investment**

**Recommendation**

The report be noted.

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

**1.1 Appeals determined**

During the last quarter from 1<sup>st</sup> of January to 31<sup>st</sup> of March a total of 6 planning appeals were determined, of which 1 were allowed, 5 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

**1.2 Appeals outstanding/in progress**

As at 31<sup>st</sup> March 2017 there were 9 planning appeals and 2 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee  
Date of Meeting: 24/05/2017  
Subject Matter: Planning Appeals  
Originating Department: Head of Growth and Investment

### **LIST OF BACKGROUND PAPERS**

\* There are no background papers relating to this item.

(\*Delete if not applicable)

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1<sup>st</sup> January 2017 – 31<sup>st</sup> March 2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Glebe Farm Barn Birdingbury Road Bourton-on-Dunsmore Rugby	Removal of Condition 3 of planning permission E2E 878 relating to the removal of permitted development rights. Conversion of redundant barn to form a two-storey residential dwelling with side extension	Jo Orton R16/1677 APP/E3715/W/16/3158926	Refusal 26/08/2016 <b>Written Reps</b>	<b>Appeal is allowed and planning permission granted.</b> The application for an award of costs is refused. 13/01/2017
The White House Oxford road Princethorpe Rugby CV23 9QD	Certificate of lawful development for existing use of buildings for storage, fabrication, car repairs and light engineering within Use Classes B1, B2 and B8.	Nathan Lowde R15/0490 APP/E3715/X/16/3150665	<b>Written Reps</b>	<b>Dismissed</b> 27/01/2017
Popehill Cottage Draycote Road Draycote Rugby CV23 9RB	Extension and alteration of the existing dwelling.	Chris Davies R16/1061 APP/E3715/D/16/3162706	Refusal 14/09/2016 <b>Householder Appeals Service (HAS)</b>	<b>Dismissed</b> 02/02/2017
Spinney Farm Main Street Withybrook Rugby CV7 9LX	Retention of and alterations to the stables and construction of a menage.	Nathan Lowde R16/0794 APP/E3715/W/16/3160264	Refusal 08/09/2016 <b>Written Reps</b>	<b>Dismissed</b> 06/02/2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Highview Withybrook Lane Shilton Coventry CV7 9HY	Variation of condition 2 of planning permission R16/1115 (Retrospective application for extensions and alterations to dwelling house, retention of detached garage and outbuilding and alteration to boundary of residential curtilage.) to allow the construction of buildings etc. incidental to the enjoyment of the dwelling house as permitted development. (Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended).	Karen McCulloch R16/1783 APP/E3715/W/16/3160222	Refusal 21/09/2016 <b>Written Reps</b>	<b>Dismissed</b> <b>06/02/2017</b>
Land to the West of Ash Fell 13 Hall Lane Wolvey Rugby LE10 3LF	Erection of a detached dormer bungalow (Resubmission of a previously refused scheme for erection of a dwelling under R14/1848 refused 10th November 2015)	Nisar Mogul R16/1163 APP/E3715/W/16/3161730	Refusal 13/07/2016 <b>Written Reps</b>	<b>Dismissed</b> <b>03/03/2017</b>

## APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 31.03.2017

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Land North of Ashlawn Road Ashlawn Road Rugby CV22 5SL	Outline application for the demolition of existing buildings, erection of up to 860 dwellings, land for a potential primary school, two vehicular accesses from Ashlawn Road and the provision of a bus link control feature to Norton Leys, open space, green infrastructure, landscaping and associated infrastructure, including sustainable urban drainage features. All matters to be reserved except access points into the site.	Richard Holt and Karen McCulloch R13/2102 APP/E3715/W/16/3147448	Committee Refusal 27/01/2016	<b>Inquiry</b>
Land at Gypsy Lane Wolvey LE10 3HQ	New stables and menage (Re-submission of application R15/0334 refused on 14th May 2015).	Richard Redford R16/0951 APP/E3715/W/16/3156198	Delegated Refusal 13/07/2016	<b>Written Reps</b>
Land to the Rear of Marisburn House Parrotts Grove Coventry	Change of use of land to the stationing of caravans for 3 gypsy pitches with associated hardstanding and utility/dayrooms.	Jo Orton R16/0038 APP/E3715/C/16/3153820	Delegated Refusal 11/05/2016	<b>Hearing</b>
Oakfield Playing Field Bilton Road Rugby CV22 7AL	Outline application with access for the erection of 50 residential dwellings (amended).	Chris Kingham R13/1528 APP/E3715/W/16/3156619	Committee Refusal 09/03/2016	<b>Inquiry</b>
Spinney Farm Main Street Withybrook Rugby CV7 9LX	Erection of a new 6 bay stable with associated feed and tack rooms and creation of a menage (variation of condition 2 of approved planning application R14/0618 dated 24 April 2014)	Nathan Lowde R16/2070 APP/E3715/W/16/3164698	Delegated Refusal 10/11/2016	<b>Written Reps</b>

<b>Appeal Site Location</b>	<b>Description of Development</b>	<b>Case Officer Planning Ref No. Planning Inspectorate Ref No.</b>	<b>Date of Refusal</b>	<b>Type of Appeal</b>
Land at Waldings Farm Barby Lane Hillmorton Rugby	Residential development of up to 107 dwellings including vehicular access from Barby Lane, open space, landscaping, surface water attenuation pond, footpaths, cycleways and associated infrastructure (all existing buildings to be demolished) (outline planning application to include access with appearance, landscaping, layout and scale reserved)	Chris Kingham R15/2039 APP/E3715/W/16/3158785	Committee Refusal 28/07/2016	<b>Written Reps</b>
Fishpools Farm Main Street Frankton Rugby CV23 9PB	Erection of three log cabin holiday lets (to be installed in place of the three teepees approved under planning permission reference R15/2129, dated 23/12/15).	Chris Davies R16/0497 APP/E3715/W/17/3167471	Delegated Refusal 19/07/2016	<b>Written Reps</b>
Land at Burton Lane The Chicken Ranch Burton Hastings Nuneaton CV11 6RJ	Demolition of two existing buildings (granted prior approval for the conversion of residential units under R14/2136 and R14/2177 granted 19th December 2014 and R14/1045 and R14/1047 granted 29th July 2014) and the erection of a detached bungalow.	Nisar Mogul/Chris Davies R16/1400 APP/E3715/W/17/3168003	Delegated Refusal 13/12/2016	<b>Written Reps</b>
Land at Clifton Lakes Farm Clifton Lakes Watling Street Clifton Upon Dunsmore CV23 0AQ	Enforcement Notice Appeal	Lizzie Beresford MEA-3-6-109 APP/E3715/C/16/3165945		<b>Written Reps</b>
Highview Withybrook Lane Shilton CV7 9HY	Enforcement Notice Appeal	Karen McCulloch MEA-3-6-132 APP/E3715/C/17/3167963		<b>Written Reps</b>
Garden Cottage Withybrook Road Street Ashton Monks Kirby CV23 0PJ	Erection of a rear conservatory	Nisar Mogul R16/2319 APP/E3715/D/17/3170088	Delegated Refusal 09/12/2016	<b>Householder Appeals Service (HAS)</b>

***AGENDA MANAGEMENT SHEET***

<b>Report Title:</b>	Delegated Decisions – 9th March 2017 to 19 <sup>th</sup> April 2017
<b>Name of Committee:</b>	Planning Committee
<b>Date:</b>	24 <sup>th</sup> May 2017
<b>Report Director:</b>	Head of Growth and Investment
<b>Portfolio:</b>	
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	None
<b>Contact Officer:</b>	Dan McGahey 3774
<b>Public or Private:</b>	Public
<b>Report subject to Call-In:</b>	Not applicable
<b>Report En-Bloc:</b>	Not applicable
<b>Forward Plan:</b>	Not applicable
<b>Corporate Priorities:</b>	
<b>Statutory / Policy Background:</b>	Planning and Local Government Legislation
<b>Summary:</b>	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
<b>Financial Implications:</b>	N/A
<b>Risk Management Implications:</b>	N/A
<b>Environmental Implications:</b>	N/A
<b>Legal Implications:</b>	N/A

**Equality and Diversity:**

N/A

**Options:**

N/A

**Recommendation:**

The report be noted.

**Reasons for Recommendation:**

To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers

**Planning Committee – 24<sup>th</sup> May 2017**

**Delegated Decisions – 9th March 2017 to 19<sup>th</sup> April 2017**

**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:  
24<sup>th</sup> May 2017

Subject Matter:  
Delegated Decisions – 9th March 2017 to 19<sup>th</sup> April 2017

Originating Department:

## List of Background Papers

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

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

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 09.03.2017 TO 22.03.2017

**A. APPLICATIONS – DELEGATED**

<b>Applications Approved</b>		
<i>R16/2563 Approved 09.03.2017</i>	Coombe Fields House Smeaton Lane Stretton Under Fosse	Retention of outbuilding and use for ancillary residential purposes
<i>R16/2511 Approved 10.03.2017</i>	109 Crick Road Hillmorton Rugby	Proposed two storey front and rear extension and porch (re-submission of previously withdrawn application R16/1021) together with the formation of a new vehicular access and provision of on-site parking.
<i>R17/0231 Approved 10.03.2017</i>	183 Alwyn Road Rugby	Proposed two storey side extension and single storey front and rear extension together with external rendering (material amendment to approved planning permission ref: R16/1100 dated 21/07/16)
<i>R16/2365 Approved 10.03.2017</i>	44a-46 Regent Street Rugby	Change of use of first and second floors from office (use class B1a) to residential (use class C3).
<i>R17/0091 Approved 10.03.2017</i>	10 Avon Industrial Estate Rugby	Erection of two single storey front extensions, new signage to front, rear and side elevations and installation of v-mesh fencing and gates to perimeter.
<i>R17/0134 Approved 10.03.2017</i>	Unit 5 Laughing Dog Trading Estate London Road Thurlaston Rugby	Change of use of Unit 5 from B1 to Sui Generis (use of building as an indoor air rifle range to be used ancillary use to existing gun shop).
<i>R16/2047 Approved 13.03.2017</i>	Polmedics Ltd Part Ground Floor 36 Regent Place Rugby	Change of use of ground floor office to dentist.
<i>R17/0215 Approved 14.03.2017</i>	8 Back Lane Birdingbury Rugby	Erection of porch and single storey rear extension [Re submission]

<i>R17/0224 Approved 14.03.2017</i>	26 Lawford Lane Bilton Rugby	Variation of condition 2 of planning permission R15/1448 to amend the car parking layout.
<i>R17/0216 Approved 14.03.2017</i>	Grand Union Junction Holdings Nelsons Wharf Rugby Road Southam	Installation of a lifting foot bridge in place of a sliding foot bridge under R15/0928.
<i>R17/0058 Approved 14.03.2017</i>	66 Stephen Street Rugby	Conversion of the existing dwelling to 2no. two bed flats.
<i>R16/2478 Approved 15.03.2017</i>	Land at North of Hydes Lane Stretton Baskerville	Proposed creation of new access (in association with proposed energy storage facility to be located within the neighbouring Local Authority- Hinckley and Bosworth)
<i>R17/0127 Approved 15.03.2017</i>	2 Sandy Lane Rugby	Erection of detached one and a half storey building comprising two no. maisonettes
<i>R17/0219 Approved 15.03.2017</i>	Manor Farm Cosford Lane Cosford Rugby	Variation of conditions 4, 5 and 10 pursuant to planning permission reference R15/2113 for the change of use of agricultural land to leisure land to include the formation of 2x astro turf tracks and the formation of access track, a toilet block, 20foot storage container, 2mx3mx3m block building and ancillary works. Granted on 11/11/15.
<i>R17/0255 Approved 16.03.2017</i>	258 Alwyn Road Rugby	Retention of detached conservatory in rear garden
<i>R15/2535 Approved 16.03.2017</i>	Chapel Barn Grandborough Fields Road Grandborough Rugby	Conversion of the existing first floor games room to a residential flat
<i>R16/2585 Approved 16.03.2017</i>	The Nothe Pudding Bag Lane Thurlaston Rugby	Erection of a first floor side extension, and conversion of the garage to ancillary accommodation. Erection of a lean-to store.

<i>R17/0266 Approved 17.03.2017</i>	14 Aikman Green Grandborough Rugby	Erection of a single storey rear extension
<i>R16/0807 Approved 20.03.2017</i>	Lower Rainsbrook Lodge Onley Lane Rugby	Proposed side extensions and second storey extension to existing bungalow
<i>R17/0213 Approved 20.03.2017</i>	8 Warren Road Rugby	Retention of detached building at bottom of garden and use as studio /office
<i>R16/2575 Approved 20.03.2017</i>	18 High Street Ryton on Dunsmore Coventry	Re-roofing of the existing conservatory.
<i>R16/2264 Approved 21.03.2017</i>	52 Avenue Road Rugby	Conversion of existing building to 3no. One bed flats
<i>R17/0242 Approved 21.03.2017</i>	72 Somers Road Rugby	Proposed change of use of vacant industrial building to Indoor Trampoline Park with ancillary customer cafeteria.
<i>R16/1393 Approved 22.03.2017</i>	J K Timber and Packing Limited J K Timber Coalpit Lane Rugby	Erection of an industrial building.
<b><i>Prior Approval Applications</i></b>		
<i>R16/0857 Prior Approval Not Required 13.03.2017</i>	18 Johnson Avenue Rugby	Erection of a single storey rear extension (prior approval).
<i>R17/0260 Prior Approval Not Required 20.03.2017</i>	Vicarage Farm Coventry Road Rugby	Prior approval for the change of use of an agricultural building to 2 (no) residential dwelling houses under Class Qa and Qb.
<i>R17/0258 Prior Approval Not Required 21.03.2017</i>	56 Bagshaw Close Coventry	Prior Approval for the erection of a 3.3 m extension from the rear of the original dwelling and 2.5 m to the eaves and 3.6 m to highest point

<b>Advertisement Consent</b>		
<i>R17/0212 Advertisement Consent 17.03.2017</i>	Polish Grocery Cash and Carry Limited Ground Floor and Basement 36 North Street Rugby	Erection of an internal LED screen inside the shop window.
<b>Listed Building Consents</b>		
<i>R16/2587 Listed Building Consent 20.03.2017</i>	27 Southam Road Toft Dunchurch Rugby	Listed Building Consent for internal first floor alterations to provide upstairs toilet area.
<b>Certificate of Lawful Use or Development</b>		
<i>R16/1985 Certificate of Lawful Use or Development 15.03.2017</i>	7A Moultrie Road Rugby	Certificate of Lawfulness (Existing) for the use of the entire building as a dental practice (use class D1).
<b>Approval of Details/ Materials</b>		
<i>R15/0001 Approval of Details 13.03.2017</i>	Rear of 31 The Crescent Brinklow Rugby	New dwelling in rear garden and replacement of vehicular access gates (resubmission of planning reference number R12/1983).
<i>R15/2394 Approval of Details 13.03.2017</i>	Land at Former Ballast Pits and Railway Sidings Lower Street/Moors Lane Hillmorton Rugby	Formation of new access road and associated infrastructure
<i>R14/2199 Approval of Details 14.03.2017</i>	Coton House Lutterworth Road Churchover Rugby	Change of use of Coton House to a single dwelling house, erection of associated garaging, gym and spa, re-instatement of former north drive, alterations to the access onto A426 with associated boundary treatments and provision of bat barns.
<i>R17/0230 Approval of Reserved Matters 14.03.2017</i>	Cawston Extension Site Coventry Road Cawston	Erection of 2 electric substations: Approval of reserved matters in relation to outline planning permission: R11/0114.

<i>R11/0114</i> <i>Approval of Details</i> <i>16.03.2017</i>	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>R16/1933</i> <i>Approval of Details</i> <i>16.03.2017</i>	Land South of Back Lane Back Lane Long Lawford	Variation of condition 2 of R12/1188 (Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.) to make amendments to approved housetypes and garages and repositioning of plots 16-24.
<i>R06/0064/MAJP</i> <i>Approval of Details</i> <i>22.03.2017</i>	Land at Leicester Road Leicester Road Rugby	Outline Planning Application for the redevelopment of land to provide a mixed scheme incorporating residential development comprising the erection of 540no. dwellings, 2 hectares of employment (Class B1) development, a new college campus for Warwickshire College including associated facilities with car parking (Class D1), a DIY retail store [5156 sq.m gross internal floor space with ancillary areas for the display and sale of building materials (975 sq.m) and garden centre products (1245 sq.m gross)], and a new spine road together with associated landscaping, public open space, car parking, vehicular and pedestrian access ways and ancillary works.
<i>R07/1918/MAJP</i> <i>Approval of Details</i> <i>22.03.2017</i>	Land at Leicester Road Leicester Road Rugby	Outline planning application with means of access to be determined for the redevelopment of land for the erection of 95 dwellings (Class C3) with associated public open space, landscaping, car parking, access roads and ancillary works.
<b><i>Withdrawn</i></b>		
<i>R17/0292</i> <i>Withdrawn</i> <i>15.03.2017</i>	Orchard Barn 2A Orchard Close Wolvey Rugby	Erection of a single storey side extension and conversion of garage.

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 23.03.2017 TO 19.04.2017

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R16/2584 Refused 05.04.2017</i>	50 Southfield Road Rugby	Erection of a two storey rear extension and a detached garage to rear of the garden.
<i>R17/0037 Refused 13.04.2017</i>	Ward Hi Tech Limited Unit 14 Tripontium Business Centre Newton Lane Rugby	Change of use to garage and offices for the maintenance of own fleet of coaches and administration of a coach hire business (retrospective) including the use as a training office.
<b>Applications Approved</b>		
<i>R17/0233 Approved 15.03.2017</i>	92 Ashlawn Road Rugby	Erection of a first floor rear extension and a single storey rear extension.
<i>R16/2577 Approved 21.03.2017</i>	84 Rugby Road Binley Woods Rugby	Erection of a two storey rear extension.
<i>R17/0177 Approved 23.03.2017</i>	Tuckeys Farm Cathiron Lane Harborough Magna	Conversion and extension of existing barn to residential dwelling.
<i>R17/0101 Approved 23.03.2017</i>	The Knack Rugby Road Brandon Rugby	Erection of a replacement dormer bungalow and a detached garage.
<i>R17/0308 Approved 24.03.2017</i>	42 Millfields Avenue Rugby	Erection of a garden room and store.
<i>R16/2504 Approved 24.03.2017</i>	272 Dunchurch Road Rugby	Erection of a two storey side extension and a single storey rear extension.

<i>R17/0282 Approved 27.03.2017</i>	24 Crick Road Hillmorton Rugby	Substitution of house type and parking for 2no.cars at plot 2 of approval R15/2059 (Demolition of Existing Bungalow and Garage and the Erection of Four New Dwellings with Garages) dated 30th November 2015
<i>R17/0285 Approved 27.03.2017</i>	34 Paradise Street Rugby	Erection of a single storey rear extension
<i>R17/0287 Approved 27.03.2017</i>	29 North Road Clifton Upon Dunsmore Rugby	Erection of a single storey rear extension
<i>R16/2576 Approved 27.03.2017</i>	10 Church Road Ryton on Dunsmore	Erection of a two storey side extension.
<i>R17/0334 Approved 28.03.2017</i>	45 Oulton Road Rugby	Conversion of part of garage to a home office.
<i>R16/2416 Approved 28.03.2017</i>	Brickyard Cottages Coventry Road Cawston Rugby	Conversion of workshop to dwelling and conversion of storage building to Granny Annexe with associated access and landscaping.
<i>R17/0276 Approved 29.03.2017</i>	Orchard Close Lilbourne Road Clifton Upon Dunsmore Rugby	Erection of a two storey side extension, single storey rear extension and other alterations.
<i>R16/2566 Approved 30.03.2017</i>	1 Hart Close Rugby	Erection of a two storey side extension and single storey detached garage
<i>R16/2437 Approved 30.03.2017</i>	42 Holbrook Avenue Rugby	Erection of single storey side/rear extensions with first floor extension to rear elevation and conversion of loft to habitable rooms with associated works to roof
<i>R17/0288 Approved 30.03.2017</i>	1-3 Abbey Street Rugby	Proposed conversion of an existing ground floor shop (Use Class A1) and connecting single dwelling (Use Class C3) to 3 no. 1 bedroom flats and 1no. 2 bedroom flat (Use Class C3) together with external alterations
<i>R16/2507</i>	New Barn	Change of use from storage to residential

<i>Approved</i> 31.03.2017	2 Cambridge Street Rugby	dwelling.
<i>R17/0311</i> <i>Approved</i> 31.03.2017	66 Loverock Crescent Rugby	Erection of two storey side and rear extension and single storey rear extension and canopy over front entrance
<i>R17/0353</i> <i>Approved</i> 31.03.2017	Pioneer Farm Stockton Road Birdingbury Rugby	Proposed relocation of existing outdoor manege
<i>R17/0310</i> <i>Approved</i> 31.03.2017	1 Bonnington Close Rugby	Erection of two storey side extension and single storey rear extension
<i>R16/2553</i> <i>Approved</i> 31.03.2017	Tacit The Barn 59 Moat Farm Drive Hillmorton Rugby	Erection of a two storey extension to existing building to create additional office/meeting room at ground floor and addition floorspace to the first floor residential flat.
<i>R17/0159</i> <i>Approved</i> 04.04.2017	Abbots Farm Parade Lower Hillmorton Road Rugby	Formation of vehicle access off Lower Hillmorton Road and Abbots Way, resurfacing of existing concrete apron with tarmac, installation of new tarmac pavement and formation of formal car parking area to the front of the parade of shops (Resubmission of previously approved planning application R15/2433).
<i>R17/0319</i> <i>Approved</i> 04.04.2017	122 Kingsley Avenue Hillmorton Rugby	Erection of extension to existing utility room
<i>R17/0350</i> <i>Approved</i> 04.04.2017	14 Poplar Grove Ryton on Dunsmore	Erection of a first floor side extension above the existing garage and a two storey rear extension
<i>R17/0358</i> <i>Approved</i> 04.04.2017	36 Percival Road Rugby	Erection of single storey rear extension and minor amendment to existing side window
<i>R17/0139</i> <i>Approved</i> 07.04.2017	4 Charwelton Drive Brownsover Rugby	Conversion of the garage to ancillary living accomodation.
<i>R17/0357</i>	Brambles Barn	Vary condition 4 of R13/0779 (Proposed

<i>Approved 07.04.2017</i>	Bilton Fields Farm Lane Rugby	Change of Use of Barn to 3 Dwellings) to allow window to be formed in side elevations and velux rooflight re-configuration.
<i>R17/0225 Approved 10.04.2017</i>	Datagraphic (UK) Ltd Cottage Leap Rugby	Part demolition of existing building. Alterations to internal floor plans and external elevations.
<i>R17/0094 Approved 10.04.2017</i>	Toft House Southam Road Toft Rugby	Conversion of part of the existing courtyard building ancillary to toft house to 2 no 1 bed flats and external alterations to building with associated residential amenity space and car parking
<i>R16/1841 Approved 10.04.2017</i>	3 Crowsfurlong Rugby	Erection of a single storey side extension and a detached wooden garden store.
<i>R17/0335 Approved 10.04.2017</i>	28 Orchard Way Rugby	Erection of single storey side and rear extension
<i>R16/0243 Approved 11.04.2017</i>	7 Crowsfurlong Rugby	Conversion of attached double garage to living accommodation.
<i>R17/0407 Approved 12.04.2017</i>	8 Siskin Close Rugby	Single storey rear extension, new porch, new 1.8 metre fence to side boundary and solar panels to detached garage
<i>R17/0201 Approved 12.04.2017</i>	Land Adjacent to Swallows Nest Peter Hall Lane Coombe Fields Rugby	Construction of multi-purpose agricultural building.
<i>R17/0088 Approved 12.04.2017</i>	Colehurst Farm Colehurst Lane Combe Fields	Conversion of existing barns into 8 residential units with associated works
<i>R17/0409 Approved 12.04.2017</i>	Meadowcroft Biggin Hall Lane Thurlaston	Erection of gazebo with roof in rear garden.
<i>R17/0415 Approved 13.04.2017</i>	21 Westgate Road Rugby	Proposed single storey rear extension and two storey side and rear extension to dwelling

<i>R17/0434 Approved 13.04.2017</i>	42 Oliver Street Rugby	Erection of one new dwelling.
<i>R17/0245 Approved 13.04.2017</i>	63 Main Street Long Lawford Rugby	Demolition of existing conservatory and erection of single storey- front, side and rear extension
<i>R17/0229 Approved 13.04.2017</i>	Shilton Baptist Church Church Road Shilton Rugby	Proposed alteration/extension to provide kitchen and WC.
<i>R17/0428 Approved 18.04.2017</i>	10 Crick Road Hillmorton Rugby	Proposed two storey front extension
<i>R17/0423 Approved 18.04.2017</i>	70 Westfield Road Rugby	New two storey with part single storey side extension
<i>R17/0450 Approved 18.04.2017</i>	Laburnum Lodge Biggin Hall Lane Thurlaston Rugby	Extensions and alterations to dwelling.
<i>R17/0383 Approved 18.04.2017</i>	The Beeches Main Street Wolston	Part demolition and proposed reconstruction of a partly demolished boundary wall
<i>R17/0429 Approved 18.04.2017</i>	20 Bow Fell Brownsover Rugby	Erection of a rear glazed canopy
<i>R17/0355 Approved 18.04.2017</i>	6-7 High Street Rugby	Retrospective change of use from A1 (General Retail) to A3 (Cafe & Restaurant).
<i>R17/0408 Approved 18.04.2017</i>	69 Ilmer Close Brownsover Rugby	Conversion of existing integral garage together with external alterations. External alterations to existing porch.
<i>R17/0388 Approved 18.04.2017</i>	13 Mallow Way Brownsover Rugby	Erection of a two storey side extension incorporating garage.

R17/0367 Approved 18.04.2017	10 Vicarage Road New Bilton Rugby	The enlargement of the existing basement light-well to form a fire escape light-well for the basement area
R17/0442 Approved 18.04.2017	136 Ashlawn Road Rugby	Erection of a timber panel boundary fence to replace existing hedge (retrospective).
R17/0291 Approved 18.04.2017	The Keep Moat Lane Wolvey Rugby	Erection of a single storey rear extension to replace the existing conservatory.
R17/0410 Approved 19.04.2017	66 Daventry Road Rugby	First floor extension over existing single-storey ground floor kitchen to front of property
R16/2185 Approved 19.04.2017	Armada Boat Hire 2 Hillmorton Wharf Crick Road Hillmorton Rugby	Change of use from barn to residential dwelling.
R17/0440 Approved 19.04.2017	5 Montrose Road Rugby	Erection of single storey front, side and rear extension and proposed conversion of garage to form garden room (re-submission of R16/1464 & R16/2189).
R17/0341 Approved 19.04.2017	2 Humphrey Close Butterfield Gardens Rugby	Conversion of existing integral garage to a dining room and erection of a brick shed in the rear garden.
R17/0114 Approved 19.04.2017	8 Lawford Lane Rugby	Erection of three detached dwellings
<b>Prior Approval Applications</b>		
R17/0399 Prior Notification of agricultural or forestry development not required 23.03.2017	Land to rear of Ansty Hall Hotel Main Road Ansty	Application for prior approval under Schedule 2, Part 6 of the Town and Country Planning [ General Permitted Development] [ England ] Order 2015 [As amended ] for the erection of a general purpose agricultural building
R17/0318 Prior Approval not required	Hornbeam House 31A The Crescent Brinklow	Prior approval for the erection of a single storey rear extension.

27.03.2017	Rugby	
R17/0270 Prior Approval not required 28.03.2017	9 Wentworth Road Rugby	Prior Approval for the erection of 5.0 m extension from the rear of the original dwelling and 2.60 m to the eaves and 3.4 m to highest point
R17/0343 Prior Approval not required 30.03.2017	Barn Farm Bow Lane Coventry	Notification for the change of use of two agricultural buildings to dwelling houses (Class Qb).
R17/0250 Prior Approval not required 30.03.2017	43 The Kent Hillmorton Rugby	Prior approval for the erection of a single storey rear extension.
R17/0379 Prior Approval not required 19.04.2017	Calias Farm Calias Lane Broadwell Rugby	Prior approval for the change of use of agricultural unit to residential dwelling (Class C3) under the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q (Part B).
<b>Advertisement Consent</b>		
R17/0199 Advertisement Consent 30.03.2017	Unit DC1 - Prologis Ryton Imperial Road Oxford Road Ryton on Dunsmore	Retention of five non-illuminated fascia signs and a non-illuminated totem sign.
R17/0411 Advertisement Consent 12.04.2017	24 School Street Hillmorton Rugby	Advertisement consent for the installation of a fascia sign and free-standing sign.
<b>Certificate of Lawful Use or Development</b>		
R17/0435 Certificate of Lawful Use or Development 28.03.2017	The Chimneys Smeaton Lane Coombe Fields	Certificate of Lawful development for proposed use erection of a single storey rear extension and demolition of existing conservatory
R17/0275 Certificate of Lawful Use or Development 29.03.2017	Avondale Station Road Clifton Upon Dunsmore Rugby	Certificate of lawfulness for the occupation of the dwelling without complying with condition 4 (agricultural occupancy condition) of outline planning permission R78/1209/10250/OP dated 5th February 1979

<i>R17/0510 Certificate of Lawful Use or Development 05.04.2017</i>	66 Catesby Road Rugby	Certificate of Lawfulness for proposed development for hip to gable extension and rear dormer to provide living accommodation
<i>R17/0326 Certificate of Lawful Use or Development 07.04.2017</i>	7a Eastfield Place Rugby	Certificate of Lawfulness for Proposed Development of premises for purposes within Classes A1 (retail) and A2 (financial and professional services) of the Town and Country Planning (Use Classes) Order 1987.
<b>Hazardous Substances Consent</b>		
<i>R16/0922 Hazardous Substances Consent 30.03.2017</i>	H W Coates Limited Cosford Lane Brownsover Rugby	Hazardous Substance Consent for the storage of hazardous materials (reg 5)
<i>R16/0930 Hazardous Substances Consent 30.03.2017</i>	H W Coates Ltd 1-5 Roman Way Newbold Rugby	Hazardous Substance Consent for the storage of hazardous materials (reg 5)
<b>Approval of Details/ Materials</b>		
<i>R16/0720 Approval of Details 23.03.2017</i>	12 Sanford Way Rugby	Replace existing flat roof for a new pitched roof to garage and increase drive width.
<i>R12/1353 Approval of Details 29.03.2017</i>	Coton House Lutterworth Road Churchover Rugby	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).

<i>R14/2369 Approval of Details 29.03.2017</i>	Newbold Farm Main Street Newbold Rugby	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.
<i>R13/0779 Approval of Details 03.04.2017</i>	Site adjacent to Brambles Barn Bilton Fields Farm Lane Rugby	Proposed change of use of barn to three residential dwellings, including partial demolition and rebuild, together with change of use of land to form gardens, bin storage, parking and access.
<i>R16/0860 Approval of Details 04.04.2017</i>	Rugby Radio Station Key Phase 1 – Land for Primary School (East of Rugby / West of A5) off Crick Road Hillmorton Rugby	Urban extension to Rugby under ref. no. R11/0699 approved on 21st May 2014 – Application for reserved matters approval for construction of a 3 form entry primary school in Key Phase 1 of the Radio Station Rugby development with associated (vehicular, cycle and pedestrian) access, hard and soft landscaping and lighting, laying out and grading of playing fields including associated drainage works, boundary treatments, car and cycle parking provision and engineering works, including provision of drainage and utilities infrastructure including construction of substation, and ground re-modelling.
<i>R17/0469 Approval of Details 04.04.2017</i>	Heart of England Co Op Swan Centre Chapel Street Rugby	Redevelopment comprising demolition of existing buildings, the erection of a foodstore and additional retail units together with revised access arrangements, car parking and associated works and partial demolition and alterations to 'Madisons' in Chapel Street. - Submission of details to discharge Condition 18 of Planning Permission Ref No. R03/0816/23300/P dated 21st December 2004 relating to Units 1, 2, 3, 4, 7, 8, 10, 11, 13 and 16.
<i>R16/1483 Approval of Details 12.04.2017</i>	Percival Guild Percival Guildhouse Social Club 9 St Matthews Street Rugby	Listed building consent to cut out spalled and perished bricks to be replaced and re-pointed phase one and two only.
<b>Approval of Non Material Changes</b>		
<i>R16/0316 Approval of Non Material Changes 23.03.2017</i>	Firbank Overstone Road Coventry	1 - Conversion of existing ancillary building into residential accommodation including extensions and alterations with associated vehicular access

		2 - Extensions and alterations to existing dwelling (Firbank)
<i>R13/0308 Approval of Non Material Changes 30.03.2017</i>	Highwood Farm Coventry Road Brinklow	Proposed erection of on-farm anaerobic digestion plant with associated infrastructure and perimeter bund
<i>R15/2002 Approval of Non Material Changes 06.04.2017</i>	Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby	Extensions to existing building, together with new effluent treatment plant area and high-level pedestrian link bridge.
<i>R16/1721 Approval of Non Material Changes 19.04.2017</i>	(Northern part of) Cawston Extension Site Coventry Road Cawston Rugby	Erection of 184 dwellings and associated infrastructure: Approval of reserved matters related to R11/0114 {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).}
<b>Withdrawn</b>		
<i>R17/0349 Withdrawn 03.04.2017</i>	Rose and Crown 28 Main Street Wolston	Erection of an external smoking shelter