

24th March 2017

PLANNING COMMITTEE - 5TH APRIL 2017

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 5th April 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 meeting held on 15th March 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. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
6. Delegated Decisions – 16th February – 8th March 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 2016/17 – 13) are attached.

Membership of the Committee:

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Brown, Butlin, Cranham, Ellis, Gillias, Lewis, Sandison and Srivastava (one vacant seat).

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

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

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

Planning Committee – 5th April 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

Item	Application Ref Number	Location site and description	Page number
1	R16/0096	Part of former college site, Lower Hillmorton Road, Rugby Proposed housing development consisting of 17 no. self contained dwellings for adults with learning disabilities, incorporating communal area, shared gardens, staff office, parking area and all associated works.	3
2	R16/1910	Polo Field, Lime Tree Village, Cawston Lane, Dunchurch, CV22 7SE Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)	17
3	R15/2505	Land at Mobbs Wood Farm, Brinklow Road, Coventry Change of use of land for use as a moto-cross practise track together with construction of a car parking area and associated landscaping including the creation of a bund.	33
4	R16/2436	Williams Fields, Land rear of Coventry Road, Cawston, Rugby Erection of 13 dwellings (substitution of house types on 14 plots (nos. 66-74 and 91-95) of planning permission R15/0540)	43

Reference number: R16/0096

Site address: Part of former college site, Lower Hillmorton Road, Rugby

Description: Proposed housing development consisting of 17 no. self contained dwellings for adults with learning disabilities, incorporating communal area, shared gardens, staff office, parking area and all associated works.

Case Officer Name & Number: Karen McCulloch, 01788 533623

This application is being reported to Planning Committee as it is a major development of over 15 dwellings.

Description of site

This application relates to part of the former Warwickshire College site located on Lower Hillmorton Road. The site is relatively level and has been cleared.

There are mature trees, covered by a Tree Preservation Order which cross the site and are situated along the site frontage.

The application site fronts onto the road and the residential development on the remainder of the college site, currently under construction, is to the north east and north west. The approved dwellings on the college site range from 2 to 4 bedrooms and are two and two and a half storey properties with pitched roofs. The boundaries with the Bellway site comprise 2m close boarded fencing.

An existing residential development to the other side of the Bellway site contains a mix of properties, including three storey apartment buildings.

Existing residential properties are located to the south of the site. These are mostly traditional semi-detached two storey houses with bay windows and hipped roofs, these are a mix of brick and render. Number 63a Lower Hillmorton Road to the side of the site is a two storey detached house with a pitched roof, this has windows in the side elevation looking towards the site.

Relevant planning history

R13/0124: Outline application for Class C3 residential development of up to 131 dwellings and provision of 0.4 hectare of land for the provision of a Class C2 Extra Care facility, with associated works and landscaping. All matters reserved except for access. – Approved August 2014.

The current application site was included within the above application and formed the part of the site indicated for the provision of a C2 Extra Care facility. The s106 attached to this outline consent included requirements that the C2 Extra Care facility be provided and retained, or if this shown not to be possible, that the land be used to provide affordable housing.

The current application proposes the Extra Care units to be provided as Class C3 – residential dwellings, rather than C2 – residential institutions. Therefore a new full application is required, rather than an approval of reserved matters application.

Description of proposals

This application is for the erection of 17 dwellings to be used by adults with learning disabilities. The applicant has provided information regarding the proposed operation of the scheme and why it is considered this falls within use class C3.

The proposed dwellings will mainly be 1 bedroom units with a single 2 bedroom dwelling proposed. These will comprise:

11	1 bedroom apartments
3	1 bedroom townhouses
2	1 bedroom bungalows
1	2 bedroom apartment

Relevant planning policies and guidance

Rugby Borough Core Strategy, 2011

CS1	Complies	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport and New Development
CS14	Complies	Enhancing the Strategic Green Infrastructure Network
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions
CS19	Complies	Affordable Housing

Rugby Borough Local Plan 2006 – Saved policies

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking facilities
H3	Complies	Housing proposals in the Rugby Urban Area
H11	Complies	Open space provision in residential developments in the urban area
LR1	Complies	Open Space Standards

Housing Needs Supplementary Planning Document, 2012

Planning Obligations Supplementary Planning Document, 2012

Sustainable Design and Construction Supplementary Planning Document, 2012

National Planning Policy Framework, 2012 (NPPF)

Assessment of proposals

As detailed above this is a full application for the development of C3 dwellings for use by adults with learning disabilities. The key issues to assess are therefore the principle of the development, the impact on protected trees, highway safety, design, the impact on neighbouring properties, landscaping and ecology.

Proposed Use Class

The applicant has provided information as to how the proposed development will operate in order to clarify that the properties will be self-contained dwellings under Use Class C3, rather than a residential institution under Use Class C2.

This explains that the applicants have submitted the application following a successful bid to Warwickshire County Council to deliver the scheme. Warwickshire County Council are moving away from commissioning residential care schemes towards providing “specialised housing” scheme which allow occupiers to live as independently as possible.

The scheme will promote independent living in a non-institutional manner and each dwelling will be self-contained with its own front door and ground floor properties will also have private gardens. Each property will have its own utility meters and residents will be responsible for paying their own bills.

There will be a centrally located staff facility which will allow staff support to be provided to occupiers depending on their levels of need. This would also act as a hub for staff who provide support to other services in the area. The agent has clarified that nursing care will not be provided and there will not be a minimum level of care package required for occupiers but that packages of support will focus on supporting people managing their tenancies, living independently and utilising local community facilities.

The ownership of the properties would be retained by the applicants and tenants will be proposed following consultation with Rugby Borough Council and Warwickshire County Council.

Based on the information provided by the applicant it is accepted that the proposed dwellings fall within Use Class C3 and the application will be considered on this basis.

The s106 attached to the outline consent for the college site refers to requirements to provide a C2 Extra Care facility. A Deed of Variation to this legal agreement will be required to refer to the current application and the C3 dwellings proposed.

Principle of development

The application site lies within the Rugby Urban area which is identified by policy CS1 as the primary focus for meeting strategy growth targets. The site is also referred to by saved policy H3 which allocates the complete college site for residential development of around 180 dwellings with 60 affordable dwellings.

The outline application for the college site granted consent for 131 dwellings and the land for the extra care facility was expected to provide around 16 units – 1 less than currently proposed. In determining the outline application it was considered that providing 180 dwellings, as detailed in saved policy H3 would result in an unacceptably high density development of around 48 dwellings per hectare and that providing less dwellings than the approximate figure given in policy H3 was therefore considered acceptable.

The Strategic Housing Market Assessment which has informed the draft local plan identifies the need for Extra Care accommodation within the borough.

The applicant has also provided information from Warwickshire County Council explaining there is a clear need for this type of accommodation within Rugby Borough with around 180 customers with learning disabilities living either in the community or residential care. There are also 147 further customers currently living out of the area who may wish to relocate if suitable accommodation becomes available.

The need for the proposed development will contribute towards meeting this need and this is given weight in the determination of the application.

It is therefore considered that the principle of the proposed development is acceptable in accordance with policy CS1 and saved policy H3.

Landscape and ecology

Trees crossing the site, and on the site frontage, are covered by a Tree Preservation Order. Although the majority of trees are to be retained some trees are to be removed.

In order to provide the vehicle access 3 relatively small trees, not covered by the Preservation Order are to be removed and the Tree Officer does not object to this.

The originally submitted plans proposed the removal of four protected trees, three to allow the construction of the central block and one due to the close proximity to the proposed townhouses.

The Council's Tree Officer objected to the application on the grounds of the removal of these trees, due to the front block being too close to a protected tree on the site frontage, which could cause harm to this tree or pressure for its removal in the future and due to concerns regarding hardsurfacing being provided within the root protection areas (RPAs) of protected trees.

Amended plans were provided which make amendments to the layout in order to reduce the impact on protected trees. These amendments move the front apartment block into the site away from the protected tree and move the townhouses away from the protected tree to allow its retention.

However, the provision of the central block still necessitates the removal of three protected trees in the centre of the site. These comprise one Cherry tree rated category C within the Tree Report (although the Tree Officer considers it may be category B), a Willow and a Horse Chestnut which are both rated category A within the Tree Report.

The Tree Officer has commented on the amended plans and welcomes to amendments to protect trees T1 and T17. The proposals will still result in the removal of three good quality trees although the Tree Officer advises that T12 has lost a large branch that may impact on its future longevity. The Tree Officer has requested replacement tree planting close to the northern boundary where trees were previously lost and conditions to ensure trees are sufficiently protected during and after construction.

The applicant has provided information which explains the removal of these trees is necessary to allow the site to work successfully from an operational and architectural perspective, to ensure the viability and deliverability of the scheme and to meet the need for specialised housing in the area.

From an operational perspective the layout has been designed with the staff office and common room being centrally located within the site. This will provide a easily accessible focal point for residents, allow natural surveillance of the site and provide access from these common areas to the drop off, parking and refuse areas.

There is currently a dense band of protected trees running across the site and the retention of all trees would result in the development of the eastern part of the site being very difficult. If all the trees were retained this would effectively split the site and would not result in an accessible and integrated development as the common areas would be remote from some of the dwellings. The retention of the trees would result in the removal of at least three dwellings as it would not be possible to locate these elsewhere within the site without adversely impacting on other trees, residential or visual amenity.

The application has been submitted following detailed discussions with Warwickshire County Council regarding the need for extra care housing. If three dwellings were lost the financial viability of the scheme would be affected. It is not possible, or desirable, for rents to be increased above affordable levels and this could also affect grant funding from the Homes and Communities Agency as rents must remain as "social affordable levels." This could threaten the deliverability of the development.

As detailed above the applicants have provided information from Warwickshire County Council detailing that there is a need for this type of accommodation in the area. This information and the identification of the need for Extra Care accommodation within the Strategic Housing Market Assessment add weight in favour of the application.

Consideration must also be given to the allocation of the site for residential development within the Rugby Borough Local Plan, 2006 and the existing outline consent for the development of C2 accommodation on this site; these factors carry weight in favour of the application.

Areas of landscaping are to be provided as part of the development and although details would be controlled by condition this carries some weight in favour of the proposals. The scheme has also been designed, and amended, to allow as many protected trees as possible to be retained.

In relation to hardsurfacing within the RPAs of protected trees the applicants have provided a detailed study which demonstrates that new hardsurfacing within the RPA of each tree does not exceed 20% of any existing unsurfaced ground within the RPA. The Tree Officer no longer objects on this basis, subject to a condition relating to the use of "no-dig" products within RPAs.

It is considered that, whilst the removal of three protected trees is regrettable and carries weight against the application this is outweighed by the development providing Extra Care accommodation to meet an identified need within Rugby Borough, by the previous allocation and consent, to some extent by the proposals to provide additional landscaping and replacement trees and the amendments to reduce the impact on other trees within the site. It is therefore considered, on balance that the removal of the trees is acceptable in accordance with saved policy GP2.

The application was accompanied by an Ecological Assessment and bat, reptile and Great Crested Newt surveys. The County Ecologist raised no objection to the proposals, subject to informative relating to nesting birds, native species and hedgehogs. It is therefore considered that there will not be an adverse impact on protected species, in accordance with saved policy E6.

Due to the location of the site close to Great Central Walk the site is located within the identified Green Infrastructure (GI) Network. The garden and open space areas will provide linkages into the adjacent site and towards the GI network and this is considered acceptable in accordance with policy CS14.

Access, Highways and Parking Provision

The Highway Authority, Warwickshire County Council, commented on the application and raised no objection to the access arrangements subject to a range of conditions and informatives including conditions relating to the provision of visibility splays and turning areas. The proposed access arrangements are therefore considered acceptable in accordance with policy CS11.

In relation to car parking although the application is for C3 dwellings consideration must be given to the fact that these will be occupied by residents with specific needs who are likely to have low levels of car ownership.

For general C3 dwellings 17 units would generate a need for 25 parking spaces. Residential homes, within use class C2, for adults with learning disabilities would generate a need for a maximum of 9 car parking spaces for staff and visitors.

It is considered appropriate, in this case, to apply the parking standards for C2 and this approach has been supported by the Highway Authority. On this basis it is considered the 8 proposed car parking spaces are acceptable.

Cycle storage is proposed to the rear of the central block and a condition is proposed requiring details of the proposed store to be agreed by the Council.

Subject to this condition the parking provision is considered acceptable in accordance with saved policy T5 and the parking standards contained within the Planning Obligations SPD.

Visual amenity and design

The properties most prominent from Lower Hillmorton Road are the proposed apartments which will be provided in two blocks.

The block closest to the road will be two storey and will contain 6 apartments. The part of the building closest to the road is turned through 90 degrees which results in this part of the building providing an active frontage, and front door facing the road, this reflects existing residential development in the area. The other apartments within this block will have entrance looking towards to entrance court and parking area.

The other apartments will be provided in a two and three storey block set back from the road and running parallel to it. The part of this building adjacent to the entrance court area will contain the common room and staff accommodation at ground floor and will be three storey, the rest of this building will be two storey.

Lower roof forms will be used to break up the apartment blocks and reduce the bulk.

Two single storey bungalows are proposed to the north of the two storey apartment block, these will have gable elements which provides separation between the properties.

Three townhouses are proposed at the rear of the site, these form a terraced row but will have gable fronted roof forms which add interest to their design.

The properties are proposed with flat roofed projecting porches, areas of brick detailing and windows with vertical emphasis add interest and contemporary features to the scheme. It is considered the three storey element is acceptable as this reflects three storey apartment buildings found elsewhere on Lower Hillmorton Road.

Subject to a condition relating to materials details it is considered that the design of the proposals will demonstrate high quality design that would not harm the character or amenity of the surrounding area in accordance with the relevant part of policy CS16.

Impact on amenity

Policy CS16 states that the amenity of existing and future occupiers must be safeguarded.

The proposed dwellings are proposed with relatively small garden areas and the dwellings will be between 6m and 9.2m from the boundaries with neighbouring properties. The dwellings will also have windows around 14m – 19.4m from windows in neighbouring properties.

An objection has been received from a neighbour regarding the impact of the repositioned townhouses on neighbouring properties. The blank side elevation will be 13.6m from the rear of the house to the side, the position of the proposed dwelling is such that it will not enclose the entire garden and it is considered the impact in terms of loss of light is not so severe as to warrant refusal of the application.

In order to prevent overlooking or a loss of privacy to neighbouring dwellings the properties have been designed with upper floor windows in the rear elevations serving non-habitable rooms such as landings, corridors or bathrooms or as secondary windows in habitable rooms. A condition is therefore suggested requiring rear facing windows to specified plots to be obscure glazed.

Apartments do not benefit from permitted development rights, however due to the limited garden sizes a condition is proposed removing permitted development rights from the bungalows and townhouses.

Subject to these conditions it is considered the impact on residential amenity is acceptable in accordance with the relevant part of policy CS16.

Open space provision

Areas of amenity open space are proposed within the including a communal sensory garden and these are considered to be well located for access by residents of the development.

The amended plans show vegetable plots for the residents on the site frontage adjacent to Lower Hillmorton Road. This is not considered suitable for vegetable plots which may be empty for part of the year as this could impact on visual amenity. The Tree Officer has also advised that the plots would be overshadowed by the dense canopy of the adjacent tree. The landscaping condition allows for these to be provided elsewhere within the site, or omitted if a suitable location cannot be found.

In addition to this the outline application for the college site included areas of on-site amenity space and the s106 secured contributions towards off-site provision. Although the current application is a full application it does not increase the amount of development above that approved by the outline consent. It is therefore considered there will not be any additional demand for off-site open space above that linked to the planning permission for the college site and no further contributions are considered necessary.

The proposals are therefore considered acceptable in accordance with saved policies LR1 and H11.

Sustainable design and construction

Core Strategy policies CS16 and CS17 refer to sustainable design and reducing carbon emissions and these requirements are also contained within the Sustainable Design and Construction SPD.

CS16 states that sustainable drainage systems (SUDS) should be used where practical and that developments should meet specified water conservation levels, this policy states that the viability of a development and site characteristics should be taken into account when assessing these requirements.

Policy CS16 requires developments to comply with the water conservation standards contained within Level 4 of the Code for Sustainable Homes, this Code has been revoked by the Government and it is not considered reasonable to include this requirement. This was not required in relation to the outline consent for the college site due to the impact on viability.

CS16 also requires sustainable drainage systems to be used and this was considered when the outline application was considered for the college site. The Flood Risk Assessment detailed that due to the ground conditions, which are a mix of granular materials and clay, and the relatively shallow groundwater levels SUDS are unlikely to be suitable. Following the receipt of additional information WCC Flood Risk do not raise objection to the proposed drainage scheme, subject to a condition, and this is considered acceptable in accordance with policy CS16.

CS17 requires developments of over 10 dwellings to provide equipment to reduce carbon emissions by 10%, information has been submitted detailing the sustainability measures to be used and Building Control have confirmed that this will achieve the required carbon reduction, this is in accordance with policy CS17.

Affordable housing

Policy CS19 states that on developments of the size proposed a target affordable housing provision of 40% will be sought. This goes on to state that where the provision of the target level of affordable housing will threaten the viability of a scheme the Council will consider a reduced target.

When the outline application for the college site was determined it was agreed that the 16 dwellings to be provided on the land to be used for C2 extra care use would be provided as affordable housing. This resulted in a provision of 10.8% and viability information was provided and independently assessed. This concluded that the provision of additional affordable housing would render the development unviable and the level of affordable housing was considered acceptable.

The proposal would provide 17 affordable units, 100% of the dwellings currently proposed and 11.4% of the dwellings on the college site as a whole. This is considered acceptable in accordance with policy CS19.

Planning obligations & s106

The outline consent for the college site required contributions towards off-site open space, indoor sports and sustainable travel packs. Due to viability and as receipts from the sale of the site would benefit the education authority a reduced education contribution was required.

Although this is a full application it is proposed to vary the s106 attached to the outline consent for the college site. This will allow the extra care land to be used to provide the proposed specialised housing as C3 units but will retain the requirements for this to be used for specialised housing in perpetuity and for the properties to be let to people with specific needs agreed by the Borough and County Councils.

The other requirements of the s106, including the planning obligations detailed above will remain and these are considered acceptable in accordance with policy CS10 and the Planning Obligations SPD.

Other matters

Although they were consulted no response has been received from Warwickshire Fire and Rescue. However, in relation to the outline application for the site they were satisfied that suitable firefighting equipment could be secured by condition. This condition is suggested in relation to this application.

A central refuse store is proposed within the parking area and this was discussed between the applicants and Works Services at the pre-application stage. This is to be brick built with decorative brickwork in the elevation fronting Lower Hillmorton Road. This will accommodate 3 large (1100 litre) recycling bins, 3 large (1100 litre) general waste bins and 2 standard (240 litre) green waste bins, these will be shared between the properties. It is considered the store is large enough to accommodate different types of bins if these are required. Works Services were consulted on the application and raised no objection. The parking area includes a turning area and WCC Highways did not raise an objection to this arrangement.

Recommendation

Subject to a variation to the s106 agreement attached to planning permission R13/0124 to refer to the current application and properties within Use Class C3 the Growth & Investment Manager be given delegated powers to approve the application.

DRAFT DECISION

APPLICATION NUMBER

R16/0096

DATE VALID

02/12/2016

ADDRESS OF DEVELOPMENT

LAND AT LOWER HILLMORTON ROAD
(part of former college)
LOWER HILLMORTON ROAD
RUGBY

APPLICANT/AGENT

Jay Mistry
Omi Architects
31 Blackfriars Road
Salford
Manchester
M3 7AQ
On behalf of , Creative Support Ltd

APPLICATION DESCRIPTION

Proposed housing development consisting of 17 no. self contained dwellings for adults with learning disabilities, incorporating communal area, shared gardens, staff office, parking area and all associated works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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:

<u>Plan/Document</u>	<u>Reference</u>	<u>Received</u>
Proposed Site Plan	1366/L1000/A	09/03/2017
Proposed Site Sections	1366/L1601/A	09/03/2017
Proposed Site Layout – Ground Floor	1366/L1001/A	09/03/2017
Proposed Site Layout – First Floor	1366/L1002/A	09/03/2017
Proposed Dwelling Mix Plan	1366/L1003/A	09/03/2017
Proposed Access, Parking & Waste Plan	1366/L1005/A	09/03/2017
Proposed Tree Strategy Plan	1366/L1006/A	09/03/2017
1B Townhouse Plans & Elevations	1366/L1051/B	09/03/2017
1B Bungalow Plans & Elevations	1366/L1052	09/03/2017
1B Cottage Apartment Plans & Elevations	1366/L1050	29/11/2016
2B Cottage Apartment Plans & Elevations	1366/L1053	29/11/2016
Plot 9 Plans & Elevations	1366/L1056	09/03/2017
Plot 1 & 4 Plans & Elevations	1366/L1055	02/12/2016
2/3 Storey Apartment Elevations	1366/L1603/A	02/12/2016
2 Storey Apartment Elevations	1366/L1604/A	02/12/2016
Common Room & Staff Office	1366/L1054	29/11/2016
Refuse Store Plan & Elevations	1366/L1614	02/12/2016
Building Regulations Part L Report	AC/PartL/B23082	14/12/2016
Renewables & Sustainability Report	AC/RENEW/B3082	29/11/2016
Tree Report	LHR-BS-001/A	29/11/2017

REASON:

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

CONDITION: 3

Unless otherwise agreed in writing by the Local Planning Authority the common room and staff accommodation hereby permitted shall only be occupied and used for ancillary purposes linked to the operational use of the site, for no other purpose and shall not be used as a dwelling.

REASON:

In the interest of sustainability and to ensure the proper development of the site.

CONDITION: 4

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

REASON:

In the interest of visual and residential amenity.

CONDITION: 5

The first and second floor windows to be formed in the rear elevations of plots 5, 6, 9, 10, 11, 12, 15, 16 and 17 shall not be glazed or reglazed other than with obscure glass with a minimum level of obscuration of level 4.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION: 6

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

REASON:

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

CONDITION: 7

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

REASON:

In the interest of visual amenity.

CONDITION: 8

No development shall commence unless and until full details of finished floor levels of all buildings and ground levels of all access roads, parking areas and footways have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 9

Full details of the design and materials of the proposed cycle store and materials of the proposed bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall be provided, in accordance with the approved details before the first occupation of dwelling.

REASON:

In the interest of visual and residential amenity.

CONDITION: 10

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

REASON:

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

CONDITION: 11

No above ground development shall commence unless and until an access for vehicles been provided to the site not less than 5.0 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

REASON:

In the interest of highway safety.

CONDITION: 12

No above ground development shall commence unless and until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON:

In the interest of highway safety.

CONDITION: 13

Gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway.

REASON:

In the interest of highway safety.

CONDITION: 14

No above ground development shall commence unless and until a turning area has been provided within the site so as to enable vehicles to leave and re-enter the public highway in a forward gear.

REASON:

In the interest of highway safety.

CONDITION: 15

The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

REASON:

In the interests of fire safety.

CONDITION: 16

No machinery shall be operated, no external construction works shall be carried out and no construction traffic shall enter or leave the site outside the hours of 07.30 hours and 18.00 hours Monday to Friday, nor outside the hours of 08.30 hours and 13.00 hours on Saturdays, nor at any time on Sundays or Bank Holidays unless approved in writing in advance with the Local Planning Authority.

REASON:

To protect the amenity of nearby residents.

CONDITION: 17

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

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

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

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON:

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

CONDITION: 18

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

- The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- The control of dust including arrangements to monitor dust emissions from the development site during the construction phase; &
- Measures to reduce mud deposition offsite from vehicles leaving the site.

Development shall not be carried out other than in accordance with the approved Construction Environmental Management Plan.

REASON:

In the interest of the amenity of the environment and local residents.

CONDITION: 19

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme to be submitted shall:

- Be designed in accordance with Ecus environmental consultants Flood Risk Assessment Ref. AL/4558/130313/FRA submitted as part of permission R13/0124 for Warwickshire College, Lower Hillmorton Road.

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the Qbar Greenfield runoff rate for the site.
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide a plan to demonstrate exceedance flows are directed away from residential units.
- Provide evidence to show an agreement from Bellway Homes/ Severn Trent Water to connect to the existing surface water network.
- Provide a maintenance plan to the Local Planning Authority giving details on how the entire surface water systems shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the Local Planning Authority.

REASON:

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

CONDITION: 20

No above ground development shall commence unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the details shown on the approved layout this shall include the relocation or omission of the proposed vegetable plots and the provision of 3 additional trees close to the northern boundary.

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

REASON:

To ensure the proper development of the site, in the interest of visual amenity and to mitigate for the loss of protected trees.

CONDITION: 21

No works or development shall commence unless and until a final arboricultural method statement/tree protection plan for the protection of the retained trees (section 5.5 & 6.1, BS5837:2012) has been submitted to and agreed in writing with the Local Planning Authority.

This scheme shall include details and positioning of tree protection fencing, ground protection measures (including details of 'no-dig' surfacing within root protection areas), full tree works schedule including root pruning/access facilitation pruning specification, project phasing and an auditable monitoring schedule.

REASON:

To ensure all retained trees are not damaged during the development phase and successfully incorporated into the scheme.

CONDITION: 22

No works or development shall commence unless and until a final specification of all proposed tree planting has been submitted to and agreed in writing by the Local Planning Authority.

This specification shall include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

REASON:

To maintain and enhance continuity of tree cover with the site.

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVE: 1

This development is subject to a s106 legal agreement originally attached to planning permission R13/0124.

INFORMATIVE: 2

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering.

This can be downloaded at:

http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223&categoryID=200295 .

Alternatively, you can contact the Street Naming and Numbering Team for an application form at: SpecialistSupport@rugby.gov.uk or by ringing 01788 533885.

INFORMATIVE: 3

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

INFORMATIVE: 4

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Such as bat and bird boxes which can be used by a variety of species, native species planting of hedges and wild flower meadows, and habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

INFORMATIVE: 5

In view of the nearby hedgehog record and suitable habitat, care should be taken when clearing the ground prior to development, particularly piles of deadwood /leaves /bonfire mounds. If a hedgehog is found, work should stop until WCC Ecological Services is contacted. Applicants are advised to pay particular attention to foundation ditches. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC Act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of holes in fences and purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.

INFORMATIVE: 6

The Local Planning Authority emphasises to the applicant, land owner, lease holder, developer and any other relevant concomitant party (Applicant), that historical and current land uses, practices, processes, activities and incidents associated with the application site, in addition to areas of influence off-site in proximity, can significantly impact on an application due to contamination causing risk to human health, controlled waters and the wider environment. Statutory consultees can also influence. Stipulated contaminated land requirements may lead to expensive additional and more detailed investigation, remediation, validation and post development monitoring that can delay or prevent proceedings, make proposed development economically prohibitive to ensue and cause distress. Environmental Services strongly emphasise to the Applicant, preparation for such matters are accounted and mitigated, particularly if unexpected contamination is discovered.

The Applicant is also cautioned about the responsibilities of ownership under Part IIA of the Environmental Protection Act 1990.

INFORMATIVE: 7

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

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

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting longer than 10 days, three months' notice will be required.

INFORMATIVE: 8

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

INFORMATIVE: 9

- Warwickshire County Council as the Lead Local Flood Authority does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

- Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

- SuDS involve a range of techniques including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in NPPF.

Reference number:

R16/1910

Site address:

Polo Field, Lime Tree Village, Cawston Lane, Dunchurch, CV22 7SE

Description :

Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)

Case Officer Name & Number:

Richard Holt 01788 533687

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

Description of Site:

The site is located approximately 900 metres south of the centre of Bilton, 1.2 miles (2 kilometres) north of the centre of Dunchurch and 220 metres south east of Coventry Road, Cawston in open countryside outside any defined settlement boundary. It lies to the immediate north-west of the existing Lime Tree Village on an area of land approximately $\frac{3}{4}$ hectares in size within the previously approved Polo Field development site of approximately 3 hectares. The application site itself will be entirely surrounded by built development comprising of the previously approved extra care cottages and the existing Lime Tree Village complex. Lime Tree Village currently comprises of 69 cottages and 84 apartments within and around Cawston House. Building works have commenced on the Polo Field to implement the development of 47 extra care cottages comprising of terraces, semi-detached and detached units. 34 of those properties will be 2-bed and the remaining 13 will be 3-bed.

Beyond the north-eastern and north-western boundaries of the Polo Field site works have commenced to build 250 dwellings whilst to the south-west beyond Cawston Lane lie existing fields and woodland.

From east to west the land levels drop by approximately 3 metres and to the immediate north-west is an existing stream. It is understood that in the past the site was used for informal recreational purposes by the existing residents of Lime Tree Village and is known as the 'Polo Field.'

Description of Proposals:

This application is to replace the previously approved 30 bed Care Home and 12 Extra Care Apartments with associated communal facilities with 25 Extra Care Cottages (Use Class C2) to sit alongside the previously approved 47 Extra Care Cottages (Use Class C2) currently under construction.

The cottages will be two-storey arranged in two distinct courtyards with communal parking and associated landscaping in the centre of each. Six of the cottages will be 3-bed with the remaining 19 being 2-bed rising to between 7 metres to 7.8 metres to the ridge above ground level with a range of eaves heights of between 2.3 metres to 3.7 metres above ground level.

The design and appearance of the cottages will generally match the adjacent recently constructed extra care cottages by including the use of multi-red brick, cladding, small plain tiles, curved brick headers, timber doors and chimneys. One car parking space per dwelling will be provided (25 spaces) with an additional 5 car parking spaces for visitors and staff.

The proposals also include the provision of ground mounted photovoltaic solar panels which will cover an area of ground approximately 165m². The panels will rise to approximately 2.2 metres above ground level and will be surrounded by a 1.8 metre high brick wall including timber fencing and gates. Adjacent to this area will be the communal refuse bin enclosure which will be approximately 110m² in size surrounded by 1.8 metre high walling and timber fencing and gates with the capacity to hold 25 large bins.

A network of pathways and extensive soft landscaping, including a mix of trees, shrubs, hedging and grassed areas, will be incorporated across the site and provide linkages with other parts of the Lime Tree Village complex.

With regard to this particular scheme it is envisaged that the development would result in 4 full-time employees and 6 part-time employees.

A design and access statement has been submitted with the application, which includes details in relation to:

- extant permission on application site for a 30 bed care home and 12 extra care apartments;
- allocated car parking spaces;
- provision of solar pv panels previously approved on care home and apartment building;
- landscaped areas with substantial trees; &
- appearance will match traditional architectural character of existing buildings.

A Planning Statement, Statement of Community Involvement, Energy Statement, Archaeological Statement, Transport Statement and Addendum to the original Flood Risk Assessment also accompany this latest application.

Relevant Planning History:

Use of land for the construction of retirement village with communal facilities	Approved 25/03/2003
Construction of temporary haul road with associated buffer planting	Approved 27/03/2003
Use of land for the construction of retirement village with communal facilities	Approved 23/04/2003
Replacement of existing stable block by 8 two bed flats & ancillary accommodation for retirement village, plus two garages	Approved 02/02/2004
Erection of 9 two & three bed bungalows & chalets, 3 garages & 6 parking spaces	Withdrawn 26/11/2004
Substitution of house types for Plots 108 & 133	Approved 09/05/2006
Substitution of house type for plot 3	Approved 23/10/2006
Extension to Lime Tree Village to form a Continuing Care Retirement Community (Use Class C2) incorporating a 30 bed Care Home, 47 Extra Care Cottages (Use Class C2), 12 Extra Care Apartments (Use Class C2) associated communal facilities, open space and car parking facilities.	Approved 17/08/2011
Proposed extensions and alterations to Cawston House	Approved 03/09/2015
Variation of condition 2 of approval application ref 665 dated 17th August 2011 (Extension to Lime Tree Village to form 30 bed care home, 47 extra care cottages, 12 extra care apartments with associated communal facilities, open space & car parking) to allow the erection of a larger extra care cottage on Plot 28 (Class C2).	Approved 06/04/2016

Technical Consultations:

RBC Housing	C2 Classification, no comments
RBC Trees	No objection, subject to a condition
RBC Environmental & Public Realm	No objection, subject to conditions and informatives
Warwickshire Police	No objection, subject to informatives
Warwickshire Fire	No objection
WCC Highways	No objection, subject to conditions and an informative
WCC Archaeology	No comments as unlikely to have significant archaeological impact
WCC Ecology	No objection, subject to a condition and informatives
Warwickshire Flooding	No objection, subject to a condition
Severn Trent Water	No objection, subject to a condition and informative

Third Party Consultations:

Dunchurch Parish Council	No objections
Neighbours (2)	Object Lack of apartments for elderly people; Apartments make better use of ground area; Apartments more affordable and cheaper to heat;

Apartments more secure and residents feel less isolated in them;
Need more apartments not less;
Proposed extra care cottages not designed for ordinary elderly people wishing to downsize;
Accept 30-bed care home business case might not stack up but more apartments to match existing apartments would;
Proximity of solar farm to existing properties – significant size that will dominate views from these houses; &
Anomalies on plans mislead scale of solar farm.

Relevant Planning Policies & Guidance:

Rugby Borough Council Local Plan, 2006 Saved Policies:

GP2	Complies	Landscaping
E6	Complies	Biodiversity
T5	Complies	Parking Facilities

Rugby Borough Core Strategy 2011:

CS1	Complies	Development Strategy
CS10	Complies	Developer Contributions
CS11	Complies	Transport & New Development
CS15	Complies	Green Infrastructure Allocations
CS16	Complies	Sustainable Design
CS17	Complies	Reducing Carbon Emissions
CS19	Complies	Affordable Housing

National Planning Policy Framework, 2012

National Planning Practice Guidance, 2014

Rugby Borough Council Planning Obligations Supplementary Planning Document, 2012

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

Assessment of Proposals:

General Policy Principles:

The site lies within the countryside on greenfield land. Policy CS1 steers development to the most sustainable locations within Rugby Borough, namely the town centre and urban area of Rugby. As the site lies within the countryside this is the fifth priority location for development and Policy CS1 states that new development will be resisted in such areas unless national policy in countryside locations would permit such developments.

Paragraph 47 of the NPPF specifically relates to local authorities significantly boosting the supply of housing. The Borough Council is currently unable to demonstrate a 5 year housing land supply and where the required land supply cannot be demonstrated by the planning authority the National Planning Policy Framework (NPPF) is specific, at paragraph 49, that relevant local policies for the delivery of housing must then be considered to be out of date.

Case law has judged that policies which potentially steer housing delivery to specific areas such as the sequential approach used in Policy CS1 would also be considered to be out of date. The National Planning Practice Guidance (NPPG) advises that Local Planning Authorities should identify housing for older people, Class C2, as part of their general housing assessment. However, it is understood that this is undertaken through the Local Plan process which is currently ongoing and therefore at this stage Class C2 provision would not form part of the Borough's current lack of 5 year housing land supply calculations and in this instance Policy CS1 would not be considered to be out of date.

However, the principle of the developing the Polo Field for extra care housing was established by the previous application to extend Lime Tree Village in to the Polo Field in 2011. In the assessment of that application it concluded that based on the presence of the existing village; the established need; the benefit to new and existing residents and the wider community through the outreach domiciliary care service; together with the offer of an off-site financial contribution towards affordable housing and libraries; that these were significant factors in the consideration of the overall impact of the development which cumulatively at that time justified special circumstances to warrant a departure from the Local Plan. Since

the original decision, outline planning permission has now been granted for up to 250 dwellings on the land to the north west and north east of the site which adds further weight to the suitability of the site as an extension to Lime Tree Village.

Works have now commenced on the Polo Field site which encapsulates the current application site for the care home, extra care cottages and apartments and on this basis the extant planning history carries significant weight in the determination of the application.

C2 Use:

The Town & Country Planning (Use Classes) Order 1987 (as amended) states that a Class C2 use (Residential Institutions) defines care as being 'personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in Class C2 also includes the personal care of children and medical care and treatment.' This meaning specifically states old age and the applicant is prepared to enter into a Section 106 legal agreement to ensure all residents of the extra care units are at least 65 years old at the date of occupation and that they will be contracted to purchase a Basic Minimum Care Package of 1 hour a week.

Restricting the minimum age to 65 years old, requiring occupants to sign up to a minimum care package, plus the paying of a significant annual service charge, as the units would be leasehold, is clearly going to discourage those individuals who are not elderly and in need of care. In addition, the availability of 24 hour care and the employment of additional members of staff to cater for the care needs of the residents are further factors which weigh in favour of the applicant's interpretation that the proposed development is Class C2.

The applicant's agent has also confirmed that as with the previously approved applications on the site they are content to be bound by a clause in the legal agreement that when the properties are sold for the first time this is restricted to people who live and work/worked or who have relatives that live or work in the County of Warwickshire.

Need:

There is no specific mention of the provision of Class C2 units within the Core Strategy, however, the NPPF places an emphasis on ensuring Local Planning Authorities provide a mix of housing including that for older individuals as we have a rising population which is living longer. Since the publication of the NPPF the NPPG in April 2016 stated the need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over. It also states whilst there will be future need for specialist accommodation such as extra care, plan makers also need to provide dwellings which allow older people to live independently and safely in their own home for as long as possible.

The Strategic Housing Market Assessment (2013 updated in 2015) which will inform the next Local Plan currently at the publication draft stage, states that a key driver of change in the housing market over the next 20 years is expected to be the growth in the population of older persons. This Assessment acknowledges that the extra care model can contribute to older people exercising choice and control over their housing options and that there has been a growth in market demand for housing for older people, including 'retirement living' homes. Between 2011-2031 there is estimated to be a 122.6% increase in the 85 and over age group with a total increase of over 55 year olds of 51.9% which is the highest in the whole Housing Market Area of Coventry & Warwickshire. It is understood the annual requirement for market extra care provision is 72 units with an additional 22 affordable extra care units.

The applicant has provided evidence relating to other reports and documents which support their case with regard to the increasing demand for housing for older people including the State of the Nation's Housing (July 2016) which identifies the importance of addressing housing needs of the older generation and that over the long term an older population will require a more mature retirement housing market which offers real option for older people as at present 75% of housing specifically provided for older people is built and owned by local authorities and housing associations. It specifically states new, purpose built stock is required some with a provision of care support is needed and whilst this is starting to happen this is not nearly quick enough. In addition, the Housing White Paper – Fixing our broken housing market (February 2017) states there is a need to stimulate the market to deliver new houses for older people and improve options for older people.

Therefore, the relatively older population profile of the Borough combined with demographic trends towards an ageing population has potential implications for future accommodation. For example, an increased need for specialised accommodation for older people that if unmet could result in an under occupancy of larger dwellings creating a potential blockage in the market which may force younger families to leave the area.

Many of the reports and documents emphasis the change in need from care homes to independent living units, such as extra care, and it is these factors which have also contributed to the impetus for this latest application to modify the type of older persons accommodation being provided at Lime Tree Village.

The site is served by a daily bus service (Monday to Friday) and lies only 250 metres south of the edge of the Cawston Estate on Coventry Road which is served by a bus every 12 minutes daily. Whilst it is acknowledged Cawston Lane does not have a footpath between it and Coventry Road and may deter some users from walking along it, this will soon change as 250 dwellings are currently being constructed between Lime Tree Village and Cawston and residents of Lime Tree Village will be able to access the network of pavements running through the new development from the northern edge of the Lime Tree Village complex. In addition, the site does lie relatively close to Dunchurch and Bilton and therefore is genuinely considered to be capable of being accessed by other means than the private car.

The previous permission included some additional communal facilities for the Lime tree Village complex. However, since the approval of the previous scheme permission has been granted to refurbish and extend Cawston House to provide a larger restaurant/dining area, function room and storage together with an enlarged kitchen. These changes provide a single focal point for such communal facilities for the whole village and prevent the duplication of staff across two areas of the site and will enhance community cohesion. Therefore, the loss of the previously proposed communal facilities is compensated for by the changes to Cawston House.

Sustainable Design & Construction:

Since the approval of the previous scheme Policy CS17 has been adopted which requires proposals of this scale to incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%. Under the original submission high levels of insulation, water conservation, sustainable drainage, low energy lighting and communal village composter were features that would be incorporated into the scheme. As part of the proposed scheme an area of ground mounted solar panels will be provided on site and the applicant's agent has prepared an Energy Statement. This document takes in to account the level of thermal insulation and air tightness of the dwellings along with the installation of high efficiency boilers. In addition to these features the Energy Statement calculates that by providing solar photovoltaic panels that produce 17.28 kWp (kilowatts peak in one hour), a 13% reduction of carbon dioxide emissions can potentially be achieved. The Council's Building Control Advisor has confirmed that the proposal would be able to achieve the 10% reduction over Building Regulations and thus comply with the requirements of Policy CS17.

It is understood from the agent that the extra care cottages are deemed to be residential in terms of Building Regulations and this is how the cottages being constructed on site at present are being assessed. Therefore, the need to meet Code for Sustainable Homes Level 4 water conservation standards will no longer be applicable following the Deregulation Act 2015 and this matter will be addressed by Building Regulations directly. On this basis the proposal is considered to comply with Policy CS16.

Highways:

A Transport Statement has been submitted with this latest application to update the previous Transport Assessment that accompanied the Polo Field development. In broad terms the traffic generation figures will be very similar to the consented scheme; however, it is considered that fewer members of staff would need to be employed to serve the 25 extra care cottages compared to the 30 bed care home and 12 extra care apartments so there would be fewer trips to and from the site.

Officers acknowledge that the provision of 25 extra care cottages could potentially be occupied by more actively mobile individuals compared to the care home element of the previous scheme, however when comparing the two schemes the Transport Statement concludes that there would in fact be up to 3 fewer two-way vehicle trips in peak hours for the current proposed scheme and thus there would be no detriment to the operational safety or capacity of the local highway network. The existing s106 legal agreement for the previous Polo Field development would be varied to also apply to this current application so the Community Travel Plan would remain applicable.

Appendix 2 of the Planning Obligations Supplementary Planning Document refers to the Council's Parking Standards which stipulates that dwellings specifically for the elderly should have a car parking standard of 1 space per unit where there is no resident warden. In the case of nursing and rest homes there should be a maximum of 1 space per 4 residents. Based on the existing level of parking provision across the entire Lime Tree Village site it is understood that there is approximately 1.1 spaces per dwelling/unit. The provision of 30 spaces for 25 units equates to 1.2 spaces per dwelling/unit. Although these standards do account for visitors and are marginally above the level of provision sought they are only guidance and the level of parking is not considered excessive based on this type of extra care facility. Cycle parking provision is expected to be accommodated within the immediate curtilage of the intended extra care cottage.

The Highway Authority has raised no objection to the proposed scheme and on this basis, it is considered that the development would accord with saved policy T5 and the NPPF.

Design & Appearance:

The proposed site will be visible from both Coventry Road and Cawston Lane but will now be seen in context with the other approved extra care cottages currently under construction as well as the development of 250 dwellings to the north west and north of the site, so whilst currently in a countryside location would not appear as an area of isolated built form within the rural landscape.

At its closest point the new cottages will lie approximately 55 metres from Cawston Lane behind a row of newly built cottages so would retain views across the southern section of the site towards Cawston House, which will assist in providing a level of identity between this historic building and the new development.

The development will continue to be punctuated throughout with areas of open space, extensive soft landscaping and water features. At an overall relatively low density of 24 dwellings/units per hectare across the entire Polo Field site both the proposed development and extant permission of extra care cottages will help provide a degree of assimilation between the existing village and the surrounding rural landscape. As the site will be served by the same access off Cawston Lane and have a series of links between it and the existing village it would appear as a natural extension.

The new cottages will continue the same pattern and form as the previously approved extra care cottages on the Polo Field site arranged in two distinct courtyard forms overlooking the shared green character areas linking into the informal relationship between the other consented extra care cottages and landscape. The design and appearance of the cottages will continue to draw upon the architectural features of the existing properties within Lime Tree Village as well as the villages of Dunchurch and Thurlaston. This includes the use of multi-red brick, painted brick, render, cladding, small plain tiles and reconstituted slate, curved brick headers, timber doors and chimneys. Therefore, as before, it is judged that the proposed additional extra care cottages would draw upon the local distinctiveness of the area, in particular the built form.

The removal of the care home, extra care apartments and additional communal facilities element of the scheme removes a large bulk and mass of built form which had a main building rising to 6 metres to the eaves and 10 metres to the ridge compared to the small built form of the cottages at 7 metres to 7.8 metres to the ridge with a range of eaves heights of between 2.3 metres to 3.7 metres above ground level. These changes significantly reduce the visual impact on the overall Polo Field development on the surrounding landscape compared to the previous scheme. However, whilst the principle of the design and appearance is considered acceptable it will cumulatively remain prominent in the countryside and a balance has to be struck between the provision of additional elderly accommodation where there is an undisputed need and the impact on the environment. Therefore, based on the presence of the existing village, the extant permission currently being constructed and the established need these are significant factors in the consideration of the overall impact of the development.

Ecology:

An existing landscape and ecological management plan remains in place across the site, however, sections of this in relation to the Polo Field were superseded and updated by the previously approved development. Various protected species reports were prepared in connection with the previous scheme as well as in relation to the adjacent housing site. These have identified protected species being active in the area including badger, water vole, grass snake, bat and great crested newt. Owing to this and the presence of

both watercourses and water bodies immediately adjacent to the application site, the County Ecologists have requested a condition in relation to the preparation of an updated habitats and species method statement and informatives regarding the protection of badgers and the additional provision of bat and bird boxes and habitat piles.

Amended landscape plans have also been received from the applicant's agent decreasing the amount of non-native invasive species to address other comments made by the County Ecologists. Therefore subject to minor adjustments to the previous management plan and the aforementioned condition and informatives the proposal will accord with saved policy E6 and the NPPF.

Policy CS15 refers to Green Infrastructure Allocations and the broad area around the site is earmarked for habitat conservation with the provision for managed public access through existing rights of way. The Polo Field has no public rights of way through it but lies within a buffer zone around the existing assets of Fox Covert and Cawston Spinney to the south. The supporting text to Policy CS15 states that the priority of the allocation is for the protection of existing assets. The previous approval and the current application retains a strip of land along the north western edge of the overall Polo Field site to act as an ecological foraging area as well as a Green Infrastructure link to which the WCC Ecology Section and Natural England raised no concerns, subject to a Landscape & Ecological Management Plan which was secured via a s106 legal agreement.

Trees & Landscaping:

The legal agreement on the original 2003 planning permission required a detailed habitat species and landscape improvement and management plan to be implemented. The landscape masterplan for the Polo Field indicated an extensive area of tree planting along the north-eastern and south-eastern boundaries with a scattering of trees along the north-western boundary and adjacent to the water course in the centre of the site. The main central part of the site was to be hay cut grassland with small wildflower grassland areas surrounded by further grassland on a 3 year rotation cut with mown grass pathways throughout the Polo Field. The field was to be managed to maximise ecological interest whilst the mown paths would link up with the existing village complex giving access to the residents.

Whilst the landscaping scheme, particularly the tree planting, was never implemented in full, an extensive area of trees were planted along the south-eastern edge during the 2009/2010 planting season on the Polo Field site. Although the previous scheme involved the removal of a large number of these trees, it did provide additional tree planting along the south-western and north-western sections of the wider Polo Field site at a greater level that was not previously proposed under the original landscaping scheme for the Lime Tree Village complex with additional planting running parallel to the watercourse.

It was considered that these newly planted trees which conflicted with the previous development were young enough to be transplanted to other parts of the site so it is not considered that such recent additions to the Polo Field need to be lost in their entirety. The previous proposal created two new ponds, additional grass landscaped areas some of which will be more formal than others and a play area. These new features will remain and owing to the replacement of the care home and extra care apartments with extra care cottages further land is now available to enable the provision of additional landscaping, including maple, cherry and rowan trees.

It was judged previously that whilst the loss of the open field was regrettable the intended landscaping for the site would represent a high quality design of hard and soft landscaping that will enhance existing features, such as the water course, and provide valuable green links and wildlife corridors between the existing village and the surrounding area as well as providing a vista towards Cawston House from Cawston Lane.

Overall the updated landscape scheme is considered acceptable and the Borough Council's Tree Officer has raised no objection. Together with changes to the existing habitat species and landscape improvement and management plan it is considered that the proposal will accord with saved policy GP2 and the NPPF.

Affordable Housing:

The agents are remaining adamant that as proposed development falls entirely within a Class C2 they are not obliged to provide any affordable housing and that there is no requirement within Government Guidance or local planning policy to provide such type of housing. Notwithstanding this the Council remains concerned that the units appear self-contained and have the characteristics which are similar to

that of a Class C3 use 'Dwellings.' The Local Planning Authority is of the opinion that the proposal could be construed as being more akin to a quasi-residential Class C3 use and thereby potentially contributing to the overall housing requirements. This in turn could be considered to generate the need for an appropriate level of affordable housing even if the nature of the scheme was overall judged to be Class C2, particularly as the elderly population is not entirely immune from the need for an affordable home.

Notwithstanding the agent's general stance regarding the provision of affordable housing on a Class C2 development, they previously investigated the option of affordable housing provision based on discussions with both Borough & County Council Housing Officers. At that stage they provided evidence with regard to the difficulties of delivering affordable housing through a Registered Social Landlord (RSL) on site, particularly in relation to service charges as it would be a private complex and RSLs are apparently not interested in where care will not be provided by them and there is limited ability to secure funding for this form of specialist housing. As the applicants were not in the position where they could provide affordable housing on an alternative site, they agreed to provide an off-site financial contribution towards affordable housing on a goodwill without prejudice basis as ultimately they consider there is no specific need for them to provide such form of housing.

In exceptional cases the Local Planning Authority will consider the acceptance of a financial sum of money in lieu of affordable housing units being provided on site, where the applicants have demonstrated that provision on site or in the vicinity is not a viable option. In this particular instance it was considered that a financial contribution in lieu of any affordable housing on site is acceptable and reasonable.

It was felt that the provision of an off-site financial contribution towards affordable housing was a key part of the original scheme which added further weight in favour of the proposal in this countryside location. These monies were judged to assist the Borough and County Council in facilitating the development of further independent housing with care models to meet the demand of the ageing population in the Borough.

The applicant's agent has confirmed that they are not seeking to vary the payment as they could have done through various measures and wish to continue the attitude of willingness to make the previous payment. Therefore, whilst there has been some concern raised at the loss of the more affordable extra care apartments previously approved on site, this payment will assist in financing affordable units in the locality as referred to above.

Open Space:

As with affordable housing, the applicant's agent considers retirement housing developments should not generally be required to provide children's play areas.

However, many grandparents play an active role in providing childcare with recent government statistics estimating that approximately one in four families rely on grandparents on a regular basis. Therefore, whilst the end user of the proposed development will be older people, individuals over the age of 65 or 55 (in the case of the existing village), could still have many years of independent living ahead of them and look after their grandchildren on a regular basis. Notwithstanding the commencement of 250 dwellings nearby, it is still considered that Lime Tree Village is fairly self-contained in its location and it is judged that the provision of a small children's play area may be seen as an advantage to certain residents. Therefore, the previously proposed private open space provision would serve the proposed as well as the extant cottages currently being constructed to allow visiting grandchildren and potentially residents somewhere safe and convenient to play.

The applicant has not sought to modify the Section 106 legal agreement so this facility will remain available and contribute to the other open space and landscaped features across the current application site and the adjacent areas. As detailed above the original application was subject to a detailed habitat species and landscape improvement and management plan as part of the associated legal agreement. This will also remain in the legal agreement.

The current application will assist in creating a network of private green spaces and corridors giving future and existing residents of Lime Tree Village access to a wide range of varied and quality recreational resources and therefore would not conflict with the general principles of saved policies LR1 & H12.

Residential Amenity:

The closest residential properties to the site which are not part of the overall Polo Field development are those that lie within the existing village complex along Thurlaston Drive. The most affected existing properties will be Nos. 2 & 3 Thurlaston Drive which will overlook the current proposal but mainly the solar panels, bin store area and car park so would actually have a direct window to window distance with the proposed cottages of approximately 55 metres. However, Plots 19-25 will be located a right angles to Nos. 2 & 3 Thurlaston Drive so whilst at the closest point will be approximately 7 metres away this is at an oblique angle and the proposed cottages will not be located directly in front of these existing units.

Concerns have been raised at the impact the solar panels and their associated enclosure would have on the outlook from Nos. 2 & 3 Thurlaston Drive. The solar panels will rise to approximately 2.2 metres above ground level and will be surrounded by a 1.8 metre high brick wall including timber fencing and gates. This enclosure would be within 5.5 metres of the conservatory of No. 2 Thurlaston Drive but the existing laurel hedge running along the rear boundary of Nos. 2 & 3 Thurlaston Drive will be retained. However, a cross-section of the site has now been provided by the applicant's agent which illustrates a drop in ground levels across this area. This shows that the ground level of the solar panels will be approximately 1 metre lower than the ground level of Nos. 2 & 3 Thurlaston Drive, whilst the enclosed bin store area would be approximately 1.5 metres lower and the extra care cottages on the far side facing Nos. 2 & 3 Thurlaston Drive would be over 2.5 metres lower than the ground levels of Nos. 2 & 3 Thurlaston Drive. These changes in ground level are significant and reduce the impact the solar panel and bin store enclosures would have on these existing properties.

The orientation of the proposed plots to previously consented extra care cottages is considered reasonable and the range separation distances are judged to be acceptable and would not adversely affect the amenity of proposed residents, including those occupants who have recently moved into some of the new units to such a level to warrant a reason for refusal.

Overall the proposal would comply with Policy CS16 and the NPPF.

Archaeology:

The site has already been the subject of a phased programme of archaeological investigation comprising of an archaeological desk-based assessment, archaeological evaluation and archaeological mitigation excavation under the previously approved scheme.

These works and associated reports identified a number of shallow drainage gullies and boundary ditches which were thought to be associated with the deserted Medieval village of Cawston located immediately to the northwest of the site. Post-Medieval enclosure ditches and boundary ditches associated with the Post-Medieval manor at Cawston were also identified and a small artefactual assemblage was recovered.

The Archaeological Statement submitted with this application considered that the programme of works required to mitigate the development impact within the site has been completed and approved and therefore, further archaeological work in advance of or during development associated with any new application for the red-line boundary site will not be necessary. The County Archaeologist has not disputed these conclusions and raised no objection to the application.

On this basis, the proposal is not considered to harm any non-designated heritage assets and would accord with Policy CS16 and the NPPF.

Flood Risk & Drainage:

An addendum to the previously approved Flood Risk Assessment has been received with the application. This indicates that the revised scheme would result in reduced water attenuation flows and the need for storm water storage requirements has decreased. However, the water attenuation requirement will be maintained at the required storage appropriate for a 1 in 100 year storm event plus 30% allowance for climate change.

Overall the updated scheme will not alter the majority of the storm water management measures and the pond to the north east of the application site will remain as originally sized. Both Warwickshire County Council as Lead Local Flood Authority and Severn Trent Water have confirmed that they raise no objection to the revised proposal, subject to conditions. The proposal is therefore considered to accord with the NPPF.

Noise, Air Quality & Contamination:

It is acknowledged that surrounding residents could be subject to noise disturbance during construction works. However, the Environment & Public Realm Section are content for such a matter to be addressed by planning condition via a Construction Method/Management Statement, including hours of work and dust. As the building foot prints in addition to landscaped areas have correspondingly changed with the new proposal there is the potential for new pollutants in the ground to be identified but recommend this can also be dealt with via planning condition in relation to contaminated land.

They have raised the matter that the air quality landscape has changed both nationally and locally since the previous application for the site was granted. The site is located within the Borough Council's Air Quality Management Area and is considered to be in an area of influence to a principal area of air quality concern at the crossroads in Dunchurch where exceedances of the annual mean nitrogen dioxide have been recorded for a number of years.

The Environment & Public Realm Section acknowledge that the Highway Authority accepts the findings in the previous Transport Assessment and updated Transport Statement. Nevertheless, they consider that the development has the potential to create additional vehicle movements as the individuals occupying the revised development are more likely to be actively mobile compared to the approved scheme. Whilst they note the intended installation of solar photovoltaic panels they would also seek the provision of the most efficient domestic boilers to reduce background nitrogen dioxide emissions. In addition, they initially sought the installation of electric vehicle charging points for each cottage in order to provide people with the opportunities to consider alternative vehicles and assist in alleviating any potential harm that may arise from additional vehicle movements.

However, based on the extant planning permission this particular request was considered excessive and complicated by the provision of communal car parking rather than individual on plot car parking. The agent has confirmed the willingness of the applicant to install two charging points within the car parking areas which could charge up to 4 vehicles at once. In addition, they are prepared to lay electric cabling underground through the communal car parking areas to future proof the potential demand for electric vehicles. This level of provision is considered reasonable and is a positive measure to help the Government encourage its drive to securing a low carbon future in terms of delivering sustainable development and therefore would accord with Policies CS11, CS16 and the NPPF.

Conclusion:

There is an undisputed need to provide further accommodation for the elderly population in the Borough. This overriding need, together with the previous planning history for the Polo Field site; the presence of the existing retirement village adjacent to the site; the benefit to new and existing residents and the wider community through the outreach domiciliary care service; and the offer of an off-site financial contribution towards affordable housing and libraries; would overall satisfy the three dimensions of sustainable development (economic, social and environmental roles) as outlined in the NPPF and thereby accord with the Development Plan and the NPPF.

Recommendation:

Subject to the completion of a Section 106 legal agreement or an amendment to the existing Section 106 legal agreement to secure an off-site financial contribution towards libraries and affordable housing provision; restrictions on use class, age, minimum care package and selling; provision of private open space; travel plan; and a habitat species and landscape improvement and management plan; the application be approved subject to conditions and informatives.

DRAFT DECISION

APPLICATION NUMBER

R16/1910

DATE VALID

19/12/2016

ADDRESS OF DEVELOPMENT

LAND ADJ CAWSTON HOUSE, LIME TREE
VILLAGE
POLO FIELD OFF THURLASTON DRIVE
CAWSTON LANE
CAWSTON
DUNCHURCH
CV22 7SE

APPLICANT/AGENT

Rachel Coles
Tetlow King Planning
Unit 2, Eclipse Office Park
High Street
Bristol
BS16 5EL
On behalf of , Lime Tree Village Limited

APPLICATION DESCRIPTION

Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)

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

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

REASON:

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

CONDITION 2:

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

Archaeological Statement ref CP/22689 dated September 2016 by CgMs and the Design & Access Statement ref RETI150205 2016 by Thrive both received by the Local Planning Authority on 18th November 2016;

Plan refs E15026381 C150 Rev G & E15026381 C151 both received by the Local Planning Authority on 18th November 2016;

Plan ref RETI 150205 LP.01 received by the Local Planning Authority on 21st November 2016;

Energy Statement ref URN: RETI150204 020 version 2 by Thrive and Transport Statement ref 1608-12/KSS/SB dated 30th September 2016 by Transport Planning Associates both received by the Local Planning Authority on 23rd November 2016;

Plan refs HT.Beau_c.p; HT.Beau_c.e; HT.Beau_B.p; HT.BEAU_A.e; HT.BEAU_A.p; & HT.BEAU_B.e; all of the above received by the Local Planning Authority on 23rd November 2016;

Plan refs HT.HURL_A.e; HT.HURL_A.p; HT.GAUR_A.e; HT.GAUR_A.p; & E15026381 C101 Rev P2; all of the above received by the Local Planning Authority on 30th November 2016;

Addendum to Flood Risk Assessment ref E 15026381 Revision B dated November 2016 by HCD Group received by the Local Planning Authority on 30th November 2016;

Plan ref 16.1264.002 received by the Local Planning Authority on 2nd December 2016;

Plan ref RETI 150205 DET-02 Rev P1 and Viridian Solar Clearline Fusion Solar Photovoltaic Panels PV16 details both received by the Local Planning Authority on 19th December 2016;

Plan refs RETI 150205 SL.09 Rev E & RETI 150205 DET-01 Rev A both received by the Local Planning Authority on 24th January 2017;

Plan ref A5W/11501/04/03/51 Rev C received by the Local Planning Authority on 30th January 2017;

Plan ref RETI 150205 SS.01 Rev A received by the Local Planning Authority on 10th February 2017;

Plan refs 16.1264.001 Rev A, 16.1264.003 Rev A & 16.1264.004 Rev A all of the above received by the Local Planning Authority on 21st February 2017; &

Email from the Agent, Tetlow King, to the Local Planning Authority dated 21st March 2017 at 15:12 and 17th March 2017 at 11:33 regarding electric vehicle charging.

REASON:

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

CONDITION 3:

Before development commences, samples of the facing bricks and roofing tiles/slates together with finished paint/render colours and timber colours/stains as detailed in the Design and Access Statement received by the Local Planning Authority on 18th November 2016, including those to be used for the solar panel and bin store enclosures, together with full details of the disposition of those materials across the site, including all external hard surface treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 4:

Notwithstanding the details submitted and before development commences full details of the design, materials and finishes of all windows and doors, including reveal depths, headers and cills, and the type, size and projection of proposed rooflights shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 5:

Prior to installation full details of the design, materials, height and finished colour/treatment of any proposed boundary treatments within and surrounding the site, excluding those around the solar panel and bin store enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interests of the visual amenities of the locality.

CONDITION 6:

All soft landscaping detailed within the approved landscape drawings detailed in Condition 2 above must be planted in the first planting season following completion of development. If within a period of 5 years from the date of planting of any tree/hedge/shrub is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/hedge/shrub 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:

In the interests of visual amenity and to maintain and enhance continuity of tree/hedge/shrub cover in the local area.

CONDITION 7:

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

REASON:

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

CONDITION 8:

Prior to the installation of any external lighting, full details of the design, external finish and location shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interests of visual amenity and to avoid unnecessary light pollution.

CONDITION 9:

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

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON:

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

CONDITION 10:

The car parking provision as detailed on the approved plans in Condition 2 above shall be made available for use prior to the first occupation of the first unit and shall be permanently retained for such purposes and not used for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure adequate parking facilities are provided on site at all times.

CONDITION 11:

Unless otherwise agreed in writing with the Local Planning Authority, prior to the occupation of the first unit external electric vehicle charging points/sockets shall be installed within the car parking areas to enable the charging of four vehicles simultaneously. In addition, the remaining car parking spaces shall have access to appropriate cabling to assist in the retro-fitting of external charging points/sockets for the purposes of electric vehicle charging in the future.

REASON:

In the interest of sustainability.

CONDITION 12:

Other than the walls, gates, fences, railings or other means of enclosure approved under Condition 5 above and notwithstanding the provision of the Town & Country (General Permitted Development) (England) Order 2015, as amended, or any order revoking or re-enacting that Order, no wall, gate, fence, railing or other means of enclosure shall be erected, constructed or placed within the application site edged red unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority and in the interests of visual amenity.

CONDITION 13:

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

- (i) The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;
- (ii) The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;
- (iii) Measures to prevent deleterious material being carried onto the highway network;
- (iv) Hours of construction; &
- (v) Heavy Goods Vehicle routing plan.

Development shall not be carried out other than in accordance with the approved method statement unless otherwise agreed in writing with the Local Planning Authority.

REASON

In the interests of the amenities of the area.

CONDITION 14:

The development hereby permitted shall not commence until a detailed schedule of habitats and species method statement (to include timing of works, protection measures for the waterbodies, amphibians, reptiles, nesting birds and mammals and enhancements where possible) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation and enhancement measures shall thereafter be implemented in full.

REASON:

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

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:

This application is subject to a Section 106 legal agreement.

INFORMATIVE 2:

The applicant/developer's attention is brought to the following relevant comments raised by Warwickshire Police:

- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-1:2013;

- Building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols; &

- Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for use in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

INFORMATIVE 3:

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals (024 7771 6843). Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

INFORMATIVE 4:

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

INFORMATIVE 5:

Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while Warwickshire County Council Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0300 060 3900.

INFORMATIVE 6:

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

INFORMATIVE 7:

The applicant/developer is strongly encouraged to install the most efficient domestic boilers on the market into the extra care cottages in order to reduce background Nitrogen Oxide emissions. The use of high-efficiency condensing boilers forms part of the Energy-related Products Directive (EU Directive 2009/125/EC) to improve energy efficiency, reduce carbon emissions and help achieve the EU target of 20% energy savings by 2020. Improved energy efficiency of condensing boilers subsequently reduces

background Nitrogen Oxide emissions in the Air Quality Management Area as part of Rugby Borough Council's Air Quality Action Plan.

Reference number: R15/2505

Site address: Land at Mobbs Wood Farm, Brinklow Road, Coventry

Description: Change of use of land for use as a moto-cross practise track together with construction of a car parking area and associated landscaping including the creation of a bund.

Case Officer Name & Number: Nathan Lowde 01788 533725

Description of site and its surroundings

The application site is located within an area of the countryside designated as green belt and comprises of an agricultural field immediately adjacent to the south side of the M6 approximately 2.5km to the east of Junction 2. In this location the M6 is elevated above of the application site. The height differential between the M6 and site varies, but up to 7.8m towards the eastern end of the site. The site is accessed from Ansty Lane (B4029) via a single access track which serves the Nettle Hill Training Centre and Conference Centre and Mobbs Wood Farm. Access to the site is through the existing farm yard along an existing farm track and over an existing bridge over the M6 motorway. This existing route is currently designated as a bridle path and is currently utilised for vehicular access by the Delta Force Paintball site.

The site is bounded to the west by Delta Force Paintball and the West Coast Mainline railway beyond. From the M6 Motorway elements of the paintballing activities/facilities are visible include the car parking area and amenity buildings together with the large 'stargate' structure and railway line beyond.

The nearest settlement includes the village of Ansty to the north-west of the application site and Brinklow to the south. The nearest residential properties include Mobbs Wood Farm located 550 north of the motocross site, Field Barn located 900m north-east Colehurst Farm located 650m to the south, Julians Barn located 750 to the south, Coombe View Farm located 950m south-west, Throstles Nest 600m to the west.

Description of proposal

The application seeks the change of use of land to operate a motocross practice track on two days per week; Wednesdays and Saturdays between 10am and 4pm. There would be a maximum of 20 bikes on the track per session, timed at 20 minute intervals. Each session would be for either adult or junior riders. Adult riders would typically use from 125cc 2 stroke, 250cc 2 or 4-stroke and 450cc 4-stroke bikes. The proposed track will be designed to follow the natural contours of the land with any jumps being developed using existing top soil.

The proposal has been amended with the proposed car parking area being created before the bridge over the M6 motorway. This car parking area would have a surface area 22.5m x 33m.

Third Party Comments

Neighbours (5 Household Objections)

- Access road not suitable for extra vehicles and vehicles towing trailers
- Noise disturbance
- Green Belt
- Noise and Traffic disturbance
- Traffic calming measure should be introduced should planning permission be granted
- Brinklow Road would not be able to cope with further traffic
- Impact upon welfare of horses
- Impact upon the conference business
- Impact upon existing wedding business and attracting customers
- Impact upon the tranquillity of the area
- Comments from Mr Giles Parker of Soundbarrier Solutions should be taken into account
- The noise report gives little weight to external amenity areas and therefore unreliable
- The noise report does not address the impact of the tonality and variability of the noise due to the motocross.

- Whilst for some affected properties the M6 motorway will act as a noise barrier, thus masking may be dramatically reduced when motorway traffic is at a standstill, which is a regular occurrence at this junction. This has not been addressed.

Parish Council comments

- The PC see the value to the Community of a Young Persons Social Inclusion Project
- Increase burden (wear and tear) on Mobbs Wood/Nettle Hill Road
- The noise assessment submitted is a theoretical study, and practical noise measurements are made on more than one occasion, using real motor cycles as the noise source, simulating a typical practice session.
- If permission is granted it should be for a temporary period of no greater than one year. Also regular, independent checks, should be made to ensure that individual participating motor cycles do not exceed a noise (sound pressure) level of 94dBA. Also there should be a limit to the number of motor cycles participating (actually running) at any one time.

Third Party Comments on Amendments

(Consultation expires on 28/03/17, will verbally update members if further comments are received)

Neighbours (objections 3)

- The proposed amendments do not take away the detriment to Green Belt
- The proposed amendments do not address previous concerns
- The proposal does not address the noise concerns

Technical Consultee comments

Highways England no objection subject to conditions

Following further discussions with the applicant and Rugby Borough Council:

- we have determined the bund is not required from a highway safety perspective and this is no longer a concern for Highways England;
- our concerns regarding loading on, and safe use, of the bridge during construction have reduced.

RBC Environmental Services no objection

Has no objection in principal to the proposed development. The area is an existing high noise area, dominated by both road traffic and rail noise with some isolated residential and commercial properties (mostly the other side of the M6) in a 1 mile radius of the site. However, it is requested that a 2 year temporary planning permission is permitted rather than full permission, to allow the Council to accurately determine the impact of the undertakings of the business on residential amenity.

WCC Rights of Way no objection subject to informatives

Rugby Ramblers objection

The proposed Moto Cross Practise Track would elevate the noise level above that of the motorway and would be extremely detrimental to our members enjoyment of the countryside. Rugby Ramblers therefore object to the proposal.

WCC Ecology no objection subject to conditions

WCC Highways no objection

Relevant planning policies/guidance

RBC Local Development Framework

Core Strategy

CS1 Development Strategy

CS16 Sustainable Design

National Planning Policy Framework

Section 7 paragraph 67

Assessment of Proposal

1. Principle

Core Strategy Policy CS1 sets a settlement hierarchy for locations within the Borough and seek to locate development sustainably within this hierarchy based on a sequential preference. CS1 states "It must be demonstrated that the most sustainable location are considered ahead of those further down the hierarchy."

The application site lies in open countryside which is designated as green belt, and policy CS1 states that only where National Policy allows will development be permitted. The construction of new buildings in the Green Belt is inappropriate unless it is for the purposes of agriculture and forestry, essential facilities for outdoor sport and recreation, for cemeteries and for other uses which preserve the openness of the green belt and which do not conflict with the purposes of including land within it. The proposed use and associated works, would provide a recreational facility. The proposed nature of the works, with the track layout seeking to follow the natural contours of the land, with jumps being formed from existing top soil, ensures that the proposal would not impact upon the openness of the Green Belt and the purposes of including land within it. It is recognised that the proposed landscaping works including the proposed bund would impact upon the openness of the Green Belt. This bund is a requirement as part of this proposed use in the interest of visual amenity and therefore the harm to openness is considered acceptable. It is therefore considered that the proposed use is considered an appropriate form of development within the Green Belt and therefore does not conflict with policy guidance contained in the NPPF nor Policy CS1 of the NPPF.

The proposed car parking area is intended to be constructed in connection with the use which has been judged as an acceptable form of development within the Green Belt. Given its location where two existing telecommunication masts are positioned this proposed engineering operation would have a limited impact upon openness of the green belt and the purposes of including land within it in terms of encroachment. A condition would be attached relating to surface treatment to ensure that a more appealing material such as grasscrete is used.

It is worth noting that this type of activity does benefit from permitted development rights under the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 Schedule 2 Part 4 Class B which States:

"The use of any land for any purpose for not more than 28 days in total in any calendar year, of which not more than 14 days in total may be for the purposes of –

(a) The holding of a market;

(b) Motor car and motorcycle racing including trails of speed, and practicing for permitted use."

These rights have not been exercised by the applicant, but do exist.

2. Noise Disturbance

This planning application is accompanied with a noise survey. This survey identified the nearest residential properties (under 1km for the site) as:

- Mobbs Wood Farm – 550 north of motocross site
- Field Barn – 900m north-east of motocross site
- Colehurst Farm – 650m north-east of motocross site
- Julians Barn – 750m south of motocross site

- Coombe View Farm – 950m south-west of motocross site
- Throstles Nest – 600m west of motocross site

There would be a maximum of 20 bikes on the track per session, timed at 20 minute intervals. Each session would be for either adult or junior riders. Adult riders would typically use from 125cc 2 stroke, 250cc 2 or 4-stroke and 450cc 4-stroke bikes. This survey states that whilst on the track it is unlikely that the bikes would operate at full throttle apart from occasional on the straights (up to 10% of the time at most). For the majority of the time, the bikes would be a half throttle.

The typical format of an operating day would be as follows:

- 9:00-10:00 – track preparation
- Morning sessions-series of 20 minute sessions switching between adult and junior riders. Adult sessions at: 10:00, 10:40, 11:20, 12:00. Junior sessions at 10:20, 11:00, 11:40.
- 12:20-12:40 – lunch break
- Afternoon sessions – series of 20 minute sessions switching between adult and junior riders. Adult sessions at 13:00, 13:40, 14:20, 15:00, 15:40. Junior sessions at 12:40, 13:20, 14:00, 14:40, 15:20
- 16:00 – track closed until next open day.

The noise survey included measurements at:

- Mobbs Wood Farm, on lawn in front of the dwelling
- Throstles Nest, on grassed area to the side of the dwelling
- Nettle Hill, by side of the access road

The general background noise environment around the development site and at all three monitoring locations is dominated by road traffic from the M6 and the West Coast Main Line (WCML). The conclusions of this survey calculated levels from the proposed motocross practice track activity are at least 6 dB below the internal noise guidance levels in BS 8233 for the downwind scenario and at least 9 dB below the neutral wind scenario.

The remaining properties namely Colehurst Farm, Julians Barn and Coombe View Farm, these are to the south of the motocross track and neutral or upwind situations are most likely to occur in practice. The noise survey find that calculated motocross noise levels in both upwind and neutral wind scenarios are below the guideline levels in BS 8233.

The purpose of the report was to establish if the site was a suitable location for a motocross track. Despite the stated limitations of the report, as acknowledged by the Council's Environmental Services, it does demonstrate from a risk based perspective the site has the potential for a moto X practice track to operate from the site with a degree of certainty that residential amenity will not be affected. It is the opinion of the Environmental Services that if the track is operated and managed in accordance with the Auto Cycle Union best practice guidance and with stringent noise conditions attached to a 2 year temporary permission the track has the potential to become a successful business venture for the applicant whilst residential amenity is reasonably protected.

The Council's Environmental Services advise on a range of conditions, to limit the grant of planning permission to a 2 years temporary permission, to limit hours to 10am-4pm, limit the days to no more than 2 days per week (Wednesday and Saturday), to restrict the use to practice racing only and restrict personal use outside of the permitted time, restrict the number of riders and type of bikes, and for the submission of a detailed track layout and construction.

3. Character and Appearance

Part 7 of the NPPF emphasises the importance of good quality design and Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The main visual impact from the development would be from the M6 Motorway and the local bridlepaths and footpaths. When viewed from these public vantage points it would be viewed in context with the existing associated infrastructure in connection with the existing paintballing activity. The proposed track layout seeks to take into account the natural contours of the land, with jumps being formed from existing

top soil. There would be no permanent structures on the site in terms of artificial jumps and therefore the site would retain its open nature. When the site is not in use the main visual impact would derive from all associated infrastructure i.e. safety barriers etc. and these details would be conditioned. Taking this into account it is considered that when the track is not in use its visual impact would not be adversely prominent within the landscape. The proposed bund and landscaping would assist further in minimising the visible impact from these public vantage points. The main visual impact would occur with the track in use. This harm resulting from the usage of the track would be limited to 2 days and the proposed bund and landscaping would assist in softening this impact to be degree. However given the level difference between the application site and the Motorway it is recognised that it would not provide completely screen of the development and its associated activity.

Overall, given the nature of the proposed development, and the limited days that it will be used for it is not considered that the proposed would have an adverse impact upon the character and appearance of the area in accordance with policy CS16.

4. Highway and Public Right of Way

As part of this planning application WCC Highways have been consulted to assess the impact upon the existing access onto the Ansty Lane, together with Highway England to consider impact upon users of the M6 Motorway in terms of any distraction or dust that may be generated and the impact of vehicles using the bridge across the M6. WCC Rights of Way have also been consulted to consider the impact upon nearby Public Rights of Ways.

The proposed development would result in the intensification of the existing access onto Ansty Lane. It has been indicated that the proposed moto-cross track will be in use two days per week, which is likely to generate 12 vehicles (24 vehicular trips) on each day of operation. A Transport Statement (TS) has also been provided that was produced previously for the paintball site. As part of the TS, a vehicle traffic count was undertaken which indicates that there are approximately 220 vehicular trips daily along Nettle Hill throughout a 12-hour period (07:00-19:00).

The number of vehicular trips likely to be generated by the proposed development is considered to be minimal and would equate to approximately 5 vehicular trips being generated per day (based on a 5-day week). It is likely that the number of vehicular trips generated will be negligible, compared to the number of vehicular trips that are currently generated by the existing uses along Nettle Hill.

Therefore it is considered that the proposal would not adversely impact upon the local highway network and WCC Highways has raised no objection.

The application site would require access over an existing bridge which crosses the M6 motorway. This bridge is used by vehicular traffic in connection with the existing paintball business. As part of the initial planning consultation process Highways England raised concerns about vehicular movement over this bridge. As a result of this concern the applicants are proposing to create a car parking area before this bridge, on land situated between two telecommunication masts. Riders will then wheel there motorbikes over the bridge. This has been reviewed by Highways England whom consider that their concerns regarding loading on, and safe use, of the bridge during construction, have been reduced, and no longer object to the application on this ground.

Highways England does not consider that the proposed use would pose a safety concern from a highway perspective in terms of creating a distraction to users of the Motorway. Highways England therefore does not consider a bund and landscaping as proposed is necessary from a highway safety perspective.

The applicants are proposing to create a man-made water feature to assist in reducing dust emissions from the site in very dry conditions.

The proposed access route to the site runs along public footpath R73a and public bridleway R73. Warwickshire County Council Rights of Way Team has raised no objection to the proposed development. Therefore it not considered that the proposal would impact upon the existing public rights of ways within the area.

5. Ecology

Policy E6 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. In addition, policy CS14 of the Core Strategy requires proposals to protect, restore and enhance green infrastructure assets within the defined Strategic Green Infrastructure Network. These policies are consistent with one of the core planning principles outlined within paragraph 17 of the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraphs 109, 113, 114, 117 and 118). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

The applicants have submitted a Preliminary Ecological Appraisal of the application site. The key ecological features on site in relation to the works proposed are the areas of dense scrub, semi-natural woodland and plantation woodland. These habitats would be unaffected by the proposed development. WCC Ecologists have assessed the appraisal submitted and consider, subject to conditions, that the proposal would not adversely impact upon the protected species/habitats in accordance with this saved policy.

6. Land Designation and Use

The application site is currently utilised as agricultural land. Paragraph 112 of the NPPF (and reference ID: 8-026-20140306 of the NPPG) is therefore relevant and outlines the need to consider the economic and other benefits of the best and most versatile agricultural land. It goes on to indicate that where significant development of agricultural land is demonstrated to be necessary, the Council should seek to use areas of poorer quality land in preference to that of a higher quality (see paragraph 109 of the NPPF). This higher quality land represents that which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals. In this respect agricultural land is graded on a scale of 1 to 5 where the grades are: 1 (excellent); 2 (very good); 3a (good); 3b (moderate); 4 (poor); and 5 (very poor). The best and most versatile land are classified as being grades 1 (excellent), 2 (very good) and 3a (good).

Approach to Agricultural Land

The above policy position implies that a sequential approach should be considered where poorer graded land is potentially considered in advance of higher quality land. Although no sequential assessment has been undertaken by the applicant's with regard to agricultural land, the NPPF indicates that it is for Local Planning Authorities to judge the economic and other benefits of the best and most versatile agricultural land. This is consistent with the technical note produced by Natural England entitled 'Agricultural Land Classification: protecting the best and most versatile agricultural land' (2012). This note emphasises the importance of such land as a natural resource which is vital to sustainable development. However, it does note that decisions rest with planning authorities and that the agricultural land classification is not the sole consideration.

Agricultural Land Classification within Warwickshire and Rugby

According to Natural England's statistics, approximately 12% of land (23,692 hectares) in Warwickshire falls in grades 1 (excellent) and 2 (very good). In Rugby Borough there is no grade 1 (excellent) land but there are 4,186 hectares of grade 2 (very good) land which equates to 11.8% of land within the Borough. The figures for grade 3 (good/moderate) land provided by Natural England do not split grades 3a (good) and 3b (moderate) but indicate that approximately 75.5% of land within the Borough (26,686 hectares) is grade 3 (good/moderate) land.

Agricultural Land Classification for the Site

The agricultural land classification for the site is grade 3(b) moderate value. The land is therefore not considered to be the best and most versatile land (i.e. 1, 2 or 3(a)) and therefore the loss of this agricultural land as a result of the proposed development is acceptable in accordance with paragraph 112 of the NPPF.

Recommendation

Approval of temporary permission

APPLICATION NUMBER

R15/2505

DATE VALID

25/05/2016

ADDRESS OF DEVELOPMENT

LAND AT MOBBS WOOD FARM
BRINKLOW ROAD
COVENTRY
CV7 9JN

APPLICANT/AGENT

Mr David Alexander
2 Dale Street
Rugby
Warwickshire
CV21 2LP

APPLICATION DESCRIPTION

Change of use of land for use as a moto-cross practise track together with construction of a car parking area and associated landscaping including the creation of a bund.

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

Planning permission hereby permitted shall be personal to the applicant and shall not ensue for the benefit of the land.

REASON

In the interest of residential amenity

CONDITION: 2

This use hereby permitted shall be for a limited period of two year from the date of this decision. At the end of this period the use hereby permitted shall cease. The applicant shall submit details of site restoration to the Local Planning Authority within 6 months from the expiration of this planning permission.

REASON

The Local Planning Authority wishes to have the opportunity to reassess the proposal in the light of operational experience.

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:

- Amended Plan showing car parking layout received by the LPA on the 16/03/2017.
- Document entitled Appendix 1 dated 17th May 2016
- Report No: RT-MME-124432 dated February 2017
- Landscaping Scheme
- Moto-Cross Planning Revisions
- Revised track layout received on the 07/03/2017

REASON:

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

CONDITION: 4

The use hereby permitted shall only be used on Wednesday and Saturday only and between the hours of 10:00 am to 16:00 pm only. Except that on the following 'Special Days' the use hereby permitted shall not be undertaken. These 'Special Days' include the following days; Christmas Eve (24 December); Christmas Day [25 December]; Boxing Day (26 December); New Years Eve (31 December) New Years Day (01 January).

No use including personal use shall occur outside of the times and dates specified above.

REASON

In the interest of residential amenity.

CONDITION: 5

The maximum number of bikes allowed at anyone time on the track in connection with the use hereby permitted shall not exceed twenty.

REASON

In the interest of residential amenity

CONDITION: 6

The maximum size powered bikes permitted on the track are 450cc (applicable to both 2 and 4 stroke engines).

REASON

In the interest of resident amenity

CONDITION: 7

All riders bikes should be suitably silenced to meet the standard stipulated by Auto Cycle Union for each class of bike.

REASON

In the interest of residential amenity.

CONDITION: 8

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

REASON:

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

CONDITION: 9

Prior to development commencing full details of the proposed water feature shall be submitted to and approved by the LPA. These details shall include a cross section showing depth and volume of the pond.

REASON:

In the interest of health and safety.

CONDITION: 10

Prior to commencement of development a detailed site layout plan shall be submitted to and approved by the LPA. Such details shall include the heights of the proposed jumps, safety barriers and other features.

REASON

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

CONDITION: 11

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

REASON:

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

CONDITION: 12

Prior to commencement of development a Construction Management Plan detailing the vehicles being used to construct the site and how the site will be accessed safely, shall be submitted to and approved by the Local Planning Authority.

REASON

In the interest of Highway Safety

CONDITION: 13

Prior to commencement of development full details of the proposed bund, including elevational details, shall be submitted to and approved. This bund shall be constructed in accordance with the details approved, prior to the use commencing.

REASON

In the interest of visual amenity

CONDITION: 14

Prior to the use commencing full details of the surface treatment of the proposed car parking area shall be submitted to and approved in writing by the LPA. The use hereby permitted shall not commence until the approved car parking area has been constructed in accordance with details approved.

REASON

In the interest of visual amenity and highway safety.

CONDITION: 15

The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for reptiles, amphibians and nesting birds (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full

REASON:

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

CONDITION: 16

The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Details shall also include a 20m buffer zone of grassland to be provided between the track and the south and west boundaries of the site. Such approved measures shall thereafter be implemented in full.

REASON:

To ensure a net biodiversity gain in accordance with NPPF.

CONDITION: 17

The proposed track shall only be used practice racing only. Any form of competitive racing shall be prohibited.

REASON

In the interest of Residential Amenity

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.

Reference number: R16/2436

Site address: Williams Fields, Land rear of Coventry Road, Cawston, Rugby

Description: Erection of 13 dwellings (substitution of house types on 14 plots (nos. 66-74 and 91-95) of planning permission R15/0540)

Case Officer Name & Number: Chris Kingham, 01788 533629

Background:

This application is being reported to Planning Committee because it is a major planning application.

The application site comprises of an area of land falling within Williams Fields which is located off Coventry Road in Cawston, Rugby. A full planning application for the erection of 113 dwellings on the Williams Fields site and new vehicular access to Coventry Road was approved by the Council in April 2016 (ref: R15/0540). Redrow Homes has subsequently commenced construction of this development. The full planning permission on this site is consequently a significant material consideration which must be taken into account in the determination of this current application.

This proposal is seeking permission to amend the layout, type and number of houses previously approved on a small part of the site. The approved scheme shows the provision of two rows of 5 and 4 affordable terraced dwellings fronting a secondary road adjacent to the Public Right of Way (PRoW) running across the site. It then shows 5 detached market dwellings of 3 house types set at 90 degrees to the terraced dwellings fronting the primary estate road.

The proposed amendment seeks to swap the location of the detached dwellings with the terraced dwellings. This would result in the two rows of 5 and 4 affordable terraced dwellings fronting the primary estate road. The number of detached dwellings would then be reduced by one with 4 detached market dwellings of 4 houses types fronting a secondary road adjacent to the PRoW running across the site. The total number of dwellings to be constructed on the whole Williams Field site would therefore reduce down by 1 dwelling from 113 dwellings to 112 dwellings in total. However, the number of affordable dwellings would remain the same with 9 such dwellings still being provided.

Site Description:

The application site comprises of 0.312 hectares of former agricultural land within the centre of Williams Fields which is located off Coventry Road in Cawston, Rugby. Both the application site and wider Williams Field site are part of a building site being constructed by Redrow Homes. Topographically the site is relatively flat and is currently featureless with no plants, trees or hedgerows. Vehicular access can be secured via a new estate road which is currently under construction. The southwest of the site is defined by a PRoW (Bridleway R165) which runs through the centre of the site from the southeast to northwest. The land surrounding the remaining boundaries of the site is currently part of the Redrow Homes building site.

Relevant Planning History (Application Site):

R15/0540: Erection of 113 dwellings including new vehicular access to Coventry Road. Approved 08/04/2016.

Technical Consultation Responses:

Environmental Services	No comment
Housing Strategy	No objection subject to planning obligation
Ramblers Association	No response
Severn Trent Water	No objection subject to condition
Tree/Landscape Officer	No objection subject to condition
Warwickshire Fire and Rescue	No response
Warwickshire Police	No objection subject to condition
Warwickshire Wildlife Trust	No response
Work Services Unit	No objection subject to advisory note

WCC Archaeology	No objection
WCC Ecology	No objection
WCC Flood Risk	No objection
WCC Highways	No objection
WCC Rights of Way	No objection

Third Party Consultation Responses:

None

Relevant Planning Policies and Guidance:

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

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Strategy 2011 and Rugby Borough Local Plan Saved Policies 2009 with the relevant policies outlined below.

Rugby Borough Core Strategy 2011

CS1	Development Strategy	Complies
CS2	Parish Plans	Complies
CS5	Growth Delivery	Complies
CS10	Developer Contributions	Complies
CS11	Transport and New Development	Complies
CS14	Enhancing the Strategic Green Infrastructure Network	Complies
CS16	Sustainable Design	Complies
CS17	Sustainable Buildings	Complies
CS19	Affordable Housing	Complies

Rugby Borough Local Plan Saved Policies 2009

GP2	Landscaping	Complies
E6	Biodiversity	Complies
T5	Parking Facilities	Complies
H11	Open space provision in residential developments in the urban area	Complies
H12	Open space provision in residential developments in the rural area	Complies
LR1	Open space standards	Complies
LR3	Quality and accessibility of open space	Complies

Guidance

Housing Needs SPD (2012)
 Planning Obligations SPD (2012)
 Sustainable Design and Construction SPD (2012)
 Cawston Parish Plan (2010)

Material Considerations

National Planning Policy Framework (NPPF) (2012)
 National Planning Practice Guidance (NPPG)
 Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

The Council is in the process of preparing further Development Plan Documents (DPDs) which will update the Core Strategy 2011 and progressively replace the Rugby Borough Local Plan Saved Policies 2009. Consultation on the Local Plan: Development Strategy Consultation document closed in July 2014. Consultation on the Local Plan Preferred Options DPD closed in February 2016. Consultation on the Local Plan Publication Draft closed in January 2017. The Council currently expects to submit the Local Plan for examination in June 2017 with this being adopted by February 2018. However, as it has yet to be submitted for examination and so is subject to change, it has been afforded little weight as a material consideration.

Assessment of Proposals:

The principle of residential development on this site has already been established by virtue of the previous decision to approve dwellings in this location. It is considered that there has been no significant and material change in circumstances to warrant a different view being taken to that detailed within the Officer Report for application R15/0540. The main issues to assess in relation to this application are consequently whether the amendments to the layout, type and number of houses previously approved in this location would be acceptable in relation to the impact on visual amenity and residential amenity.

Visual Amenity

Policy CS16 of the Core Strategy sets out that 'All development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated'. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 17 and Chapter 7 of the NPPF are also relevant and set out the importance of good design in relation to new development.

The proposed terraced housing would be located within two blocks fronting onto the primary estate road. It is considered that this would relate well to the approved detached dwellings surrounding the site. Particular attention has been paid to the end terraced property fronting the PRoW. This property has a dual aspect frontage with windows and a chimney feature facing the PRoW and windows and main entrance door facing the primary estate road. It consequently creates active frontages and natural surveillance over public areas. The rear garden to this property would also feature a brick wall with an area of landscaping containing lawn area, trees and shrubs adjacent to the PRoW. Aside from this, the parking area to the front of the terraced dwellings has been broken up with landscaping and pathways inbetween every 2 parking spaces. Hard landscaping in the form of block paviours are also proposed to enhance the appearance of the parking spaces within the streetscene. This will consequently soften and reduce the dominance of parked cars to the front of the dwellings.

The four detached dwellings would be located along a secondary road adjacent to the PRoW running across the site. It is considered that they would relate well to the approved detached dwellings surrounding the site. Each house would be a different house type and this would consequently create an interesting and varied view within the streetscene. An area of lawn, shrubs and trees are proposed to the front of each dwelling which would help to break up the appearance of parking to the front of the properties. The secondary road and parking spaces themselves would all be constructed from block paviours which would help to soften the appearance of this area of the site from the more formal primary estate road.

Overall, it is considered that the proposed development would satisfactorily integrate into the existing and approved neighbourhood, create place and provide suitable streets and homes. Linkages across the site would remain as approved for the original layout. A number of different house types, materials and landscaping are proposed to add variety within the streetscene. In addition, the layout and positioning of these dwellings on the site responds appropriately to the site constraints and surrounding approved layout. In doing this it would collectively create a sense of place which would be suitable for this location. The impact of the proposed development on visual amenity would therefore be acceptable.

Residential Amenity

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new houses. Paragraph 17 of the NPPF is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

The relationship between the proposed dwellings within the application site and surrounding approved dwellings is considered to be acceptable. However, there are some areas of the scheme where the

relationship between proposed dwellings would be tight in respect of light to and aspect from habitable windows as detailed below.

The rear elevations containing primary windows to habitable rooms within plots 66, 67 93 and 94 would all be under 14 metres away from blank two storey elevations. The light to and aspect from these windows would therefore be lower than would be preferable. However, the Council does not have any distance standards upon which it can insist on a greater separation between buildings. Regard has therefore been had to the orientation of the effected properties and their relationship with other dwellings in respect of the proposed layout. This and the actual separation distances (12 metres at the closest point) are such that it is considered that the impact would not be so detrimentally harmful to residential amenity so as to warrant refusal.

Overall, it is considered, on balance, that the proposed development would provide and have an acceptable impact on residential amenity in relation to light, aspect and privacy.

Other Issues

Other issues such as air quality, contamination, noise, dust, housing, PRoWs, drainage, trees, landscaping, green infrastructure, archaeology, fire, security, refuse, energy conservation, ecology, flood risk and highways were considered in relation to the previous application (R15/0540) and were judged to be acceptable subject to conditions, informatives and the provision of a Section 106 Agreement. The opinion of relevant technical consultees has been sought again in relation to the proposed changes. The associated responses indicate that they are all satisfied that the proposed changes would not give rise to any new issues.

Planning Balance

It is considered that the social, economic and environmental considerations arising from the proposed development would be acceptable when compared to the previously approved scheme. The proposed development is consequently considered to be sustainable development and the presumption in favour of such development as outlined in the NPPF therefore applies here.

Allowing the proposed development would result in a new planning permission. As a result it is necessary to re-impose all relevant conditions and informatives from the original planning permission where they still remain relevant. A Legal Agreement would also be required to ensure appropriate provision is made for affordable housing, infrastructure and financial contributions.

Recommendation:

The Head of Planning and Recreation be given delegated powers to grant planning permission subject to conditions, informatives and the completion of a legal agreement to include affordable housing, provision of a new footpath link, and financial contributions towards education, libraries, sustainable travel packs, biodiversity offsetting, open space, indoor sports facilities, green gym equipment and footpaths/tracks and community facilities.

DRAFT DECISION

APPLICATION NUMBER

R16/2436

DATE VALID

09/01/2017

ADDRESS OF DEVELOPMENT

LAND AT WILLIAMS FIELDS
COVENTRY ROAD
CAWSTON
RUGBY

APPLICANT/AGENT

Miss Brianne Asbury
Redrow Homes (Midlands)
Redrow House
Kinsall Green
Wilnecote
Tamworth
Staffordshire
B77 5PX

APPLICATION DESCRIPTION

Erection of 13 dwellings (substitution of house types on 14 plots (nos. 66-74 and 91-95) of planning permission R15/0540)

CONDITIONS AND REASONS

CONDITION 1:

The development to which this permission relates must not be begun later than the 8th October 2017.

REASON:

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

CONDITION 2:

The development shall not be carried out other than in accordance with the approved plans and reports contained in the following schedule:

<u>Plan Description</u>	<u>Plan/Report No.</u>	<u>Date Received</u>
Location Plan	1654-08-02-720	09-01-17
Topographical Survey	1654-08-02-723	09-01-17
Design and Access Statement	1654-DS701 Rev A	05-12-16
Proposed Layout Plan	1654-08-02-701 Rev B	09-01-17
Proposed Planting Plan	D6129.111	09-12-16
Proposed Finished Floor Levels	1654-08-02-722 Rev A	05-12-16
Materials Plan	1654-08-02-711 Rev A	05-12-16
Enclosures Plan	1654-08-02-721 Rev A	05-12-16
Sections Plan	1654-08-02-716 Rev A	05-12-16
AF-Tavy (Four Block) Floor Plan - Plot 66	N/A	09-01-17
AF-Tavy (Four Block) Plot 66	N/A	09-01-17
Henley Elevations (Brick, Chimney)	N/A	09-01-17
Henley Floor Plans (Chimney)	N/A	09-01-17
Marlborough Elevations (Render, Chimney)	N/A	09-01-17
Marlborough Floor Plans (Chimney)	N/A	09-01-17
Oxford Floor Plans and Elevations (Brick, Chimney)	N/A	09-01-17
Sunningdale Elevations (Brick, Chimney)	N/A	09-01-17
Sunningdale Floor Plans (Chimney)	N/A	09-01-17
Tavy Elevations (Brick, Chimney)	N/A	09-01-17
Tavy Elevations (Render, Chimney)	N/A	09-01-17
Tavy Floor Plans (Chimney)	N/A	09-01-17
Parking Details	1654-08-02-160 A	09-01-17
Permeable Paving - Typical Construction Details	AAC5205 – 405	09-01-17
Gate With Lock	F-SD0930 A	09-01-17
Noise and Vibration	General Standard 04	09-01-17
Dust, Emissions & Odours	General Standard 03	09-01-17
Construction Environmental Management Plan	4997.017	09-01-17
Great Crested Newts Reasonable Avoidance Method Statement	4997.016	09-01-17
Ground Investigation Report	ME50495.RE001	09-01-17

REASON:

For the avoidance of doubt.

CONDITION 3:

The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the Phasing Plan and details approved in writing under condition 3 of planning permission reference R15/0540 by the Local Planning Authority on 21st July 2016, unless otherwise agreed in writing with the Local Planning Authority.

REASON:

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

CONDITION 4:

The areas of block pavements indicated on the Proposed Layout Plan (1654-08-02-701 Rev B, received 09-01-17) shall only be laid out and constructed with the Marshalls Piora System Permeable Paving Blocks Brindle approved in writing by the Local Planning Authority on 21st July 2016 in relation to condition 5 of planning permission reference R15/0540 and Permeable Paving - Typical Construction Details (AAC5205 – 405, received 09-01-17). No dwelling shall be occupied until the parking areas for that plot have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality and to reduce flood risk.

CONDITION 5:

No dwelling in plots 68-70 and 91-93 shall be occupied until a shared access gate as shown on the Gate With Lock details (F-SD0930 A, received 09-01-17) has first been provided at the front of the passageway to the rear gardens between plots 70 and 91.

REASON:

To ensure the proper development of the site and reduce the potential for crime.

CONDITION 6:

No development shall commence until drainage plans for the disposal of surface water and foul sewage, including full details of oversized attenuation pipes, surface water geocellular crate systems and details of how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters, have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of drainage, to prevent the increased risk of flooding, to improve and protect water quality, and to ensure the future maintenance of the sustainable drainage structures.

CONDITION 7:

Development shall only be carried out in compliance with the Construction Method Statement approved in writing by the Local Planning Authority on 21st July 2016 in relation to condition 13 of planning permission reference R15/0540.

REASON:

In the interests of health and safety and amenities of the area.

CONDITION 8:

Development shall only be carried out in compliance with the Ground Investigation Report approved in writing by the Local Planning Authority on 21st July 2016 in relation to condition 18 of planning permission reference R15/0540. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

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

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON:

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

CONDITION 9:

The landscaping scheme, as detailed within the Proposed Planting Plan (D6129.111, received 09-12-16), shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 10:

No dwelling shall be occupied until the landscaping and boundary treatment to that plot has been carried out in accordance with the details contained within the approved plans contained in the following schedule:

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Proposed Planting Plan	D6129.111	09-12-16
Enclosures Plan	1654-08-02-721 Rev A	05-12-16

REASON:

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

CONDITION 11:

All new dwellings that are to be built shall be constructed to comply with the published Building Regulations that are relevant at the time of construction.

REASON:

To ensure sustainable design and construction.

CONDITION 12:

No dwelling shall be occupied until the water efficiency measures approved in writing by the Local Planning Authority on 24th February 2017 in relation to condition 28 of planning permission reference R15/0540 has been incorporated into the design of each dwelling prior to their first occupation and then retained in perpetuity.

REASON:

In order to ensure water efficiency is achieved through sustainable design and construction.

CONDITION 13:

No dwelling shall be occupied until the carbon emission reduction measures, equipment and technology approved in writing by the Local Planning Authority on 24th February 2017 in relation to condition 29 of planning permission reference R15/0540 has been implemented in accordance with the approved details and then retained in working order in perpetuity. The development shall not be first occupied unless and until an Energy Performance Certificate has been submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure energy efficiency is achieved through sustainable design and construction.

CONDITION 14:

No external lighting shall be erected or installed other than the external lighting details approved in writing by the Local Planning Authority on 21st July 2016 in relation to condition 30 of planning permission reference R15/0540.

REASON:

To prevent unnecessary light pollution and in the interests of the amenities of the area.

CONDITION 15:

The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not then be first occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

REASON:

In the interests of fire safety.

CONDITION 16:

No dwelling shall be occupied until a water butt to store rainwater from roof drainage has been provided in the garden of the dwelling, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON:

To reduce the risk of creating or exacerbating a flooding problem.

CONDITION 17:

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

REASON:

In the interest of visual amenity.

CONDITION 18:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting that order, no hard surfaces, with the exception of repair, maintenance and replacement of any existing hard surface, shall be constructed on land beyond the front elevation of any property without the prior written permission of the Local Planning Authority.

REASON:

In the interest of visual amenity.

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:

This development is subject to a S106 legal agreement.

INFORMATIVE 2:

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the site area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

INFORMATIVE 3:

WCC Rights of Way Team advise that:

- Public bridleway R165 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction;
- If it is necessary to temporarily close public bridleway R165 for any length of time during construction then a Traffic Regulation Order will be required. Warwickshire County Council's Rights of Way Team should be contacted well in advance to arrange this; and
- Any disturbance or alteration to the surface of public bridleway R165 requires the prior authorisation of Warwickshire County Council's Rights of Way Team, as does the installation of any new gate or other structure on the public bridleway.

INFORMATIVE 4:

Warwickshire Police advise that:

- Where there is rear access to multiple rear gardens this access needs to be gated at the front of the building line and with a self closing spring, and a snap shut lock, that needs a key to release;
- All ground floor glazing and vulnerable windows meet PAS 24:2012;
- All external doors meet PAS 24:2012 all glazing in and adjacent to doors must include one of laminate glass to a minimum thickness of 6.8mm;
- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-1:2013; and
- Footpaths that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site.

INFORMATIVE 5:

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

- Monday - Friday: 07:30 - 18.00;
- Saturday: 08.30 - 13.00; and
- No work on Sundays & Bank Holidays.

INFORMATIVE 6:

RBC Environmental Services advise that that the applicant should have due regard to the advice contained in BS5228:2008 "Noise and vibration control on construction and open sites". Attention is also drawn to the Considerate Constructors Scheme. This is a voluntary Code of Practice, driven by the construction industry, which seeks to:

- Minimise any disturbance or negative impact (in terms of noise, dirt and inconvenience) sometimes caused by construction sites to the immediate neighbourhood;
- Eradicate offensive behaviour and language from construction sites; and
- Recognise and reward the contractor's commitment to raise standards of site management, safety and environmental awareness beyond statutory duties.

For further information contact: Considerate Constructors Scheme, PO Box 75, Ware. SG12 9LN. Tel: 0800 783 1423. Or visit www.considerateconstructors.co.uk.

INFORMATIVE 7:

The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisance's actionable under the Environmental Protection Act 1990 or any other statutory provisions.

INFORMATIVE 8:

RBC Works Services Unit advise that all bins for plots 71-74 must be located at the end of the shared driveway by the primary estate road on collection days.

INFORMATIVE 9:

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be downloaded at: http://www.rugby.gov.uk/site/scripts/documents_info.php?documentID=223 Alternatively, you can contact the Street Naming and Numbering Team for an application form at: SpecialistSupport@rugby.gov.uk or by ringing 01788 533885.

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions – 16 th February 2017 to 8 th March 2017
Name of Committee:	Planning Committee
Date:	5 th April 2017
Report Director:	Head of Growth and Investment
Portfolio:	
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey 3774
Public or Private:	Public
Report subject to Call-In:	Not applicable
Report En-Bloc:	Not applicable
Forward Plan:	Not applicable
Corporate Priorities:	
Statutory / Policy Background:	Planning and Local Government Legislation
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
Financial Implications:	N/A
Risk Management Implications:	N/A
Environmental Implications:	N/A
Legal Implications:	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 – 5th April 2017

Delegated Decisions – 16th February 2017 to 8th March 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:
5th April 2017

Subject Matter:
Delegated Decisions – 16th February 2017 to 8th March 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.

* 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 16.02.2017 TO 08.03.2017

A. APPLICATIONS – DELEGATED

Applications Refused		
<i>R16/0885 Refused 21.02.2017</i>	21 Little Grove Rugby	Erection of a two storey detached dwelling
<i>R17/0003 Refused 07.03.2017</i>	The Cottage Hobleys Furze Little Walton Monks Kirby Rugby	Extension to the domestic garden and the provision of a new domestic access
Applications Approved		
<i>R16/2272 Approved 07.02.2017</i>	27 Hillmorton Road Rugby	Replacement of timber windows to side and rear elevations with UPVC windows.
<i>R16/1324 Approved 13.02.2017</i>	21 Portland Road Rugby	Erection of a single and two storey side and rear extension
<i>R17/0141 Approved 17.02.2017</i>	47 Avondale Road Brandon	Erection of single storey rear extension
<i>R17/0136 Approved 22.02.2017</i>	14 Bowen Road Rugby	Erection of decking and trellis to the rear garden (retrospective)
<i>R16/2527 Approved 22.02.2017</i>	25 Linnell Road Rugby	Erection of single storey side extensions and replacement of flat roof with new pitched roof
<i>R17/0033 Approved 22.02.2017</i>	19 Hillmorton Road Rugby	Demolition and reconstruction of boundary wall to Eastern elevation with alterations to previously approved single storey rear extension (partial re-submission of R16/0896- Erection of single storey rear extension and associated works to existing dwelling to include

		erection of new parapet wall to side elevation, demolition of garage and erection of two storey annex in rear garden with associated turning area)
<i>R15/1519 Approved 24.02.2017</i>	The Beeches 47 Main Street Wolston	Erection of a pergola
<i>R17/0140 Approved 24.02.2017</i>	Unit 15 and 16 Swan Centre Chapel Street Rugby	Change of use from A1 (Retail) to A3 (Restaurants and Cafes), the subdivision of the building into four units and associated external alterations
<i>R17/0066 Approved 24.02.2017</i>	Hawthorns 1 Barton Road Bilton Rugby	Erection of a new dwelling and provision for new access for the existing dwelling (Part Retrospective). (Resubmission of previously approved planning permission R16/0684, approved by the Local Planning Authority on the 11/05/2016)
<i>R17/0165 Approved 27.02.2017</i>	Camden Biggin Hall Lane Rugby	Extensions and alterations to dwelling.
<i>R16/2546 Approved 27.02.2017</i>	Yew Tree Hall Brookside Stretton on Dunsmore	Conversion and external alterations of existing outbuildings to form 2no. Dwellings, together with the construction of an additional dwelling house, erection of 3no. double garages and provision of new access. (Variation of condition 2 of approved planning permission R15/2068 dated 28/09/2016 to amend approved drawings to include a substitution of house type from a proposed two storey dwelling house to a single storey dwelling).
<i>R17/0151 Approved 27.02.2017</i>	Hillcrest Farm Clayhill Lane Long Lawford	Erection of a livestock and general purpose agricultural building
<i>R16/2479 Approved 27.02.2017</i>	Jubilee Bungalow Burnthurst Lane Princethorpe Rugby	Change of use of cattle shed to caravan storage.
<i>R17/0104 Approved 27.02.2017</i>	128 Church Lane Thurlaston Rugby	Erection of a two storey side and rear extension.

<i>R17/0155 Approved 28.02.2017</i>	114 Lower Street Hillmorton Rugby	Installation of 2 roof lights
<i>R17/0166 Approved 28.02.2017</i>	Brandreth 174 Dunchurch Road Rugby	Erection of a two storey side and rear extension and a single storey rear extension (Part retrospective, resubmission of previously approved planning application R16/1228)
<i>R17/0002 Approved 01.03.2017</i>	13 Millfields Avenue Rugby	Formation of off street parking provision and the erection of a new boundary fence.
<i>R17/0142 Approved 01.03.2017</i>	54 Stanley Road Rugby	Erection of single storey side and rear extension
<i>R16/2036 Approved 01.03.2017</i>	139 Clifton Road Rugby	Erection of one new dwelling.
<i>R17/0023 Approved 01.03.2017</i>	28 Eastlands Road Rugby	Erection of part two storey and part single storey side extension
<i>R17/0009 Approved 02.03.2017</i>	Greenacres 11 Birdingbury Road Marton Rugby	Conversion of an existing outbuilding to a 1 bed residential ancillary annex to the main dwelling
<i>R16/2537 Approved 02.03.2017</i>	The Livery Glebe Farm Road Draycote	Retention of an external flue
<i>R16/1942 Approved 02.03.2017</i>	Truck Busters Rugby Ltd Truck Busters Newbold Road Rugby	Erection of a workshop.
<i>R16/2285 Approved 03.03.2017</i>	Former Chapel Workshop Main Street Stretton under Fosse	Demolition and rebuilding of a listed wall.
<i>R17/0160 Approved 03.03.2017</i>	23 Main Street Wolston	Installation of an Air Source Heat Pump (Resubmission of previous withdrawn application R16/1429)

R17/0196 Approved 03.03.2017	1 Barnwell Close Rugby	Demolition and replacement, and relocation of a 1.8 metre garden wall.
R17/0111 Approved 06.03.2017	71 Bawnmore Road Rugby	Erection of detached double garage to front elevation
R16/2545 Approved 06.03.2017	Laburnum Lodge Biggin Hall Lane Thurlaston	Extensions and alterations to dwelling.
R17/0135 Approved 06.03.2017	47 North Road Clifton Upon Dunsmore	Erection of first floor front extensions and two storey rear extension
R17/0034 Approved 08.03.2017	Middletons Cherry Tree Lane Bourton on Dunsmore	Erection of two storey front and side extension (to Eastern and Southern elevations) and single storey rear extension (to Northern elevation)
R17/0175 Approved 08.03.2017	Store Tuckeys Farm Cathiron Lane Harborough Magna	Alterations to the external appearance of storage building.
R17/0082 Approved 08.03.2017	76 Beswick Gardens Rugby	Erection of a single storey front extension.
Prior Approval Applications		
R17/0158 Prior Approval Not Required 02.03.2017	8 Vere Road Rugby	Prior approval for the erection of a single storey rear extension.
R16/2487 Notification of agriculture or forestry development Prior Approval Not Required 02.03.2017	Nelsons Wharf Rugby Road Southam	Prior approval for the erection of a log store and processing building.
R16/0433 Prior Approval Not Required	19 Bulkington Road Wolvey Hinckley	Prior Approval application for the erection of a single storey rear extension projecting 4 metres from the original rear elevation of the dwelling,

07.03.2017		6 metres in width, 2.4 metres to the eaves height, with a maximum height of 3.5 metres.
R17/0191 Prior Approval Required and Granted 07.03.2017	Agricultural building off Cathiron Lane Harborough Magna Rugby	Prior approval for the change of use of agricultural barn to residential dwelling (Class Q(B))
R16/1933 Prior Approval Required and Granted 07.03.2017	Land South of 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.
R17/0217 Prior Approval Not Required 08.03.2017	45 Lytham Road Rugby	Prior Approval application for the erection of a single storey rear extension projecting 4 metres from the original rear elevation of the dwelling, 2.8 metres to the eaves height, with a maximum height of 3.8 metres.
R17/0173 Prior Approval Not Required 08.03.2017	Tuckeys Farm Store Tuckeys Farm Cathiron Lane Rugby	Prior approval for the change of use from storage and distribution into two residential dwellings.
Listed Building Consents		
R16/2288 Listed Building Consent 03.03.2017	Former Chapel Workshop Main Street Stretton under Fosse	Listed building consent for the demolition and rebuilding of a listed wall.
Approval of Details/ Materials		
R12/1188 Approval of Details 16.02.2017	Land South of Back Lane Long Lawford	Erection of 112 dwellings, associated infrastructure and landscaping, demolition of existing buildings.
R16/1933 Approval of Details 16.02.2017	Land South of 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.
R12/1353 Approval of Details 16.02.2017	Coton House Lutterworth Road Churchover	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing

	Rugby	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>R12/1353 Approval of Details 16.02.2017</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>R14/0407 & R15/2239 Approval of Details 20.02.2017</i>	Land adjacent Ridgeway Farm Ashlawn Road Hillmorton	Application for Reserved Matters for 96 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R14/0407 for demolition of agricultural buildings and use of land for residential development and associated works, including access.
<i>R11/0699 Approval of Details 21.02.2017</i>	Rugby Radio Station A5 Watling Street Clifton upon Dunsmore Rugby	Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and

		ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary schools; public art; green infrastructure including formal and informal open space and amenity space; retention of existing hedgerows, areas of ridge and furrow and grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, and diversions as necessary); sustainable drainage systems including ponds, lakes and water courses; a link road connecting the development to Butlers Leap, estate roads and connections to the surrounding highway, cycleway and pedestrian network; ground remodelling; any necessary demolition and any ground works associated with the removal of any residual copper matting, with all matters reserved for future determination except the three highway junctions on the A428, the two junctions on the A5 and the link road junctions at Butlers Leap and Hillmorton Lane.
<i>R11&0699 R16/1638 Approval of Reserved Matters 22.02.2017</i>	Rugby Radio Station A5 Watling Street Clifton upon Dunsmore Rugby	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - submission of reserved matters comprising appearance, landscaping, layout and scale for the construction of a link road (Link Road North) and associated works including footways/cycleway, carriageway, bus lane, lighting, noise barriers, bunding, maintenance strip, junctions with Hillmorton Lane and Butlers Leap, foul and surface water drainage infrastructure, vehicle restraint barrier, pumping station, agricultural access spurs, allotments access spur, Clifton Brook realignment, culverts, retaining walls, landscaping, Great Crested Newt habitat mitigation area, associated utilities, land reprofiling including flood storage area, temporary stockpiling of construction materials, construction compounds, areas for construction use and infrastructure works.
<i>R16/2324 Approval of Details 01.03.2017</i>	Rugby School Macready Theatre Lawrence Sheriff Street Rugby	Proposed disability access ramp and upgrade to existing steps
R16/0112	Admirals Court	Part demolition of existing building and

<i>Approval of Details 01.03.2017</i>	37 Nelson Way Rugby	proposed C2 Use: therapeutic, education and care facility to include two children's homes, learning centre, Multiple Use Games Area, external play areas and related facilities
<i>R16/1387 Approval of Details 03.03.2017</i>	Former Tribune Trading Estate Leicester Road Rugby	Demolition and comprehensive redevelopment comprising 9 new (Class A1) retail units and a restaurant/café (Class A3), vehicular access and servicing facilities, junction improvements, car parking and cycle parking, hard and soft landscaping and associated works
<i>Approval of non-Material Changes</i>		
<i>R15/1463 Approval of non-material changes 22.02.2017</i>	Unit 3 (Plot 2) Rugby Gateway Employment Waver Way Rugby	Erection of building for Class B8 - storage, warehouse and distribution use, with associated access and other works. (Approval of reserved matters relating to outline planning permission R10/1272.)
<i>R16/0316 Approval of non-material changes 07.03.2017</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>R16/1322 Approval of non-material changes 08.03.2017</i>	Rugby School Collingwood Centre Oak Street Rugby	Erection of part two and a half and part single storey building to provide a new School Boarding House comprising 60 No. study bedrooms, atrium, common rooms, catering facilities and accommodation for the house masters and matron together with roof top terrace at first floor, lawn areas at ground floor associated landscaping and on-site car parking.