

2 June 2017

## PLANNING COMMITTEE - 14 JUNE 2017

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 14 June 2017 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn  
Executive Director

***Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a pecuniary interest, the Member must withdraw from the room unless one of the exceptions applies.***

***Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.***

## A G E N D A

### PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meetings held on 24 May 2017.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

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

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

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

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
6. Delegated Decisions – 20 April – 10 May 2017.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be considered.

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

The Reports of Officers (Ref. PLN 2017/18 – 3) are attached.

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

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Butlin, Cranham, Ellis, Gillias, Miss Lawrence, Lewis, Mistry, Sandison and Srivastava.

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

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

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

**Planning Committee – 14 June 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	R15/0620	Boots Farm, Straight Mile, Bourton-on-Dunsmore, Rugby Outline planning permission for the restructuring of existing industrial buildings at Boots Farm for B1c, B2 and B8 uses including demolition of redundant buildings and construction of new buildings; formation of landscape bund; and, alterations to existing access road (all matters with the exception of access reserved).	3
2	R17/0663	Brandon Grange Farm, Bretford Road, Brandon, CV8 3GE Excavation and installation of a non-waste digestate storage lagoon and erection of 1.8m fence.	18
3	R16/1948	70 Main Street, Wolston, Coventry, Warwickshire, CV8 3HJ Erection of one new dwelling.	24
4	R17/0800	Land Adjacent to Existing Doctors Surgery, Bow Fell, Brownsover Erection of new primary care facility along with attached community facility with associated parking and landscaping.	29
5	R17/0472	Rugby School, Horton Crescent, Rugby, CV22 5DJ Demolition of the existing estate department building, and ancillary buildings and the erection of a part single, part two and part three storey building comprising school day-houses, 2 (no) dining halls, kitchens, reception area and common rooms.	38
6	R16/1676	The Bell Inn, Bell Lane, Monks Kirby, Rugby, CV23 0QY Change of use of Public House to become part of existing dwelling together with associated works (retrospective).	53

**Reference number: R15/0620**

**Site address: Boots Farm, Straight Mile, Bourton-on-Dunsmore, Rugby**

**Description: Outline planning permission for the restructuring of existing industrial buildings at Boots Farm for B1c, B2 and B8 uses including demolition of redundant buildings and construction of new buildings; formation of landscape bund; and, alterations to existing access road (all matters with the exception of access reserved).**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

## **Introduction**

This application is to be determined by members of the planning committee as it constitutes a major development, of which part of the application site falls outside of the established/permitted industrial area.

## **Description of Site**

The application site is located to the north of the Straight Mile (B4453) approximately 1.8km to the west of the A45 and 7.5km to the southwest of Rugby Town Centre. The site is located within an area of countryside designed as Green Belt, which forms part of the wider West Midlands Green Belt. The overall site extends to an area of approximately 5.08ha, and includes a mix use of Class B1 (office/light industry), B2 (General Industry) and B8 (Storage and Distribution), including the headquarters of Mitchells Potatoes Ltd and Storage World. The use of the site for employment uses (B1/B2/B8) was granted by planning permission R10/1247 which was approved in November 2012.

The site connects to the wider area via its access onto the Straight Mile (B4453). Further access into and through the site can also be obtained via the existing Bridleway along the existing access road and through the site.

The immediate context and surroundings of the site can be easily defined as open arable agricultural farmland. To the south of the site are the local needs settlement of Bourton-on-Dunsmore and Frankton. To the east of the site is Heath Farm and further afield towards the A45 is Wyevale Garden Centre. Directly on the opposite side of the road to Wyevale Garden Centre is Bernard's Nurseries and at the junction with the Straight Mile and A45 is a service station which comprises of a McDonalds Drive Thru and Restaurant and Travelodge.

## **Description of Proposal**

The proposal has been submitted in an outline form with all matters (except for access) reserved for consideration at a later date. Therefore the submitted plans in terms of layout, scale and appearance are indicative only.

The proposal seeks:

*'the restructuring of existing industrial buildings at Boots Farm for B1c, B2 and B8 uses including demolition of redundant buildings and construction of new buildings; formation of landscape bund; and, alterations to existing access road (all matters with the exception of access reserved).'*

The proposed seeks to redevelopment the site comprising of a maximum of 84,582 cubic metres of business space. The increased volume of potential new development equates to 44,508 cubic metres, with a volume of 20,342 cubic metres of existing buildings to be demolished. This would result in an increased volume of 24,166 cubic volume, which equates to an increased volume on site of 40%.

Whilst the proposal has been submitted in an outline form, it is considered that the overall heights of the new buildings would reflect the existing building forms. The larger building could have a ridge height of approximately 11.50m from finished floor level and the smaller units being approximately 9m from finished floor levels.

Within the Design and Access Statement it states that in respect to the proposed buildings they would be constructed from the following material:

### Roof

Profiled metal sheeting in Anthracite RAL 7016 HPS 200 Ultra finish with Olive Green RAL 0030 20 eaves fascia and soffit.

### Walls

A mix of vertically spanning metal profiled sheet in Moorland Green RAL 100 60 20 HPS 200 Ultra finish and treated timber cladding fixed horizontally to office facades.

### Service Doors

Insulated metal panel doors painted in Olive Green RAL 00 30 20.

### Fire Exit/ Personnel Doors

Metal faced doors painted in Olive Green RAL 00 30 20.

### Office Entrance Doors and Windows

Polyester powder coated aluminium double glazed units in Graphite Grey frames.

The existing access would be retained with the principle access point into the site remaining unaltered with the road width increased to 5m along the entire length to improve the situation for larger vehicles and allow two vehicles to pass along the length of the access road. The internal access would be widened in an easterly direction.

The existing bridleway/footpath (R163) is to be diverted around the western edge of the site in order to provide an enhanced and safer PRow.

Proposed landscaping seeks to reinforce and enhance the site boundaries, which will include a proposed landscaping bund varying between 2m and 3m in height.

The area to the north of the site will be retained for uncovered storage.

It is proposed that these works will proceed in a phased manner.

## **Relevant Planning History**

### R10/1247

Change of use of existing buildings for purposes within Class B1 Office/ Light Industry), B2 (General Industry) and B8 (Storage and Distribution) together with the car parking provisions (retrospective)  
Approved 07/11/2012

### R10/1254

Extension to existing building (retrospective)  
Approved 08/11/2012

### R13/0585

Change of use of existing buildings for purposes within Class B1 Office/ Light Industry), B2 (General Industry) and B8 (Storage and Distribution) together with the car parking provisions (retrospective) - Variation of condition 10 attached to approval R10/1247 date 07/11/2012 to enable the provision of lorry parking ancillary to the permitted use of the buildings.  
Approved 22/05/2013

## **Third Party Comments**

Neighbours 1 comment received

- Loss of light
- Light pollution
- Lights hazardous to road users
- Impact upon rural landscape and night sky

## Technical Consultee Responses

### WCC Highways

No objection subject to conditions

### WCC Right of Way Team

No objection

### WCC Flood Management Team

No objection

### WCC Ecology Unit

No objection subject to a condition relating to Great Crested Newts

### WCC Water Officer

No objection subject to conditions relating to provision of adequate water supplies and fire hydrants

### WCC Archaeology

No objection subject to conditions

### RBC Environmental Services

No objection subject to conditions

### RBC Tree Officer

Content with landscape and visual impact assessment and associated mitigation planting. There will be a minor/localised impact upon the local landscape character given the existing site context and landscape form. Considerable mitigation planting is proposed and whilst it will not fully screen the development in the short term, as the planting evolves and matures you will see major enhancement of the local landscape character because at present there is a lack of green screening.

The only thing I would recommend to supplement the landscape scheme is to enhance the proposed native planting along the northern boundary. Similarly to the existing site frontage adjacent to the straight mile there is an opportunity for increased tree planting and hedgerow enhancement as one or two of the major Oaks appear to have been removed in recent years.

## Assessment of Proposal

### 1. Principle of development

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 site is located within an area of the Borough designed as green belt, and policy CS1 states that only where National Policy allows will development be permitted. National Planning Policy pertaining to Green Belt is contained within the NPPF. Paragraph 89 of the NPPF states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. Paragraph 89 goes on to list exceptions to this, which of relevance to this proposal is the sixth bullet point, which states:

*'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'*

Having regard to the planning history of the site and permitted uses, it is acknowledged that the majority of the site in which the existing buildings and associated hardstanding are contained within, constitutes previously developed land. The site edged red as part of this submission, includes land outside of the existing developed area, and would form part of the surrounding agricultural land. The illustrative proposed layout indicates that unit's 12A-12D would be building on agricultural land outside of the existing developed

area. This encroachment outside of the permitted industrial/commercial site boundary would give rise to harm to the Green Belt in terms of openness and encroachment. Further harm to openness would exist through the increase in volume over and above the existing volume by 40%. It is for this reason that the LPA are of the opinion that the proposal falls outside the provision of paragraph 89 and would represent a form of inappropriate development within the Green Belt.

Paragraph 87 states that as with previous Green Belt policy, inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF continues to clarify this point further by stating that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

This assessment of 'very special circumstances' and the weight to be attributed to these, will be assessed as part of the overall planning balance to be undertaken.

## **2. Industrial land supply**

The Council's Employment Land Study 2015 undertaken by GL Hearn assesses the need for and supply of employment land in the borough up to 2031. This study draws inference in a shortage of sites capable of accommodating industrial units up to 1,850sq.m. The proposal seeks to provide smaller units of 2,551sq.m. and below for B1c, B2 and B8 employment use. These size units proposed by this development will assist Rugby Borough Council in meeting their identified demand for employment sites providing smaller units.

## **3. Landscape and Visual Impact Assessment**

Existing vegetation associated with the site is predominantly confined to the north western and south eastern site boundaries and consists of a section of established hedgerow and occasional, hedgerow trees which are remnants of the former network of agricultural field boundaries. The western, north eastern and southern site boundaries remain relatively open, bordered by pockets of unmanaged grassland and arable fields.

The Warwickshire County Council's Landscape Assessment of the Borough of Rugby 2006 identified the site falling within the Dunsmore Landscape Character Area (LCA) and more specifically on the boundaries of the Dunsmore Plateau Farmlands and Dunsmore Plateau Fringe.

This application has been accompanied by a Landscape and Visual Impact Assessment. This assessment considers that the immediate landscape context as being characterised by the rural/agricultural setting associated with Bourton on Dunsmore and its environs. Within this setting the large scale agricultural built form which characterises the site is seen as appropriate, indeed typical of a working agricultural landscape such as this. The site forms part of a wider pattern of small, scattered, farmsteads and smallholdings which are evident across the landscape. Alongside this the regular pattern of large arable fields, bound by a network of established hedgerows, hedgerow trees and woodland blocks, combined with the network of small lanes and major road corridors, creates a compartmentalised landscape. These features combined with the localised topography of the site and its setting also creates a degree of visual containment and enclosed character.

The Landscape and Visual Impact Assessment (LVIA) provides different viewpoints around the application site. Viewpoints 1, 2, 3, 6, 7 & 8 encapsulate short distance views from the south and north of the site. Within these viewpoints, views of the site and the existing built form are widely available, and seen as a prominent feature within the landscape. These views are seen within the context of the established treescape to the east and the surrounding hedgerow boundaries which filter views into the site. The LVIA assesses the sensitivity of viewpoints 1-3 and 6 as being medium, and the magnitude of change being brought about by this development, upon completion, as being low to medium/low. The impact of the proposed development within these viewpoints is assessed as having moderate/minor significance. The LVIA assesses the sensitivity of viewpoints 7 to 8 as being high and the magnitude of change being brought about by this development, upon completion, as being medium/low. The impact of the proposed development within these viewpoints is assessed as having moderate/minor significance.

Viewpoints 4, 5, 9, 10 & 11 encapsulate medium distance views. From these viewpoints, views of the proposal are apparent where the intervening vegetation structure and topography permits. Within these views the proposal is seen in context to the existing established treescape and vegetation which adjoins the site and lines the surrounding field boundaries. This established vegetation and varying topography allows for a degree of visual containment for these viewpoints. The LVIA assesses the sensitivity of viewpoints 4 and 5 as being medium, and the magnitude of change being brought about by this development, upon completion, as being low/negligible. The impact of the proposed development within these viewpoints is assessed as having moderate/minor to minor significance.

Viewpoint 12 represents a long distance view at 1.5km to the north-west of the site. From this viewpoint, views of the site are restricted given the established treescape such as Lemon's Wood. The LVIA assesses the sensitivity of this viewpoint as being medium, and the magnitude of change being brought about by this development, upon completion, as being negligible/none. The impact of the proposed development within these viewpoints is assessed as having minor/none significance.

It should be noted that this application has been submitted in outline form with matters relating to landscaping reserved for consideration at a later stage. The LVIA sets out proposed landscaping treatment to assist in assimilating the proposed development into the immediate landscape. The proposed landscape treatment seeks to reinforce and enhance the site boundaries, and this would be achieved with a proposed bund around the perimeter of the site that would vary between 2m and 3m in height, not to exceed a 1:3 gradient. The bund slopes would be planted with native trees and scrubs. Whilst the proposed landscaping would not completely screen the proposed development it would reduce the perceived presence within the landscape context. The LVIA identified that after of 10 year period of the implementation within the representative viewpoint, the identified magnitude of change and significant would dilute as the proposed landscaping establishes and matures.

It is acknowledged that there would be a minor/localised impact upon the local landscape character given the existing site context and landscape form. Whilst the proposed landscaping would not seek to completely screen the development in the short term, as the planting evolves and matures it would provide a major enhancement to the local landscape character which currently lacks green screening.

The proposed buildings would be of a scale of 11.50m from the finished floor level, in respect of larger building, and 9m from the finished floor level, in respect of smaller buildings. This scale is comparable to the scale of existing buildings within the site. In addition to this the proposed new buildings could be designed in such a manner to give an appearance of an agricultural building. The illustrative elevation plans in respect to units 11 and 12A-D demonstrate how this could be achieved.

It is therefore considered that the proposed development would not adversely impact upon the local landscape character and visual amenity of the area in accordance with policy CS16.

#### **4. Biodiversity**

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. This policy is 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.

Accompanying the application is a Bat and Great Crested Newt Assessment Report. This assessment has concluded that the site has low potential to support bat habitats or roosting opportunities. Whilst no evidence of Great Crested Newts was observed, the nearby ponds are considered to offer suitable aquatic habitats for this species.

WCC Ecologists have assessed the application and raised no objection subject to a conditions relating to the protection and safeguarding of Great Crested Newts.

## **5. Access, Parking Provision, Traffic Flows and Highway Safety**

One of the core principles outlined within paragraph 17 of the NPPF sets out the need for planning to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'. This is then further expanded upon in section 4 of the NPPF which also sets out the need to consider the suitability and safety of accesses. Paragraph 32 of the NPPF is particularly important and indicates that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. It further indicates the value of travel plans and the promotion of a mix of uses on larger residential developments (paragraphs 17, 36 and 38). Policy CS11 of the Core Strategy is consistent with this and states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. The Planning Obligations SPD expands on this and further sets out the need for transport assessments to be submitted with planning applications to assess the impact and acceptability of development proposals. Policy CS11 and policy T5 of the Local Plan also state that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD.

### **5.1 Highway**

The proposed development would utilise the existing access off the B4453. The principal access point into the site would be unaltered with the road width increased to 5 metres along its entire length to enable vehicles to pass each other. WCC Highways have assessed the application and raised no objection subject to conditions.

### **5.2 Public Right of Way**

The NPPF establishes the need for planning to protect and enhance public rights of way and access (paragraph 75).

The proposal would include the re-routing of the existing R163 Bridleway, which at present traverses directly through the centre of the site, which is considered to be unsafe for users of this bridleway and workers on site. The proposal would seek to divert this existing bridleway around the western edge of the site, in order to provide an enhanced and safer public right of way which is separate from internal movement on site.

WCC Rights of Way team have assessed the application and welcome the proposed diversion and landscaping recognising the potential safety benefits for bridleway users, and the potential improvement to the amenity of the public bridleway.

### **5.3 Parking provisions**

The proposed illustrative site layout shows the accommodation for 200 formalised car parking spaces. The total number of proposed employees would be equivalent to 140 full-time employees. The provision of 200 spaces would accommodate both the number of proposed employees together with capacity for visitor parking. It is therefore considered that the proposed development would incorporate sufficient levels of car parking in accordance with policy T5.

## **6. Flood Risk and Drainage**

The NPPF requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 100-103). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas at highest risk. Policy CS16 of the Core Strategy and policy GP2 of the Local Plan are consistent with this and set out that sustainable drainage system (SUDS) should be proportionality incorporated into new development where practical.

A Flood Risk Assessment has been submitted which identifies the site as being within a Flood Zone 1 (low risk) and therefore passes the requirements of the sequential and exception tests outlined within the NPPF.

It also outlines that there would be no increase in flood risk from the land whilst the risks from sewers/drainage and groundwater/land drainage need to be considered more fully.

### 6.1 Surface Water

The Flood Risk Assessment indicates that the site has no areas at risk of surface water flooding within its boundaries save in the dedicated pond area and small patches around the western watercourse. The surface water strategy proposes that run off arising from the developed site will be managed in a sustainable manner.

### 6.2 Flood Mitigation Measures

The flood risk management measures included on the proposed development site will include the following:

- The proposed developments will include a surface water drainage system that will intercept the majority of run-off generated within the development. This will minimise the risk to the new buildings and also reduce the incidence of overland flows for the rest of the site.
- All buildings must be designed with the finished floor level at least 150mm above adjacent external ground levels and roadways and 600mm above the modelled flood levels.
- Where possible, the external ground profile should be designed to slope away from the buildings to divert any flows away from vulnerable areas. Where flush thresholds are required, these must be achieved using a suitable ramp to ensure that water will not be able to use this route to enter the building.

### 6.3 Conclusion

WCC Flood Management Team have assessed the proposed application and have raised no objection subject to conditions.

## 7. Residential Amenity

The nearest neighbouring farmstead is Heath Farm, situated to the east of the site. This farmstead is situated approximately 300m from the application site. This property is screened from the application site by an existing deciduous woodland between the two sites.

Taking into account the existing use of the site and the location of the new units, it is not considered that the proposed development would have an adverse impact upon the amenities of this neighbouring property in accordance with policy CS16.

## 8. Archaeology

The proposed development is situated within an area of significant archaeological potential. Aerial photography of adjacent fields to the south of the site has identified cropmarks of probable prehistoric origin including a sub-rectangular enclosure surrounding a smaller enclosure or ring ditch (Warwickshire Historic Environment Record MWA5395) and a possible enclosure complex and linear features (MWA6800). An enclosure feature is also visible as a cropmark approximately 300m east of the application boundary (MWA5398) and several linear features including a possible pit alignment approximately 500m east of the site (MWA3329). Further cropmarks have also been identified to the south of the B4453 Straight Mile (MWA5393, MWA5394, MWA5396, MWA5397, MWA6801). There is therefore a potential for the proposed development to disturb archaeological features associated with the occupation of this area from the prehistoric periods onwards.

WCC have been consulted on the proposed application and have raised no objection subject to conditions.

## 9. Land Designation and Use

An element of the site edged red comprises of agricultural land. A proportion of the surrounding agricultural land would be lost by virtue of the proposed new buildings 12A-12D, the proposed landscaping bund and the proposed widening of the existing access road.

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 (BMV). 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.

### *Land Designation and Use Conclusions*

The majority of land surrounding the application site has been assessed as being grade 2 (very good) agricultural land. The proposed would encroach onto the surrounding agricultural land resulting in a loss of approximately 1.8ha of grade 2 land. Therefore the proposed development would result in an irreversible loss of land classified as being the best and most versatile agricultural land.

The NPPF makes reference to 'significant development of agricultural land'. There is no definition of what can be construed as 'significant', and there is no defined threshold for assessing the effects of non-agricultural development on agricultural land. The applicants have advanced that one measure could be the threshold in which Local Planning Authorities are required to consult Natural England, i.e. where proposal development would lead to the loss of 20ha or more of BMV agricultural land and the proposal is not consistent with a local plan. In addition to this the applicants have, within their Agricultural Land Considerations document dated April 2017, made reference to an appeal decision (ref: 2158146) where the inspector concluded that the development of 2.7ha of land comprising of BMV agricultural land, which was a mix of grade 2 and grade 3a, was not considered to be significant in terms of the amount of BMV that would be taken.

Taking this into account it is considered that the loss of 1.8ha of grade 2 land is not considered significant in the context of paragraph 112 of the NPPF.

## 10. Planning Balance

It is considered that the proposal would constitute a form of inappropriate development within the Green Belt. As a form of inappropriate development and taking into account the conflict with the purposes of including land within the green belt, through encroachment, together with the impact upon openness, it is necessary to consider whether there are any 'very special circumstances' to outweigh the harm identified.

The very special circumstances advanced include the economic, social and environmental benefits of the scheme.

The economic benefits of the scheme include; meeting Rugby's identified need for the provision of smaller industrial units; employment opportunities; providing a betterment to the existing Business Park through the refurbishment of existing buildings, providing more modern, efficient units. The social benefits of the scheme include; improving the conditions in which people work through the betterment to the existing site; and improving the conditions in which people take leisure through the re-routing of the existing public right of way. The environmental benefits include; the introduction of a landscape bund and robust landscape strategy; and the redevelopment of a brownfield site.

The weighting of these matters against the identified harm is quintessentially a matter of judgement of the LPA. Taking into account the benefits outlined above, it is considered, on balance, that these benefits outweigh the identified harm.

### Recommendation

Approval subject to conditions and referral to the National Planning Casework Unit

#### APPLICATION NUMBER

R15/0620

#### DATE VALID

10/11/2016

#### ADDRESS OF DEVELOPMENT

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

#### APPLICANT/AGENT

Peter Frampton  
Framptons  
Oriol House  
42 North Bar  
Banbury  
Oxfordshire  
OX16 0TH  
On behalf of , Mitchells (Potatoes) Ltd

#### APPLICATION DESCRIPTION

Outline planning permission for the restructuring of existing industrial buildings at Boots Farm for B1c, B2 and B8 uses including demolition of redundant buildings and construction of new buildings; formation of landscape bund; and, alterations to existing access road (all matters with the exception of access reserved).

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

##### **CONDITION: 1**

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

##### **REASON:**

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

**CONDITION: 2**

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

**REASON**

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

**CONDITION: 3**

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

- a - Layout,
- b - Scale,
- c - Appearance (including elevational drawings of the building(s) to be restructured),
- d - Landscaping (including bund detail cross sections)

**REASON:**

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

**CONDITION: 4**

Prior to any development commencing a phasing plan shall be submitted to and approved by the Local Planning Authority, showing how the site shall be developed in a phased manner.

**REASON**

To ensure the proper development of the site

**CONDITION: 5**

The development shall be carried out in accordance with the plans and documents detailed below:

- Site Location Plan Drawing Number: PF/9438.01
- Design and Access Statement dated February 2016
- Flood Risk Assessment January 2017
- Landscape and Visual Impact Assessment July 2016
- Bat and Great Crested Newt Assessment Report ref: 2015-08(04)
- Proposed Access Widening Dwg. No. 17301-01

**REASON:**

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

**CONDITION: 6**

No 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**

The landscaping scheme, approved as part in relation to condition 3 above, 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: 8**

No development shall commence unless and until full details of finished floor levels of all buildings 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**

No development shall take place until detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC).

- a. The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:
- b. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753
- c. Evidence that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm has been limited to the QBAR runoff rates for all return periods
- d. 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 drainage system for a range of return periods and storms 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.
- e. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing
- f. A foul water drainage scheme including evidence from Severn Trent Water (STW) that there is adequate capacity within their sewerage assets for this development
- g. Provide a Maintenance Plan to the LPA giving details on how the entire surface water and foul 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, for the maintenance of all features shall be provided to the LPA.

**REASON:**

In the interest of flood risk management

**CONDITION: 10**

No development shall commence unless and until:

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

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

**REASON:**

In the interest of archaeology.

**CONDITION: 11**

No development shall take place until a Construction Management Plan, has been submitted and approved in writing by the Local Planning Authority. This will need to comprehensively detail how dust, mud and debris will be managed and prevented from impacting on any residential, business and/or local highway receptors/locations, HGV routing and construction worker parking.

**REASON**

In the interest of residential amenity

**CONDITION: 12**

No development shall take place until a full noise survey and assessment by a competent noise consultant must be prepared and submitted, with any proposed works, to the local planning authority for approval.

**REASON**

In the interest of residential amenity

**CONDITION: 13**

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

**REASON**

In the interest of residential amenity

**CONDITION: 14**

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: 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**

Prior to the occupation of the development, a HGV routing plan to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the HGV routing plan is in place and should be retained as such thereafter.

**REASON**

In the interest of highway safety

**CONDITION: 17**

Prior to the occupation of the development, details of a scheme of cycle and motorcycle parking to comply with the Councils standards to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle and motorcycle parking spaces have been laid out in accordance with the approved details and made available for use and retained as such thereafter.

**REASON**

In the interest of highway safety

**CONDITION: 18**

Prior to the occupation of the development, details of a scheme of car and disabled parking to comply with the Councils parking standards to serve the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall not be occupied until the car and disabled parking spaces have been laid out in accordance with the approved details and made available for use and retained as such thereafter.

**REASON**

In the interest of highway safety

**CONDITION: 19**

Prior to the occupation of the development, a plan detailing the provision of accessible pedestrian access routes within the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall not be occupied until the car and disabled parking spaces have been laid out in accordance with the approved details and made available for use and retained as such thereafter.

**REASON**

In the interest of highway safety

**CONDITION: 20**

The development shall not be occupied until the main access road to the site has been remodelled so as to provide an access of not less than 5.5 metres as shown on drawing 17301-01 Revision A.

**REASON**

In the interest of highway safety

**CONDITION: 21**

The applicant shall submit a Green Travel Plan to promote sustainable transport choices to the site, the measures proposed to be carried out within the plan to be approved by the Planning Authority in writing, in consultation with the County Council as Highway Authority. The measures (and any variations) so approved shall continue to be implemented in full at all time. The plan shall:

- a. specify targets for the proportion of staff traveling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;
- b. set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
- c. explain and justify the targets and measures by reference to the tenancy enforcement policies of the development;
- d. identify a member of site management staff with overall responsibility for the plan and a scheme for involving staff in its implementation and development

## **REASON**

In the interest of highway safety

### **CONDITION: 22**

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, archeological 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: 23**

Prior to commencement of development an Earthworks Strategy in relation to the construction of the proposed bund shall be submitted to and approved by the Local Planning Authority. Such details shall include design process and material management.

### **REASON**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

## **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**

Details to be submitted pursuant of condition 3 should have regard to the following documents/plans submitted as part of this outline application:

- Proposed Elevations Unit 11 Drawing No. 5838-20
- Proposed Elevations Units 12A-D Drawing No. 5838-21
- Proposed Site Context Plan Option 3 Drawing No. 5838-22
- Proposed Site Layout Plan Option 3 Drawing No. 5838-23
- Landscape Strategy Drawig No. 5756/ASP3 Rev C

### **INFORMATIVE: 2**

#### Right of Way

Public rights of way R163 and R163c 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.

No construction may begin on the current recorded alignment of public rights of way R163 and R163c unless and until they have been diverted by a legal order that has been confirmed and come fully into effect.

The applicant must make good any damage to the surface of any public right of way caused during construction.

If it is necessary to temporarily close any public right of way 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.

Any disturbance or alteration to the surface of any public right of way 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 right of way.

### **INFORMATIVE: 3**

Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with. Asbestos contaminated waste is required for removal to a designated waste management facility licensed to take asbestos. A consignment note for the national inspectorate is required for each load and a paper trail of waste movements kept.

### **INFORMATIVE: 4**

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday – Friday	7.30 a.m. – 18.00 p.m.
Saturday	8.30 a.m. – 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

**Reference number: R17/0663**

**Site address: Brandon Grange Farm, Bretford Road, Brandon, CV8 3GE**

**Description: Excavation and installation of a non-waste digestate storage lagoon and erection of 1.8m fence**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Description of Site**

Brandon Grange Farm is a working agricultural farm which is sited within the Green Belt between the village boundaries of Brandon (to the west) and Bretford (to the east). The farm consists of a cluster of buildings; the farmhouse, which features a range of attractive brick built agricultural buildings to the west, whilst to the east there is a range of more modern agricultural buildings, including an on-farm anaerobic digestion plant and associated hard surfacing. Due to the lay of the land, all buildings with the exception of the farmhouse itself and an existing silo are obscured from view when approaching the site along Bretford Road in a westerly direction and similarly when approaching in an easterly direction only small sections of the buildings are visible. Whilst no public footpaths adjoin the application site there are a number of rights of way within the wider area. Currently the farm operates mainly in arable but does still keep some beef cattle.

Located to the south-west of the application site is a residential property known as Sidon Hill House, and to the east is a grouping of dwellings known as Hillside View.

### **Description of Proposal**

The application seeks the construction of a non-waste (predominately maize silage and poultry litter) digestate storage lagoon ("Lagoon") on land to the north of Brandon Grange Farm. As proposed the lagoon would have a footprint of 4,882.5sqm with a capacity of 8,000m<sup>3</sup>, with an average holding depth of 4m. The proposal would allow for the business to provide sufficient storage capacity and controlled spreading of digestate. The digestate is a by-product of the anaerobic digestate plant ("AD plant") owned and operated by the Applicant on the farm. It would allow the business to use a highly valuable product effectively and efficiently, ensuring optimum take up by plants, improving the land for arable farming and reducing the need for artificially manufactured fertilisers. The location of the lagoon allows the lagoon to be pumped via an over ground pipe direct from the anaerobic digestate plant.

The proposed lagoon would be lined with a 2mm thick High-density Polyethylene (HDPE) liner which will form an impermeable layer between the stored material and the ground. The lagoon would be covered with an impermeable fixed floating plastic membrane cover.

The purpose of the cover is for the following reasons:

1. The impermeable cover will prevent rainwater ingress and therefore maximise the storage capacity of the lagoon; rainwater will collect on the impermeable cover and be pumped off onto the surrounding land periodically.
2. In preventing rainfall ingress, the lagoon cover will reduce the volume of digestate to be spread and therefore the financial and environmental costs of transporting the digestate to the fields for spreading.
3. The lagoon cover reduces the level of odour and ammonia emissions from the lagoon. The lagoon cover prevents the action of the wind on the surface of the lagoon causing the volatilisation and release of odorous volatile organic compounds.
4. A lagoon cover is a safety feature, although the lagoon will also benefit from a fence.

The external earth banks will be set at a minimum of 50 degrees; the natural angle of repose for soil. The proposed earth bank would project 1 metre above the existing ground level to the north rising to 2 metres to the south. The earth bund would be landscaped to blend with the natural contours of the site and surrounding rural landscape. The Lagoon will be fenced to prevent any unauthorised access. It will be green, 1.8m continuous mesh fence with locked access gates.

The application has been accompanied with a Fly Management Plan and Odour Management Plan.

## Relevant planning history

R13/1805

*Proposed on-farm anaerobic digestion plant and associated hard surfaced clamp area for the storage of maize*

Approved 12/12/13

## Relevant planning policies/guidance

### Core Strategy

CS16 Sustainable Design complies

### Saved Local Plan Policies

E6 Biodiversity

### National Policy

National Planning Policy Framework (NPPF)

Part 7 – Requiring good design

## Third Party Comments

Neighbours (1 objection)

- Impact upon visual aesthetics
- Increase in odour
- Impact upon air quality

Parish Council no comments received

## Technical Consultee Responses

RBC Environmental Services no objection

WCC Highways no objection subject to conditions

Environment Agency no objection

WCC Archaeology no objection subject to conditions

WCC Ecology no objection

## 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 site is located within an area of the Borough designed as green belt, and policy CS1 states that only where National Policy allows will development be permitted.

The proposed development is required in connection with the use of the land for agricultural purposes. As the proposal is an engineering operation paragraph 90 as contained within the National Planning Policy Framework is relevant. Within it, it states that engineering operations may be appropriate within the Green Belt, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

The provision of a lagoon would preserve the openness of the Green Belt and whilst the construction of the earth banks and fencing are above ground, taking into account the varying height of the earth banks and the style of fencing, these works would still seek to preserve the openness of the green belt. It is therefore considered that the proposal is an appropriate form of development within the Green Belt.

## 2. Design, Layout and 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 development would be screened from the A428 by the existing agricultural buildings. There is a Right of Way to the north of the site, however given the distance from the right of way to the proposed location of the lagoon, it is not considered that the proposal would be readily visible from it.

It is therefore considered that the proposal would not be readily visible outside of the application site and therefore would not have an adverse impact upon the visual amenities of the area in accordance with policy CS16.

## 3. Residential Amenity

To the west is a property known as Sidon Hill House, with is located approximately 322m from the proposed location of the lagoon. The proposal would not be visible from this location taking into account the mature field boundary between the application site and this neighbouring property.

To the east of the site is a group of dwellings with 2no. pair of semi-detached dwellings known as Hillside View. The closest dwelling no. 4 Hillside View is located approximately over 400m from the proposed location of the lagoon. Taking into account the topography of the land the proposal would not be visible from this location.

The site currently operates under an Environmental Permit issued by the Environment Agency.

Section 3.6 of the Environmental Permit states:

*The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.*

*The operator shall:*

- If notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests;*
- Implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.*

This applicant has submitted a Fly Management Plan and Odour Management Plan, at the request of the Council's Environmental Services. These documents have been reviewed by the Council's Environmental Services and are deemed acceptable. In addition to this no objection has been raised by the Environment Agency.

It is therefore considered that the proposal would not have an adverse impact upon the amenities of neighbouring properties in terms of potential odour impact and fly nuisance, and therefore accord with policy CS16.

## 4. Access and Highway Safety

WCC Highways have assessed the application and raised no objection to the proposal subject to conditions.

## 5. Archaeology

The proposed development lies within an area of significant archaeological potential. Probable cropmark enclosures, visible on aerial photography, are recorded from the field to the south of Brandon Grange Farm approximately 250m to the south of the application site (Warwickshire Historic Environment Record MWA 4258). A significant assemblage of flint artefacts has also been recorded across this area as a result of field walking suggesting previous activity dating from the Neolithic through to the Iron Age. Further lithic material ranging in date from the Mesolithic to the Iron Age has also been recovered from the field to the east, approximately 100m away. There is therefore the potential for the proposed groundworks to disturb archaeological deposits associated with the occupation of this area from the later prehistoric period onwards.

It is therefore recommended that no development commences until further archaeological works are undertaken.

### **Recommendation**

Approval subject to conditions.

#### **APPLICATION NUMBER**

R17/0663

#### **DATE VALID**

21/04/2017

#### **ADDRESS OF DEVELOPMENT**

BRANDON GRANGE FARM  
BRETTFORD ROAD  
BRANDON  
COVENTRY  
CV8 3GE

#### **APPLICANT/AGENT**

Mr A Channing  
J C Channing & Sons  
Brandon Grange Farm  
Bretford Road  
Coventry  
CV8 3GE

### **APPLICATION DESCRIPTION**

Excavation and installation of a non-waste digestate storage lagoon and erection of 1.8m fence

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

#### **CONDITION: 1**

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

#### **REASON:**

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

#### **CONDITION: 2**

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

- Application Form dated 23/03/2017
- Location Plan EC035-08 Rev 2
- Block Plan EC035-09 Rev 1
- Site Plan EC035-10 Rev 1
- Cross Section EC035-11 Rev 1
- Fence and gate front elevation EC035-12 Rev 1
- Gate side elevation EC035-13 Rev 1
- Planning and Design Statement EC035-14 Rev 2
- SPC/ESP/0023 Fly Management Plan dated May 2017
- SPC/ESP/0023 Lagoon Cover dated May 2017
- SPC/ESP/0023 Odour Management Plan dated May 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**

No development shall commence unless and until:

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

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

**REASON:**

In the interest of archaeology.

**CONDITION: 4**

The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distance of 115metres. 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**

The prevailing speed limit is 50mph and the recommended visibility splay for this speed is 115metres. Construction vehicles will need more time to exit the site and increasing the visibility distance in both directions will improve highway safety.

**CONDITION: 5**

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.

**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**

The applicant must notify the Environment Agency 14 days before it is brought into use. However, it is encouraged to contact as soon as possible to discuss requirements.

**Reference number: R16/1948**

**Site address: 70 Main Street, Wolston, Coventry, Warwickshire, CV8 3HJ**

**Description: Erection of one new dwelling.**

**Case Officer Name & Number: Jo Orton – 01788 533549**

## **Introduction**

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as the applicant is related to Councillor Gillias.

## **Application Proposal**

This application seeks full planning permission for the erection of one new dwelling with associated access and parking. The proposal would create a two storey “stack” house which would have a maximum height of 6.6 metres with 4.9 metres to the eaves, a length of 7.5 metre and a width of 3.9 metres for the two storey element. Whereas the ground floor would have a maximum height of 4.1 metres with 2.6 metres to the eaves with a length of 11.9 metres and a width of 7.4 metres. The proposal incorporates off street parking spaces for two vehicles along with private amenity space for the dwelling.

## **The Site and Surrounding Area**

The application site is located within the grounds of 70 Main Street, Wolston which currently has a substantial residential curtilage. The proposal would be sited between 70 Main Street and Brandon and Wolston Village Hall the surrounding area comprises of a mix of both types and styles of dwellings. The existing properties are set back off the main road frontage and offer adequate off street parking. Brandon and Wolston Village Hall are separated from the application site by the existing car park whereas 70 Main Street would be separated from the application site by a new hedgerow to define the front garden. Access to the proposal would be taken from Main Street along the existing access.

There is no relevant planning history on this site.

## **Technical Responses**

No objections have been received from:

Warwickshire County Council (Highways)  
Rugby Borough Council (Environmental Services)  
Rugby Borough Council (Work Services)  
Warwickshire County Council (Highways)

## **Third Party Responses**

No objections have been received from:

Wolston Parish Council

Neighbours notified and a site notice has been posted. One letter of support has been received raising the following:

- a) The proposed building is attractive and in keeping with the area and will have no negative impacts on the surrounding area.

## **Relevant Planning Policies and Documents**

**National Planning Policy Framework – 2012**

Policy 7: Requiring Good Design

## Core Strategy – 2011

Policy CS1: Development Strategy  
Policy CS16: Sustainable Design  
Policy CS17: Sustainable Buildings

## Saved Local Plan Policies – 2011

Policy T5: Parking Facilities  
Policy GP2: Landscaping

## Supplementary Planning Document – 2012

Planning Obligations

## Wolston Housing Needs Survey – 2011

## Wolston Parish Plan – 2006

### **Determining Considerations**

The main considerations in respect of this application are the principle of development, design and character of the dwelling, impact on residential amenity and highway and parking standards.

#### Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy and must be demonstrated that the most sustainable locations have been considered.

The application site is located within the Main Rural Settlement of Wolston as defined in Policy CS1 of the Core Strategy which states that development is permitted within existing village boundaries but that local housing needs are priorities over market housing. It is stated within Wolston Housing Needs Survey 2011 states that there is an immediate need for 15 local housing need dwellings in Wolston for those with a local connection.

Whilst the housing needs survey is out of date the proposal would meet the need for providing a 2 bedroom house for an individual with a local connection. The proposed dwelling would be provided for the applicant's son, who has grown up in Wolston, to remain within the village close to his family and local workplace. As such; there is a principle in favour of sustainable development subject to all planning matters being appropriately addressed.

This application is therefore considered to be in accordance with Policy CS1 of the Core Strategy.

#### Character and Design

Policy CS16 of the Core Strategy states that development will only be allowed where proposals are of a scale, density and design that would not cause material harm to the qualities, character and amenity of the area in which they are situated.

Section 7 of the NPPF states that high quality and inclusive design is a key factor in making places better for people in terms of quality and character of the environment and private amenity. Paragraph 58 also mentions that proposals should add to the overall quality of the area, not just for the short term but over the lifetime of the development and respond to local character.

The proposal would replace an existing garage which is in need of repair in places. The applicant has taken an innovative approach to the overall design and appearance of the new dwelling and offers off street

parking provision located adjacent the south eastern boundary. The existing dwellings within the surrounding area vary in style, type and character with the second street element being carefully designed to reduce impact on No. 70 and No. 64 Main Street reducing any overbearing impacts from its inclusion.

Whilst the proposal is of a modern design and appearance the proposal adds interest and variety to the street scene without impacting on parking provision through the loss of the existing detached garage. The highest eaves of the dwelling are 4.9 metres with an overall height of 6.6 metres. The new dwelling will have a ground floor with an open plan kitchen/dinner; living room; second bedroom; bathroom and workshop/studio with the master bedroom and bathroom to the first floor. The materials to be used by the proposal are to be considered at a later stage through the submission of a discharge of conditions application.

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

#### Impact on Residential Amenity

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

No. 64 Main Street is located to the South East of the application site and is a two storey detached dwelling. There are windows and doors to the ground and first floor which may be affected by the proposal the South East elevation contains to ground floor French doors serving the kitchen and second bedroom. The proposed new dwelling is separated from the neighbouring property by at least 8.8 metres to the common boundary along with the height of the existing boundary treatment consisting of a 2 metre high close boarded fence. Taking these two factors into account it is considered there will be no materially adverse impacts in terms of overlooking or overbearing impact of the neighbouring property.

Brandon and Wolston Village Hall is located to the South West of the application site and is detached building which benefits from a number of windows and doors to the rear elevation. The proposed dwelling incorporates a small bathroom window to the ground floor and two first floor windows serving the master bedroom and the landing. When taking into consideration the height of the existing boundary treatment along with a separation distance of at least 25 metres there will be no adverse impacts in terms of overlooking or overbearing impacts to the Village Hall.

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

#### Highway Safety

Saved Local Plan Policy T5 along with the SPD on Planning Obligations states that planning permission will only be granted for development incorporating satisfactory parking arrangements.

For a dwelling consisting of 2 bedrooms units a minimum of 1.5 spaces are required. The proposal indicates parking for a maximum of 2 vehicles to the side of the proposed dwelling, as such; it is therefore considered that there will not be an adverse impact on parking within the vicinity.

Warwickshire County Council (Highways) has advised that they have no objection to the proposal.

This application is therefore considered to be in accordance with Saved Local Plan Policy T5 and the SPD on Planning Obligations.

#### Conclusion

The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and the Core Strategy and is therefore recommended for approval subject to conditions.

Report prepared by: Jo Orton, Senior Planning Officer

**DRAFT DECISION**

**APPLICATION NUMBER**

R16/1948

**DATE VALID**

25/04/2017

**ADDRESS OF DEVELOPMENT**

70 MAIN STREET  
WOLSTON  
COVENTRY  
CV8 3HJ

**APPLICANT/AGENT**

Mr Peter Dew  
Pea Studio  
27 Coventry Road  
Rugby  
Warwickshire  
CV23 0QD  
On behalf of Ms Janette Owen

**APPLICATION DESCRIPTION**

Erection of one new dwelling.

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

CONDITION: 1

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

REASON: 1

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

CONDITION: 2

The development shall not be carried out other than in accordance with the Design and Access Statement received by the Local Planning Authority on 25 April 2017.

REASON: 2

For the avoidance of doubt.

CONDITION: 3

No 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: 3

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

CONDITION: 4

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance with the associated integral workshop, work on site must not be occur outside the following hours:

Monday to Friday 09:00 to 20:00;  
Saturdays 09:30 to 18:00  
Sundays/ Bank holidays 09:30 to 17:00

REASON: 4

In the interest of the amenities of neighbouring properties.

CONDITION: 5

The workshop hereby approved shall not be used for any purpose other than ancillary to the residential use of the dwelling hereby approved.

REASON: 5

In the interest of residential amenity.

CONDITION: 6

The development hereby permitted shall be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.

REASON: 6

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

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

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

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

No work on Sundays & Bank Holidays.

If work at other times is required permission should be obtained from the local planning authority.

INFORMATIVE: 2

Lighting can have a harmful effect on bats impacting on their use of a roost and also their commuting routes and foraging areas. Light falling on a roost access point is likely to delay bats from emerging, which can be especially damaging around dusk as that is when there is a peak in the number of insects. In the worst case scenario, it can cause the bats to desert the roost. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended), the latter of which deems them a European Protected Species. Bats, birds and other nocturnal animals should always be taken into account when lighting is being considered. It is respectfully advised that lighting is kept to a minimum around the roof area and is limited to illuminating the ground and not any possible access points or foraging corridor. For further advice on this please contact the WCC Ecological Services on 01926 418060.

INFORMATIVE: 3

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

INFORMATIVE: 4

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

**Reference number: R17/0800**

**Site address: Land Adjacent to Existing Doctors Surgery, Bow Fell, Brownsover**

**Description: Erection of new primary care facility along with attached community facility with associated parking and landscaping.**

**Case Officer Name & Number: Jo Orton – 01788 533549**

## **Introduction**

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation as the application constitutes major development.

## **Application Proposal**

This application seeks full planning permission for the erection of a new primary care facility with an attached community facility with associated parking and landscaping.

The proposed primary care facility would extend along the full depth of the open space equating to 33.9 metres and would have a maximum width of 19.5 metres extending to 28 metres (when incorporating the attached community facility). The proposal has a 2 storey massing fronting the public highway and has a maximum height of 8.9 metres, the single storey elements located to the rear, would have a maximum height of approximately 5.7 metres and the eastern edge with a maximum height of 5.3 metres.

## **Site and Surrounding Area**

The application site is an area of open space located within the heart of Brownsover which is a mixed use area within the Urban Area of Rugby. The proposal would be sited to the South of the existing doctor's surgery and the East of the Pharmacy at the end of a parade of shops. The proposed surgery can be accessed from Bow Fell; Hevellyn Way or the Hollowell Way with the existing surgery also providing access to the rear of the parade of shops which form the centre of Brownsover. The existing open space has low level vegetation to the East of the site which fronts on to Bow Fell. The surrounding area is predominantly residential in nature with a church, Jehovah Witness Hall, Social Services and an area of shops making up the buildings within close proximity.

## **Relevant Planning History**

R11/0112 – Erection of a new medical centre, a detached community centre and associated works – Approved – 15<sup>th</sup> November 2011

R13/0433 – Erection of a new medical centre, a detached community centre and associated works: Variation of conditions 5 and 9 attached to approval R11/0112 dated 15th November 2011 to allow minor alterations to the parking layout and the design and appearance of the buildings – Approved – 09<sup>th</sup> April 2013

## **Technical Responses**

No objections have been received from:

Warwickshire County Council (Ecology)  
Rugby Borough Council (Environmental Services)  
Warwickshire County Council (Highways)

No comments have been received from:

Rugby Borough Council (Waste Services)  
Rugby Borough Council (Planning Strategy)  
Rugby Borough Council (Tree Officer)  
Warwickshire Fire and Rescue

### **Third Party Responses**

Neighbours notified and a site and press notice has been posted.

Two letters of objection have been received raising the following:

- a) Increase in traffic from the proposal will result in more road safety concerns;
- b) Insufficient parking spaces have been provided;
- c) Concerns over the noise and disruption caused for local residents during construction; and
- d) Proposal would remove the only open grass area within the vicinity.

Two letters of support have been received raising the following:

- a) The building is much needed and will enhance the general area;
- b) Proposal will benefit the local community with primary care and space for local groups;
- c) Will result in a building the local community can be proud of; and
- d) May start a regeneration programme for the area around the shopping centre.

### **Relevant Planning Policies and Guidance**

#### National Planning Policy Framework – 2012

Section 7: Requiring Good Design  
Section 8: Promoting Healthy Communities

#### Core Strategy – 2011

Policy CS1: Development Strategy  
Policy CS11: Transport and New Development  
Policy CS13: Local Services and Community Facilities  
Policy CS16: Sustainable Design

#### Saved Local Plan Policies – 2011

Policy GP2: Landscaping  
Policy E6: Biodiversity  
Policy T5: Parking Facilities  
Policy LR4: Safeguarding Open Space

#### Supplementary Planning Document – 2012

Planning Obligations

### **Determining Considerations**

The main considerations in respect of this application are the principle of development, the impact on the character and appearance of the surrounding area, impact on residential amenity, biodiversity and highway safety.

## Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy and the most sustainable locations being considered ahead of those further down the hierarchy. Saved Local Plan Policy LR4 states that planning permission for the development of Open Space will be granted for non-sport and recreation uses provided that the open space is no longer required or of a value for its current use or other open space use now and in the foreseeable future.

As the medical centre and community centre would be a non-sport and recreation use and the open space is classed as high value and high quality the proposal would be contrary to Saved Local Plan Policy LR4. The open space has not been used for recreational purposes since the land was sold off in 1992 and the play area which was upon it was subsequently removed. Although the land would not have amenity use in terms of recreation it does still hold amenity value in terms of the open landscaped area with low level vegetation to the east. The provision of open space within Brownsover compared to other areas is plentiful with other areas of open space within close vicinity of the site, however even though this may be the case and the open space over time has degraded in terms of its use, the loss of the space would still have to be given due consideration as improved management could see it upgraded.

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

This application is therefore considered to be in accordance with Policy CS1 of the Core Strategy and Saved Local Plan Policy LR4.

## Local Services and Community Facilities

Policy CS16 of the Core Strategy states that new local services and community facilities will be permitted in identified areas of deprivation where the provision would contribute towards addressing the deprivation, or in existing residential areas within the urban area, provided that it is readily accessible by a choice of means of transport including by foot and cycle, the nature and the scale of development would be commensurate with its function to provide facilities of the local resident population, the nature and scale of service provision will reflect and relate to the size and function of the individual settlement and would not adversely affect the vitality and viability of the Town Centre or any planned town centre development.

There are certain areas of Brownsover which are classed as deprived. The area known as Brownsover South Lake District North (BSLDN) has been highlighted as deprived within the Regeneration Strategy 2010. The purpose of the regeneration strategy is to provide a framework for local agencies and communities to work together to make improvements to the parts of the Rugby that are experiencing poorer quality of life than the rest of the borough. The strategy has highlighted areas within the borough and tiered the areas in terms of their need in order to prioritise potential regeneration of the area. The area BSLDN has been given tier 1 priority within the strategy and has broken down the main issues and characteristics within the area that contributes to its status. Issues such as population, income, unemployment, education, crime, health, housing and community perceptions have been researched. In terms of health it states that young people's health is a cause for concern in BSLDN. 25 residents under the age of 16 claim DLA, second only to Cawston due to its sheer population volume. This concentration of individuals represents not only a community need now but for the future too, with over 2 times the borough average number of DLA claimants under 16. The neighbourhood is home to the joint highest number of physical incapacity benefit claimants and the third highest number of incapacity benefits claimants as a result of social/mental health issue. The Brownsover South Ward also has the

second highest levels of teenage pregnancies in the borough. The medical centre is to be located on the edge of the BSDLN as it is shown within the regeneration strategy so will serve the population of Brownsover including the deprived areas.

There is already a doctor surgery located within Brownsover however the building is small and would be unable to provide the potential opportunities and facilities that a new medical centre would give to the population of Brownsover. The introduction of the medical centre and the community centre would benefit the area improving medical services to the residents and providing a more up to date community facility. The introduction could improve education of local people towards health, provide enhanced facilities and services and would also provide the potential for new services to be introduced creating a catalyst for regeneration of the area which would be a move to achieving some of the goals within the regeneration strategy.

This application is therefore considered to be in accordance with Policy CS13 of the Core Strategy.

### Character and Appearance

Policy CS16, Sustainable Design, states 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.

Section 7 of the National Planning Policy Framework (NPPF) states that high quality and inclusive design is a key factor in making places better for people in terms of quality and character of the environment and private amenity. Paragraph 58 also mentions that proposals should add to the overall quality of the area, not just for the short term but over the lifetime of the development and respond to local character.

The proposal would be positioned at a higher level to that of the occupiers of the neighbouring properties opposite on Bow Fell. In order to militate against this the applicant has designed the proposal so that the community building and main reception block have mono pitched roofs rising from the West to East, thus, reducing its impact on the adjacent residential units and enhances the buildings visibility from the community hub. A landscaped area of open space is retained along the Bow Fell to provide a further buffer from the residential properties. The massing of the proposal breaks down into 3 sections to reflect the character of the adjacent retail units, with the community facility being set at a lower level to the surgery it helps to breakdown the mass of the building and reflect the stepped massing of the existing terrace of retail units.

The primary care centre and community facility have been well designed to incorporate an attractive frontage which takes full advantage of the levels differential within the site this combined with the effective use of a mix of materials provide a clear separation and visual interest which breaks up the overall massing of the building. Through the combined use of the difference in materials and by working with the levels on the site has resulted in a proposal which enhances the existing street scene. The landscaping which will front Bow Fell will soften the edge of the building along the street scene which would go some way to replace that was removed. Taking into account the design and appearance of the building taking influences of surrounding properties, ensuring the massing of the roof is kept low and the landscaping scheme proposed the development would not unduly impact on the character and appearance of the surrounding area.

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

### Impact on Residential Amenity

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

No. 46 – 36 Bow Fell are located to the East of the application site and are detached properties. There are windows located to the ground and first floor of the principle elevations of these properties along with the main door into the property. As previously stated the proposal has been well designed in order to reduce the impact on the neighbouring properties through the incorporation of the mono pitched roof. This combined with a separation distance of at least 18 metres ensures there will be no materially adverse impacts on the occupiers of these dwellings into terms of overbearing impact. Whilst windows are proposed to the side elevation of the dwelling these are located a minimum distance of at least 19 metres away ensuring there will be no materially adverse impacts in terms of overlooking and loss of privacy to the neighbouring properties.

It is therefore considered that this application is in accordance with Policy CS16 of the Core Strategy.

### Highway Safety

Saved Local Plan Policy T5 along with the SPD on Planning Obligations states that planning permission will only be granted for development incorporating satisfactory parking arrangements.

For a doctor surgery consisting of 5 consulting rooms a maximum of 20 parking spaces is required. The proposal indicates parking for 10 vehicles along with a disabled parking space shown within the application site. As the Health Centre will be replacing the existing Brownsover surgery the existing vehicle access and parking is to be retained. Whilst located outside of the application site parking of 23 vehicles is currently available with an additional 4 spaces which increases the total to 27 vehicles. There is also a lay-by on Bow Fell which has some capacity and whilst it has not been provided for users of the site would not necessarily be a highway safety issue. Whilst the community centre would be conditioned for operation between the hours of 06:00 and 23:00 the existing parking within the vicinity is underused with the exception of school times as such there would not be an adverse impact on parking with the vicinity. As the SPD on Planning Obligations states a maximum requirement for parking provision within the site the parking proposed under the application in conjunction with the existing spaces is considered to be in accordance with policy.

Warwickshire County Council (Highways) has been consulted on this application and confirmed that they have no objection subject to appropriate conditions.

This application is therefore considered to be in accordance with Saved Local Plan Policy T5 and the SPD on Planning Obligations.

### Biodiversity

Saved Local Plan Policy E6 of the Local Plan states that the council will seek to safeguard, maintain, and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern.

Warwickshire County Council (Ecology) has confirmed that they have no objections to the proposal subject to appropriate conditions and informatives. The site has no specific nature conservation designation, and there are no records of protected species within the application site. Given the location of the proposal it has been advised that care should be taken when clearing the site to ensure that protected species such as nesting birds, hedgehogs, of which there are records nearby, and reptiles are not taking refuge in the shrubs and are harmed by the development.

This application is therefore considered to be in accordance with Saved Local Plan Policy E6.

### Conclusion

Weighing up the benefits of the development to the community against the negatives of a loss of open space it is considered that the benefits would outweigh that of the negatives. The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and the Core Strategy and is therefore recommended for approval subject to conditions.

Report prepared by: Jo Orton, Senior Planning Officer

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R17/0800

#### **DATE VALID**

10/05/2017

#### **ADDRESS OF DEVELOPMENT**

Land Adjacent Existing Doctors Surgery  
Bow Fell  
Brownsover  
RUGBY  
CV21 1JF

#### **APPLICANT/AGENT**

Terence Plant  
On behalf of Mr Paul Jones, NHS Property  
Services  
The Design Buro  
5 Euston Place  
Leamington Spa  
CV32 4LN

#### **APPLICATION DESCRIPTION**

Erection of new primary care facility along with attached community facility with associated parking and landscaping.

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

##### CONDITION: 1

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

##### REASON: 1

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

##### CONDITION: 2

The development shall not be carried out other than in accordance with the plan numbers 1279-DB-XX-ZZ-DR-A-053; 1279-DB-ZZ-XX-DR-A-047 P1.1; 1279-DB-XX-XX-DR-A-028 P1.3; 1279-DB-XX-XX-DR-A-046 P1.1; 1279-DB-XX-XX-DR-A-027 P1.2; 1279-DB-XX-XX-DR-A-023 P1.4; 1279-DB-ZZ-XX-DR-A-037 P1.2; 1279-DB-ZZ-XX-DR-A-038 P1.1; 1279-DB-XX-XX-DR-A-026 P1.2; 1279-DB-XX-ZZ-DR-A-015 P1.7; 1279-DB-ZZ-XX-DR-A-016 P1.7; and 1279-DB-XX-XX-DR-A-023 P1.2 received by the Local Planning Authority on 10 May 2017.

##### REASON: 2

For the avoidance of doubt.

**CONDITION: 3**

No 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: 3**

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

**CONDITION: 4**

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

**REASON: 4**

In the interests of the amenities of neighbouring properties.

**CONDITION: 5**

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan must include details to prevent mud and debris being passed onto the highway; wheel washing facilities; vehicle routing plan; and parking and loading/unloading of staff/construction/delivery vehicles.

**REASON: 5**

In the interest of highway safety.

**CONDITION: 6**

Details of any external lighting proposed for the development hereby permitted shall be submitted to and approved, in writing, by the local planning authority prior to the commencement of the development hereby permitted. The external lighting shall thereafter be installed in accordance with such approved details, unless otherwise approved in writing by the local planning authority.

**REASON: 6**

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

**CONDITION: 7**

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday – Friday 7.30 a.m. – 18.00 p.m.

Saturday 8.30 a.m. – 13.00 p.m.

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

If work at other times is required permission should be obtained from the local planning authority.

**REASON: 7**

In the interests of the amenities of neighbouring properties.

**CONDITION: 8**

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance the opening hours of the community facility hereby arrived should be:

Monday - Sunday 06:00 am - 23:00pm

NB: The above is made with the exception under a temporary event notice (a maximum of 15 TEN applications can occur in an year for the provisions of sale of alcohol, regulated entertainment and selling hot food after 23:00).

REASON: 8

In the interests of the amenities of neighbouring properties.

CONDITION: 9

All windows and doors should remain shut when amplified music (recorded or live) is being played in the community venue.

REASON: 9

In the interests of the amenities of neighbouring properties.

CONDITION: 10

Prior to the commencement of the development hereby approved, full details of the location a bat and/or bird box scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any building the bat and/or bird boxes shall be installed on the site in accordance with the approved details.

REASON: 10

In accordance with NPPF, ODPM Circular 2005/06.

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 LPA 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 LPA gives its written consent to any variations.

REASON: 11

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

CONDITION: 12

The accommodation for car parking and the loading and unloading of vehicles, shown on the approved plan 1279-DB-XX-XX-DR-A-06 P1.2 shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON: 12

In order to ensure that satisfactory parking and access arrangements are maintained within the site.

CONDITION: 13

The applicant shall submit a Green Travel Plan to promote sustainable transport choices to the site, the measures proposed to be carried out within the plan to be approved by the Planning Authority in writing, in consultation with the County Council as Highway Authority. The measures (and any variations) so approved shall continue to be implemented in full at all time. The plan shall:

- (i) specify targets for the proportion of employees and visitors traveling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;
- (ii) set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
- (iii) identify a senior manager of the business using the site with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

REASON: 13

In the interest of highway safety.

INFORMATIVE: 1

Prior to opening, the food business operator should register their business with the Council's Commercial Regulation Team to comply with relevant food safety legislation. Registration forms can be downloaded directly from the Council's website at:

[http://www.rugby.gov.uk/site/scripts/download\\_info.php?fileID=2446](http://www.rugby.gov.uk/site/scripts/download_info.php?fileID=2446)

or via contacting the team directly on (01788) 533882

INFORMATIVE: 2

Care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services (01926 418060) or Natural England (02080 261089) are contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

INFORMATIVE: 3

Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE: 4

We would recommend the following changes to the "Proposed Landscape Planting Plan", Drawing number 1279-DB-XX-XX-DR-A-046. The proposed planting mix for the swale is Emorsgate EM1 mix. Emorsgate EM8 mix for wetland places is more appropriate for that area. Additionally, we would recommend that this area is mown in the late July or early August so that the plants can be left to flower providing nectar and pollen for invertebrates.

The current proposal is that the hedges are planted with 100% Hornbeam (*Carpinus betulus*). Whilst this is a native species, we would prefer to see a mixture of planting which includes a mix of species such as Hawthorn (*Crataegus monogyna*), Guelder rose (*Viburnum opulus*), Holly (*Ilex aquifolium*) and Hazel (*Corylus avellana*), which will produce flowers and berries providing spring nectar for invertebrates and autumn food for birds. Indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

Historically there were trees on the site, which although immature at the time of clearance could have matured to provide nesting opportunities for birds. In accordance with NPPF, ODPM Circular 2005/06, we would therefore recommend the Ecological mitigation and enhancements condition below. Bird and bat boxes can be integrated into the building by using products such as those sold by manufacturers such as:

<https://www.wildcareshop.com/wildlife-nest-boxes/bird-boxes/building-integrated-bird-boxes.html>

and <http://www.birdbrickhouses.co.uk/shop/>.

**Reference number:**

R17/0472

**Site address:**

Rugby School, Horton Crescent, Rugby, CV22 5DJ

**Description:**

Demolition of the existing estate department building, and ancillary buildings and the erection of a part single, part two and part three storey building comprising school day-houses, 2 (no) dining halls, kitchens, reception area and common rooms.

**Case Officer Name & Number:**

Paul Varnish 01788 533771

**The Site**

The site is currently an assemblage of buildings, to include an Estates Office and a number of additional buildings being currently used for workshops and storage.

The application site is circa 29 metres in width to the west elevation, which fronts Horton Crescent, 49 metres to the North elevation, 35 metres to the south elevation and 35 metres to the east. The site is bounded by a circa 2 to 2.5 metre red brick wall.

To the front of the property is the highway, Horton Crescent and a central island, with a large number of prominent buildings, which characterise the conservation area and form part of the Rugby School Estate.

To the north is Town House, and to the south, Southfield House. Both houses comprise a complex of single and two storey buildings and are used as school day-houses.

To the rear of the application site is Caldecott's Piece playing field, a large playing field, which forms parts of the school's sports complex. Towards the boundary, on the edge of the playing field is a row of mature trees. The new estates department building is located to the north/east and is currently under construction (Planning reference R16/1944 and R16/1945).

The site is accessed from Horton Crescent, and allows for pedestrian and vehicular access. Although there is no designated parking on the site, it is possible for vehicles to park on a temporary basis, whilst collecting materials or using the workshops.

The original estates building is single storey, is located to the front of the application site and was constructed in the circa 1940s. A number of other single storey buildings have been constructed, to include workshops and storage buildings, ancillary to the estates building and for use in the maintenance and up-keeping of the Rugby School Estate. The majority of the buildings are of timber construction and can be considered temporary, in comparison to a brick built building. Due to the nature and function of the site, there are also a number of areas being used for the storage of scaffolding, bricks and fencing.

The application site is located at the centre of the Rugby School and Rugby School Extension Conservation Area. In terms of the built environment, the site is allocated under the Area 2 sub area, which is primarily Horton Crescent. The character of the sub area is described as being buildings of a more domestic scale set within a well landscaped environment, the main feature being the central island bordered by lime trees. Surrounding the island are buildings, owned by the school, which have Gothic, Italianate and robust late Victorian/Edwardian architectural features. The siting of the buildings, together with the landscaping, provides a strong sense of enclosure and something of a self-contained area.

## **Relevant decisions**

11418 – 59/3/10 – Use of land for detached house – Approved – 16/03/59

15540 – 64/1/14 – 5 Workshops, 1 office, 2 WC Blocks – Approved – 29/4/64

R89/1352/3620/P – Erection of single storey extension to office building – Approved – 14/12/89

R07/0230/TCA - Works to mature horse chestnut trees – Approved - 14/02/2007

## **The Application**

The application seeks planning permission for the demolition of the existing estate department building, and ancillary buildings and the erection of a part single, part two and part three storey building comprising school day-houses, 2 (no) dining halls, kitchens, reception area and common rooms.

The application is the third phase of a three phase set of projects: the first phase being the relocation of the tennis courts and the second being the relocation of the estates department to a new building.

The proposal will see the current buildings which form the estates department being demolished, with the department being relocated to a purpose built building. The new estate building is currently under construction and forms Phase 2 of the project, under previous planning application R16/1944.

The Governing Body of Rugby School has recognised an urgent need to expand and improve the provision for day pupils attending the School. The number of day pupils attending Rugby School has grown rapidly in recent years, with the sustained growth in numbers meaning that the existing accommodation in the adjacent dayhouses, Town House and Southfield House has exceeded capacity, to a level that pupils from Southfield House have had to move out into temporary accommodation. The split house has raised a number of issues in regards to the experience the pupils receive including supervision etc. It has also meant that not all of the pupils within the house can fit into the dining room at the same time.

The two day houses Town and Southfield are already operating well beyond capacity, with each of the sites having no room for expansion to the scale that is required. The application site will be vacated by Estates Department, in the near future, and is considered an ideal position to resolve the need to improve and expand day provision at the school.

The proposed building is a part single, part two and part three storey building, formed around a courtyard area. Although, the building is linked together, there are 4 distinct elements to the proposal.

The first element is three storeys and is located nearest to the entrance at Horton Crescent, at the west of the site. The ground floor will provide the reception area and will form the entrance to the building. The second and third floors will provide dayhouse student accommodation. This element will measure 29 metres in width, 16 metres in depth and 11.5 metres to the ridge. This section will include 3 large feature gable ends.

The second element is the north flank, which will be linked to the first element and is located towards the existing dayhouse, Town House. This element is two storeys and will measure 26.8 metres in length, by 6.5 metres in width, 8.4 metres in overall height. The main use will be as dayhouses.

The third element is the south flank, which will also be linked to the first element and is located towards the existing dayhouse, Southfield House. This element is also two storeys and will measure 19.7 metres in length, by 8.4 metres in width, 8.4 metres in overall height. The main use will be as dayhouses.

Towards the rear, adjacent to Caldecott's Piece playing field is the final element, which will be used as the kitchens and common rooms at ground floor and the dining halls at first floor level. The element will be 18 metres in length, 34.5 metres in width and will measure 7.5 metres in overall height. The dining halls will include large windows and balconies with views across the adjacent playing fields.

The proposed buildings will utilise the site, with the four elements providing the courtyard area to the middle. The building will also link to the adjacent dayhouses, Town House and Southfield House.

The application is accompanied by the following supporting statements:

- A Design and Access Statement
- Arboricultural Impact Assessment
- Energy Statement
- Ecological Appraisal Survey
- Flood Risk & Drainage Statement/Strategy

This application has been brought to committee as it is a major application.

### **Technical Consultations**

- WCC Ecology – No objection, subject to conditions.
- WCC Flood Risk Management: – No objection, subject to conditions.
- WCC Highways - No objection, subject to conditions
- WDC Building Control – No objection
- RBC Environmental Health – No objection, subject to conditions
- RBC Tree Officer – No objection, subject to conditions
- RBC Work Service Unit – No response

### **Third Party Consultations**

Neighbours - None

### **Planning Policy Guidance**

Rugby Borough Core Strategy 2011:

CS1	Development Strategy	Complies
CS16	Sustainable Design	Complies
CS17	Sustainable Buildings	Complies

RBC Local Plan, 2006 Saved Policies:

E6	Biodiversity	Complies
T5	Parking Standards	Complies

National Planning Policy Framework, 2012

Rugby School Conservation Area Appraisal, 2010

Sustainable Design and Construction SPD, February 2012 (RBC)

Planning Obligations SPD, March 2012(RBC)

### **Determining Considerations**

The main issues to assess in relation to this application relate to the principle of development, design and appearance, residential amenity, impact on heritage assets in particular on the character, appearance and setting of the Conservation Area, sustainable design, access, trees and landscaping and ecology considerations.

## **Principle of the proposal**

The application site forms part of an established educational facility, located within the Horton Crescent area, a defined area of the Rugby School Campus and within the Rugby Urban Area and within close proximity to the Town Centre Boundary.

The existing buildings and proposed buildings are both within the ownership of the Rugby School Estate. With the estates building being relocated to a new purpose built building. The application site is adjacent to two already established dayhouses, being Southfield House and Town house. The existing day houses will link into the proposed dayhouse and will allow for the pupils to use the proposed buildings facilities to include the common rooms, dining halls and courtyard. Due to the location of the application site, the proposed dayhouse will be in close proximity to the other facilities within the Rugby School Estate, to include the sports complex and other educational buildings.

Taking the above into consideration, it is considered the proposal is acceptable in principle.

## **Design and Appearance**

Policy CS16 states 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 in which they are situated. Furthermore, development will ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The NPPF within Section 7 states the great importance it attaches to design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The proposed development will utilise the whole of the application site and can be considered large in size and scale. It will incorporate large feature gable ends, which will front Horton Crescent. The proposal can be considered in association with the adjacent buildings Town House and Southfield House, as they are linked together and are in a linear form. They are also of a similar size and scale and height to the adjacent buildings and all front the highway.

The proposal will include large gable ends; include chimney features, glazed links, dormer windows, which can be considered a modern interpretation of the established buildings within the immediate location and wider area.

The dayhouse will be constructed of contrasting materials to include red and buff polychromatic brick, a grey zinc roof finish, and bronze coloured aluminium windows, which will contrast and complement the building and also the other buildings within the location.

Towards the rear there are large feature windows, balconies and glazed links, which will allow for panoramic views across the sports field to the rear. Within the centre of the proposal is a feature courtyard.

The proposal will retain the existing redbrick wall, an important feature of the streetscene and of the conservation area.

In terms of design and appearance: the proposed building will respect the other buildings and the overall pattern of design of the locality. The building links with the existing two day houses, which will provides a complex of dayhouses. Although the addition of a further property, will increase the size and scale of the overall development, due to there being areas of landscaping to the front of the existing dayhouses, the complex does not appear obtrusive. Additionally, the buildings are all linked together in a position towards the middle, on each side, of the application site. Therefore although visible, the links are not prominent. Therefore, although the buildings form a complex,

and can be considered as such, they also still retain their own identity and each can be considered on their own individual merit.

It is considered that the proposal is of high quality design and its appearance and scale are appropriate given its context and the character and appearance of other school buildings in the vicinity. Although prominent, the new school day-house building will not appear as an obtrusive feature and will not detract from the character of the immediate locality.

### **Residential amenity**

In terms of the impact on residential amenity, the adjacent properties to the north and south are the existing dayhouses, Southfield House and Town House. The dayhouses are of a similar use, within the ownership of Rugby School and will link into the proposed dayhouse, to enable students to use shared facilities. There is no provision for residential overnight accommodation.

The dayhouse will utilise the whole of the application site, however, although the existing adjacent buildings and proposed building will link together, there is still a degree of separation between the existing main elements of the existing and proposed buildings.

Towards the north side and Town House (excluding the link) there is a separation distance of circa 16 metres to the rear and circa 32 metres to the front. Towards Southfield House, (excluding the link) to the rear of the property, there is a distance of circa 9 metres from the common room hall to the nearest elevation and to the front circa 16 metres. In terms of the movement of the sun, as Southfield House is located to the south, there will be minimal impact. Town House has a large grassed area to the front of the building, with the area to the south/east benefitting from the early morning sun.

The windows within the dayhouse rooms will mainly overlook the courtyard area or towards the other dayhouses. Due to the use of the adjacent buildings and the degree of separation between the buildings, it is considered there will be a negligible impact in terms of overlooking or loss of privacy.

The proposal will include large panoramic windows and balconies to the dining rooms at the rear of the dayhouse; however, any views will be over the sports field or towards the rear of the adjacent dayhouses.

Towards the rear is Caldecott's Piece, which is part of the playing fields and the sports complex. The nearest building is the estates building, currently under construction, circa 50 metres away and also within the ownership of Rugby School. Beyond that, to the east, are Trevor White Drive and Whitehall Recreation Ground, which is circa 150 metres away.

Towards the front of the proposed dayhouse are the highway and the Horton Crescent central island, beyond the island are other properties within the ownership of the Rugby School Estate, which include: 13 Horton Crescent, circa 80 metres away in distance to the north/west, Tudor House circa 60 metres away to the west and Crescent House, circa 30 metres away in distance to the south/west.

Taking the above into account, it is considered there will be a negligible impact in terms of overlooking and loss of privacy or in terms of loss of daylight or sunlight.

The proposal is located within a prominent position and will be visible from the highway. However, the dayhouse has been designed to appear prominent, to respect the pattern of development of the locality and the adjacent buildings. Additionally, it will replace an unsightly assemblage of buildings, and will therefore have a positive effect on the streetscene and the immediate area.

The proposal therefore accords with policy CS16 of the Rugby Borough Core Strategy 2011 and the SDP - Sustainable Design and Construction Supplementary Planning Document.

### **Protection of the Heritage Assets**

Policy CS16 states that particular emphasis is placed on retaining the identity, appearance and character of a Conservation Area or a Listed Building and the NPPF, in Section 12 highlights the importance of conserving and enhancing the historic environment, in particular the significance of any heritage asset or the setting of a heritage asset that may be affected by a proposal.

The proposed building is located within the Rugby School Conservation Area, within sub area 2 Horton Crescent. The area is characterised by buildings of a more domestic scale. The appraisal highlights the siting of the buildings, which provide a strong sense of enclosure, something the proposed building will contribute too. It also suggests that the areas are well landscaped and result in uncluttered surroundings. Although the proposed day house utilises the whole site, it links in with the adjacent buildings and forms a single complex of day houses. The adjacent Town House incorporates a landscaped area to the front and South Field House has a large area of hardstanding, with mature trees on the boundary, which helps retain the open and uncluttered feel of the area. Additionally, the appraisal highlights the school characteristic of a large building set in grounds. Although the building utilises the application site, there is provision for a courtyard and due to the linkage to the adjacent buildings, the dayhouse complex appears to be within large grounds.

The conservation area has a large number of listed buildings within close proximity to the application site; with examples to the north along Hillmorton Road, to the west on Horton crescent and Barby Road and towards the south. The nearest listed building is circa 120 metres away in distance. Due to the distance in separation and the design and appearance of the proposal, it is considered there will not be a detrimental impact on the nearby listed buildings.

The proposed boarding house will be a prominent addition to the streetscene and can be considered distinct in appearance, in comparison with the listed buildings and the conservation heritage asset. However, as the proposal is of a high quality design and the property is of a similar size and scale to the other buildings within the area, it is considered that the proposal will positively contribute to and enhance the overall appearance of the conservation area and compliment the nearby heritage assets.

### **Sustainable Design**

The proposal has been developed in line with Rugby Borough Council's Sustainable Design and Construction criteria to ensure that the proposal utilises both natural and renewable sources of energy. The following key areas have been targeted to include: Energy Efficiency, Renewables and Robustness/Low Maintenance.

A number of energy options were considered, with the preferred options being a Combined Heat and Power System to run alongside Solar Thermal and Photovoltaics.

The exact system has yet to be decided, however, based on the energy statement it is considered that the reduction of 10% carbon dioxide emissions can be achieved. A condition will be included to ensure this is achieved and therefore in compliance with the policies CS16 and CS17.

### **Access and Highways**

Saved Local Plan Policy T5: Parking Facilities: seeks to ensure that sufficient parking is provided within the curtilage of new development sites to avoid parking on the highway and the potential traffic hazards and congestion that may result.

In terms of parking the T5 Saved Policy states that new developments will normally be required to provide parking in compliance with the parking standards. However, it is recognised that the

parking standards provide only guidance and that each proposal will be considered on their own merits.

The application site is located within a High Access Zone and is therefore considered to have good access to public transport links. The application site is also located near to the town centre and a number of public car parks.

The proposal is for a dayschool and will not include provision for overnight accommodation. The proposal has been therefore assessed against a Non-Residential Institution (D1) School.

The guidance advises that in a High Access area the proposal should provide 1 space per classroom. However, as there are no classrooms the proposal will be judged on its own merits.

The guidance states that Parents (delivery and collection of children) does not need to provide any onsite parking provision.

Horton Crescent is at the heart of Rugby School, with every building along the length of the road being owned and occupied by the school. There is unrestricted parking available on street all along Horton Crescent apart from a small area in front of residential properties at numbers 1-13 Horton Crescent where parking is restricted to 2hrs apart from residents who are unrestricted. The School's Sport Centre is immediately adjacent to Southfield House, and has a carpark with circa 55 spaces. In the centre of the Crescent is a grassed area known as "The Oval" which forms a virtual traffic island and which helps regulate the flow of traffic. After 6pm, on street parking is also permitted around The Oval.

In terms of providing safe storage for bicycles, the proposal will include a cycle store to the front of the building. There is also a large, secure and covered bike store within the adjacent property, Town House, which can also be utilised.

Warwickshire County Council Highways were consulted in regards to Highway Safety and have raised no objection, subject to a condition and informatives.

Taking the above into account it is considered that the proposal is in compliance with the T5 saved policy and will provide adequate parking provision with no detrimental impact in terms of highway safety.

### **Trees & Landscaping.**

A number of trees are located within the site, some of which are protected by virtue of them being located within the Conservation Area.

The Rugby Arborist Officer has submitted the following comments:

The application highlights the removal of one mature Beech tree (T632). This is a mature tree in excess of 20 metre in height. It is in generally good condition although does have an "included" union at 5 metres. This is weak point and can be a point of potential failure where trees can split in half. This will lessen the useful longevity of the tree especially given to extreme close proximity of the adjacent dwelling (within a couple of metres). The tree is visible from Horton Crescent and along with the other trees at this point (e.g. Beech, Lime and Cedar) does constitute an attractive visual amenity within the context of the local conservation area.

The tree officer has no objection to the removal of T632 given its limited long term viability. The other three mature trees located adjacently will be retained which will still contribute to local amenity. However as there will be partial degradation of tree cover it is important that mitigation tree planting is provided at some point within the site for example adjacent to the site frontage.

T631 is a mature beech located adjacently to T632. It is not highlighted for removal but would fall within relative close proximity to the proposal. The footings of the existing building already exist and the boundary wall will act as a root barrier. Therefore there should be no root impact where the new building is proposed. The canopy will be required to be pruned to give clearance details of this should be included in the final Arboricultural method statement/tree protection plan to submitted/conditioned.

T612 (semi mature Yew) is also highlighted for removal. It is upwards of 8 metres in height and has sparse canopy in places indicating possible ground compaction related root damage. It is not a prominent visual amenity but should be replaced to mitigate the loss.

In conclusion, the Arborist Officer has no objection, subject to a condition regarding an Arboricultural method statement/root protection plan and the specification of all proposed tree planting has been approved in writing by the LPA. Therefore, it is considered there will be no adverse impact on the trees within the area.

### **Protected Species.**

Part 11 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things. In addition, Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance.

WCC Ecology has advised that, the site has no specific nature conservation designation, and there are no records of protected species within the application site. In the surrounding area there are records of bats 400 metres away. Within the area there are also records of European hedgehog, common toad and common frog.

The site contains four buildings and hard standing. The buildings have been assessed for presence/absence of bats and the results are recorded in the Preliminary Ecological Appraisal undertaken by Arbtech and dated March 2017. The survey appears to have been carried out in accordance with appropriate guidelines and ecology advice is that they have confidence in the findings.

The survey did not identify any protected species on the site and therefore no further bat surveys are required. Priority habitats were identified as broadleaf and coniferous trees which the survey says are around the perimeter of the site. The survey confirms that these do not have potential roosting features.

It is therefore concluded that a WCC Ecology has no objection, subject to appropriate conditions and informatives; the proposal will not have an adverse impact on protected species and is therefore in accordance with saved policy E6.

Recommendation

Approve subject to conditions

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R17/0472

### **DATE VALID**

17/03/2017

### **ADDRESS OF DEVELOPMENT**

THE ESTATES OFFICE  
HORTON CRESCENT  
RUGBY  
CV22 5DJ

### **APPLICANT/AGENT**

Mr Toby Martin  
Tsh Architects  
Rochester House  
Eybsham Road  
Oxford  
Oxfordshire  
OX2 9NH  
On behalf of , RUGBY SCHOOL

### **APPLICATION DESCRIPTION**

Demolition of the existing estate department building, and ancillary buildings and the erection of a part single, part two and part three storey building comprising school day-houses, 2 (no) dining halls, kitchens, reception area and common rooms.

### **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:

Existing Site Location and Block & Demolition Plan - 2016020-A-P-03-P001

Proposed Site Plan - 2016020-A-P-03-003

Ground Floor Plan - 2016020-A-P-03-100

1st & 2nd Floor Plans - 2016020-A-P-03-101

Roof Plan - 2015000-A-P-03-102

Existing Plan & Elevations - 2016020-A-P-05-200

Front & Rear Elevations - 2016020-A-P-05-205

Elevations - 2016020-A-P-05-210

Courtyard Sections and Elevations - 2016020-A-P-05-211

Design and Access Statement

Rugby School - Appendix A - Arboricultural Impact Assessment - March 2017

Rugby School - Appendix B - Ecological Appraisal Survey - March 2017

Rugby School - Appendix C - Flood Risk & Drainage Statement/Strategy - March 2017

Rugby School - Appendix D - Energy Statement - March 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:

Notwithstanding any information indicated in the application no 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, roof finish, columns, beams, door and window surrounds and hard surface treatments to be used in construction, have been submitted to and approved in writing by the

Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

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

**CONDITION 4:**

Unless otherwise agreed in writing by the Local Planning Authority the proposed building shall be used solely by Rugby School as a School Day House and for no other purpose.

**REASON:**

In the interests of the amenities of the locality.

**CONDITION 5:**

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 6:**

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

**REASON:**

In the interest of residential amenity

**CONDITION 7:**

Before works to convert the premises commence, full and precise details of a suitable flume extract system shall be submitted to the Local Planning Authority for prior approval. The system shall be designed to operate in full accordance with the approved details before the premises first use and shall thereafter be maintained in accordance with the approved details. The flue outlet shall terminate no less than 1 metre above the apex to the main roof of the premises.

It is recommended that reference is made to DEFRA's guidance document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

This can be downloaded for free via the following link:

<https://www.gov.uk/government/publications/guidance-on-the-control-of-odour-and-noise-from-commercial-kitchen-exhaust>

**REASON:**

To ensure a satisfactory level of odour abatement technology is employed to protect residential amenity

**CONDITION 8:**

Prior to the premises being brought into use for the purpose hereby permitted, details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.

**REASON:**

To protect the public sewer network

**CONDITION 9:**

Where any demolition, redevelopment or refurbishment is required or intended for the site it is required that an appropriate asbestos survey where applicable is undertaken for such work by an asbestos licensed/authorised company/person. For pre-demolition assessment the asbestos survey is fully intrusive and will involve a destructive inspection, as necessary, to gain access to all areas, including those that are difficult to reach. There is a specific requirement in the Control of Asbestos Regulations 2012 for all asbestos containing materials (ACMs) to be removed as far as reasonably practicable before demolition.

**REASON:**

For the protection of public health

**CONDITION 10:**

Any gates erected at the entrance to the site for pedestrians shall not be hung as to open externally onto the public highway carriageway.

**REASON:**

In the interest of highway safety.

**CONDITION 11:**

The development shall not be first occupied unless and until details of the equipment and technology to be incorporated to achieve carbon emission reductions, have been submitted to and approved in writing by the

Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall comprise a 10% carbon emissions reduction. The approved efficiency measures shall be implemented in accordance with the approved details and shall be retained in working order in perpetuity.

**REASON:**

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

**CONDITION 12:**

The final detailed Arboricultural method statement/tree protection plan (including details of facilitative tree works) shall be submitted to the Local Planning Authority prior to commencement of any works on site. Tree protection and installation of 'no-dig' ground protection should be undertaken in accordance with the specific arboricultural method statement/tree protection plan relating to the approved design details. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

**REASON:**

To ensure all retained trees are successfully incorporated in to the design.

**CONDITION 13:**

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 5 years from the date of planting of any tree/shrub/hedge that tree/shrub/hedge, or any tree/shrub/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

**REASON:**

To maintain and enhance continuity of tree cover.

**CONDITION 14:**

No development shall take place until detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

A. A further, more detailed assessment of the use of SuDS across the site , demonstrating a preference for utilising these features as opposed to underground tanks.

B. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753

C. Evidence that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm has been limited to the QBAR runoff rates for all return periods

D. 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 drainage system for a range of return periods and storms 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.

E. Evidence from Seven Trent Water (STW) will be required granting approval of discharge of sewerage to their assets including discharge rate and connection points.

F. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing 2 / 2

G. A foul water drainage scheme including evidence from Severn Trent Water (STW) that there is adequate capacity within their sewerage assets for this development

H. Provide a Maintenance Plan to the LPA giving details on how the entire surface water and foul 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, for the maintenance of all features within the communal areas onsite (outside of individual plot boundaries) shall be provided to the LPA.

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 15:

The development hereby permitted shall either:

A.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.

B.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the trees for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist.

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.

#### REASON:

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

#### CONDITION 16:

Details of any external lighting proposed for the development hereby permitted shall be submitted to and approved, in writing, by the Local Planning Authority prior to the commencement of the development hereby permitted. The external lighting shall thereafter be installed in accordance with such approved details, unless otherwise approved in writing by the Local Planning Authority.

#### REASON:

In the interest of residential amenity.

#### CONDITION 17:

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

#### CONDITION 18:

The boundary walls as shown on the Proposed Site Plan 2016020-A-P-03-003, received by the Local Planning Authority on the 17th March 2017 shall be retained and protected throughout the development process.

#### REASON:

In the interests of the visual amenities of the locality.

#### INFORMATIVE 1:

The value and usefulness of the asbestos survey can be seriously undermined where either the client or the surveyor imposes restrictions on the survey scope or on the techniques/methods used by the surveyor. Information on the location of all ACMs, as far as reasonably practicable, is crucial to the risk assessment and management. Any restrictions placed on survey scope will reduce extent to which ACMs are located and identified; incur delays and consequently make managing asbestos more complicated, expensive and potentially less effective.

It should be noted that demolition contractors are required to inspect a site. Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with. Asbestos contaminated waste is required for removal to a designated waste management facility licensed to take asbestos. A consignment note for the national inspectorate is required for each load and a paper trail of waste movements kept.

#### INFORMATIVE 2:

Buildings to be demolished are set within a mixed residential/education area. Demolition may cause noise nuisance to local residents. Demolition should only be permitted between the hours 0800 to 1800 Monday-Friday, Saturday 0900 to 1600. If work at other times is required permission should be obtained from the local planning authority.

#### INFORMATIVE 3:

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -

Monday to Friday	7.30 a.m. to 18.00 p.m.
Saturday	8.30 a.m. to 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority.

#### INFORMATIVE 4:

Prior to opening, the food business operator should register their business with the Council's Commercial Regulation Team to comply with relevant food safety legislation. Registration forms can be downloaded directly from the Council's website at:

[http://www.rugby.gov.uk/site/scripts/download\\_info.php?fileID=2446](http://www.rugby.gov.uk/site/scripts/download_info.php?fileID=2446)

or via contacting the team directly on (01788) 533882.

#### INFORMATIVE 5:

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

#### INFORMATIVE 6:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) making them a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 02080 261089 for advice on the best way to proceed.

#### INFORMATIVE 7:

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside

Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE 8:**

A variety of bird species use bird boxes for nesting. They can be particularly useful in the urban environment, where natural nesting places can be scarce. Consideration should be given to the provision of suitable bird boxes within the new build or adjacent trees, in order to increase nesting opportunities for birds. Warwickshire County Council Ecological Services (tel: 01926 418060) would be pleased to advise further if required, particularly regarding which type of bird boxes to use.

**Reference number: R16/1676.**

**Site address: The Bell Inn, Bell Lane, Monks Kirby, Rugby, CV23 0QY.**

**Description: Change of use of Public House to become part of existing dwelling together with associated works (retrospective).**

**Case Officer Name & Number: Karen McCulloch, 01788 533623.**

The application is to be determined by members of the Planning Committee as the applicant is an elected member, Councillor Belinda Garcia.

### **Description of Proposal**

This is a retrospective application that relates to a building which was previously part public house and part dwelling and seeks the change of use of the public house elements to residential use as part of existing dwelling.

No external alterations are proposed to the property as part of the planning application. The floor plans submitted illustrate the layout that is currently being used is proposed as part of this application.

As a result of this change of use application, the property will comprise:

- Ground floor: lobby, inner hall, lounge, snug, day room, study, dining room, W.C's, kitchen, store, pantry, utility room, twin bedroom, single bedroom, dressing room and 'prep' area.
- First floor: landing, 3x bedroom, 3x bathrooms, sitting area, 3x dressing rooms, 3x walk in wardrobes and lobby.
- Second floor: Bedroom, wardrobe/dressing room, en suite.

It is therefore proposed that the total number of bedrooms in the residential unit will be six.

Three car parking spaces have been proposed to serve the residential dwelling as a whole. The car parking spaces are positioned to the north of the site.

The car park that is currently associated with the Public House, positioned to the south of the site, has not been included within the red edge of the site location plan. If this application is to be approved, the existing car park will subsequently have no authorised use.

### **Description of Site**

The application site is located within the Conservation Area within the local needs settlement of Monks Kirby. The Bell Inn is a public house and restaurant that is owned and was previously operated by the applicant. The property is divided over three floors. When the property was in use as a public house, the layout consisted of the main bar and seating area on the ground floor, with a kitchen, store room and WCs, 3x bedrooms and bathrooms on the first floor and a fourth bedroom and ensuite on the second floor.

There is a large car park to the south of the site. the car park borders the boundary of the village.

The site is located within Flood Zones 2 and 3.

### **Relevant Planning History**

There are various historical applications relating to works previously carried out at the public house. R15/2465, Insertion of new windows, Approved, 28/01/2016

### **Technical Consultation Responses**

RBC Environmental Services	No objection subject to informatives
WCC Highways	No objection
WCC Archaeology	No objection
Environment Agency	No objection Subject to condition
WCC FRM	No objection Council must be guided by Environment Agency regarding flooding

### **Third Party Responses**

Parish	No objection
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## **Relevant Planning Policies and Guidance**

### Core Strategy

CS1	Complies	Development Strategy
CS13	Complies	Local Services and Community Facilities
CS16	Complies	Sustainable Design

### Saved Local Plan Policies

E6	Complies	Biodiversity
T5	Complies	Parking Facilities

### Other policy documents

National Planning Policy Framework (NPPF), 2011  
Sustainable Design and Construction SPD, 2012

## **Assessment of Proposals**

In the assessment of this application, the determining factors are whether the principle of the change of use of the public house to extend the existing dwelling is acceptable, whether the loss of the community facility is acceptable and the impact on visual and residential amenity and flood risk.

These factors will be discussed in more detail below.

The NPPF refers to the role of the planning system in providing strong communities with accessible local facilities. This goes on to state that authorities should promote the retention of local services and community facilities, making specific reference to public houses, and that authorities should guard against the unnecessary loss of valued facilities and services particularly if this would reduce the communities ability to meet day to day needs.

Policy CS13 also refers to community facilities and states these should be retained unless it can be demonstrated that:

- there is no realistic prospect of the existing use continuing,
- the site has been actively marketed for a similar or alternative type of community use, and
- the service can be provided in a different manner or on a different site in the area.

The supporting text to policy CS13 states that the applicant will be expected to demonstrate that the property has been marketed for a period of 12 months before the Council will consider a change of use. The application was accompanied by information regarding the marketing of the property.

The applicant has advised that the property has been marketed since March 2015 by George and Co. The marketing report submitted details that outlined the methods used to market the property – brochures, mail shots, advertising and internet advertising. The marketing report also outlines that the property was placed on the open market for sale at £950,000.

Initially the marketing particulars from George & Co did not provide detailed information regarding the interest that had been received in the property. Following the request for further information, it was confirmed that a number of enquiries were made and three of these were genuine. Of the three, two were from developers and one was from a restaurateur. These enquiries did not result in offers as the property would have been unviable for the restaurateur and the developers were not interested in paying the correct value for the site.

In consideration of the above, it is considered that the marketing information demonstrates that there is no realistic prospect of the use continuing for commercial reasons in accordance with the first criterion of policy CS13.

With regard to whether the service could be offered at an alternative manner, Monks Kirby has another public house, The Denbeigh Arms. The change of use of the Bell Inn would therefore not result in an absence of such a community facility within the village of Monks Kirby. Notwithstanding this, the change of use will ultimately bring an element of a 'loss' to the village. Therefore the decision should be balanced against the other elements of CS13, i.e. whether there is a reasonable prospect of it coming in to use again. In addition to this, it is noted that there were no neighbour comments or Ward Councillor comments received, and the Parish Council had no objection regarding the change of use of the public house. From

this it appears that there is minimal resistance from the village for the public house being changed into one residential dwelling.

The NPPF and policy CS13 seek to retain local facilities, particularly those which are valuable to the local community. As detailed above it is considered that the applicants have complied with the requirements of policy CS13 and no other operators have been found for the business. It is therefore considered, on balance, that the proposals comply with policy CS13 and the principle of the change of use is acceptable.

Core Strategy Policy CS1: Development Strategy categorises Monks Kirby as a Local Needs Settlement, therefore residential development will be permitted where it meets a local identified need and meets the criteria set out within both Policy CS1 and CS20: Local Housing Needs.

The National Planning Policy Framework general principles support the conversion of existing buildings. NPPF paragraph 54 states that local planning authorities should be responsive to local circumstances in the rural area and plan for housing to meet local requirements, the aforementioned Core Strategy Policies CS1 and CS20 are in alignment with these elements of the National Planning Policy Framework.

As this proposal is for the change of use of the public house to extend the existing dwelling, policy CS20 does not need to be taken into consideration as no additional dwelling is being created within the settlement boundary. There is therefore no requirement for the occupation of the residential accommodation to be tied to local people.

In terms of the impact on residential amenity the property, the part of the property that is adjacent to neighbouring residents previously contained residential accommodation for the public house. It is subsequently considered that there will be minimal additional impact on the amenity of neighbouring residents. Essentially, in consideration of the nature of the change of use, it is considered that the impact of a residential dwelling as a whole could have significantly less impact on the amenity of neighbouring residents as opposed to its use as a public house.

The layout of the proposed dwelling, as a whole, is unconventional in both its size and layout whereby there are a number of reception rooms on the ground floor, and a 'lobby' and 'sitting area' on the first floor. In consideration of this, and to protect the character and amenity of the surrounding area and neighbouring residents, it is considered reasonable to attach a condition restricting the use to C3 (dwellinghouse) only. This would prevent the property being used as a house of multiple occupation under permitted development. In addition to this given of the limited curtilage around the dwelling, it is considered reasonable to restrict permitted development rights for extensions and alterations to the property.

The proposals do not include any external alterations to the property and the impact on visual amenity and the Conservation Area is therefore considered acceptable in accordance with policy CS16.

Following the change of use of the remaining part of the public house to extend the existing dwelling, the proposed dwelling will have six bedrooms. The Council's parking standards, contained within the Planning Obligations SPD do not contain a standard for six bedroom dwellings but would require three spaces for a four bedroom property in this location. As indicated on the proposed plan, three spaces have been provided to the north of the property. In addition, there is space for a parked car to the front of the property. This is considered acceptable in accordance with the Council's parking standards and saved policy T5.

The property is located in its entirety within flood zones 2 and 3. The NPPF states that a Sequential Test should be applied to direct development away from areas at risk of flooding. As this application relates to the use of an existing building it cannot be provided in a sequentially preferable location.

The NPPF goes on to state that if the sequential test cannot be satisfied proposals must be assessed against the Exception Test. This test states for development to be permitted it must be demonstrated that:

- it is demonstrated that the wider sustainability benefits to the community outweigh flood risk; and
- a site specific flood risk assessment demonstrates the development will be safe without increasing flood risk elsewhere.

However, the Government's National Planning Policy Guidance, published on-line, provides additional information regarding the use of the Sequential and Exception Tests. Paragraph 067 clarifies that these tests do not need to be applied to minor developments and changes of use, such as the current proposals.

Notwithstanding this the Environment Agency initially objected to the application on flood risk grounds and an updated Flood Risk Assessment was provided. The EA commented on this and raised no objection, subject to a condition to secure flood mitigation as contained in this assessment.

The Lead Local Flood Authority, Warwickshire County Council advised they had no objection in relation to surface water drainage and the responsibility for commenting in relation to flood risk lay with the Environment Agency.

The impact of the proposals in relation to flood risk is therefore considered acceptable in accordance with the relevant part of NPPF.

The Highway Authority and County Archaeologist have no objection to the proposals. RBC Environmental Services also have no objection, subject to informatives.

**Recommendation**

Approval subject to conditions and informatives.

**DRAFT DECISION**

**APPLICATION NUMBER**

R16/1676

**DATE VALID**

04/08/2016

**ADDRESS OF DEVELOPMENT**

The Bell Inn  
Bell Lane  
Monks Kirby  
Rugby  
CV23 0QY

**APPLICANT/AGENT**

George Burton  
GB A&E Ltd  
Ryton Organic Gardens  
Wolston Lane  
Ryton-on-Dunsmore, CV8 3LG

On behalf of Mr & Cllr Mrs P Garcia

**APPLICATION DESCRIPTION**

Change of use of Public House to become part of existing dwelling together with associated works (retrospective).

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

CONDITION: 1

This permission shall be deemed to have taken effect on [xxxx].

REASON:

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

CONDITION: 2

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

- Application form received by the Local Planning Authority on 03/08/16;
- Site location plan received by the Local Planning Authority on 03/08/16;
- Floor plans 4439/03 received by the Local Planning Authority on 10/11/16;
- Marketing report by George and Co received by the Local Planning Authority on 05/09/16;
- Agent's e-mail of 24/08/2016 regarding enquiries received about property; and
- Flood Risk Assessment - 1576L received 04/04/2017.

REASON:

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

**CONDITION: 3**

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

**REASON:**

To protect the character of the Conservation Area and in the interest of visual and residential amenity.

**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, the premises shall be used for Class C3 (dwellinghouse) use only and shall not be changed to a use falling within Class C4 (house in multiple occupation) by Class L of Schedule 2 Part 3 of the Order without the prior written permission of the Local Planning Authority.

**REASON:**

To protect the character of the Conservation Area and in the interest of visual and residential amenity

**CONDITION: 5**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) detailed in condition 2 and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than existing 97.20m above Ordnance Datum (AOD) - Sections 4.1.1 and 6.0.
2. Flood resilient construction methods are incorporated within the ground floor refurbishment - Sections 4.1.3 and 6.0.

The mitigation measures shall be fully implemented within 3 months of the date of this decision and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**REASON:**

To reduce the risk of flooding to the proposed development and future occupants.

**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**

Please note, the use of the car park adjacent to the application site was linked to the Public House, if this use ceases the car park area for the former Public House has no authorised use.

**INFORMATIVE: 2**

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours:-

Monday – Friday 7.30 a.m. – 18.00 p.m.

Saturday 8.30 a.m. – 13.00 p.m.

**NO WORK ON SUNDAYS & BANK HOLIDAYS.**

**INFORMATIVE: 3**

In order for the Environment Agency (EA) to amend the flood outlines shown on the Flood Map for Planning (Rivers and Sea) a formal flood map challenge would need to be submitted via [enquires\\_westmidlands@environment-agency.gov.uk](mailto:enquires_westmidlands@environment-agency.gov.uk) and would need to include the submission of the FRA/hydraulic model report, all model input data, the computer model, and survey data computer file, in order for the EA to run model simulations and review the model results. The EA enquiries team will advise at the time of application if there is any charge payable for the model review.

This may also help the development and adjacent properties in terms of insurance costs.

***AGENDA MANAGEMENT SHEET***

<b>Report Title:</b>	Delegated Decisions – 20 <sup>th</sup> April 2017 to 10 <sup>th</sup> May 2017
<b>Name of Committee:</b>	Planning Committee
<b>Date:</b>	14 <sup>th</sup> June 2017
<b>Report Director:</b>	Head of Growth and Investment
<b>Portfolio:</b>	
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	None
<b>Contact Officer:</b>	Dan McGahey 3774
<b>Public or Private:</b>	Public
<b>Report subject to Call-In:</b>	Not applicable
<b>Report En-Bloc:</b>	Not applicable
<b>Forward Plan:</b>	Not applicable
<b>Corporate Priorities:</b>	
<b>Statutory / Policy Background:</b>	Planning and Local Government Legislation
<b>Summary:</b>	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
<b>Financial Implications:</b>	N/A
<b>Risk Management Implications:</b>	N/A
<b>Environmental Implications:</b>	N/A
<b>Legal Implications:</b>	N/A

**Equality and Diversity:**

N/A

**Options:**

N/A

**Recommendation:**

The report be noted.

**Reasons for Recommendation:**

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

**Planning Committee – 14<sup>th</sup> June 2017**

**Delegated Decisions – 20<sup>th</sup> April 2017 to 10<sup>th</sup> May 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:  
14<sup>th</sup> June 2017

Subject Matter:  
Delegated Decisions – 20<sup>th</sup> April 2017 to 10<sup>th</sup> May 2017

Originating Department:

## List of Background Papers

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

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

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\* Exempt information is contained in the following documents:

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

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 20.04.2017 TO 10.05.2017

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R14/2319 Refused 27.04.2017</i>	1 The Paddocks Top Road Barnacle Coventry	Change of use of land for the siting of two residential caravans, formation of hardstanding, erection of a timber shed for amenities, widening of existing access, erection of panelled fencing and works associated with the change of use
<b>Applications Approved</b>		
<i>R16/1834 Approved 20.04.2017</i>	Jaguar Land Rover Unit DC Prologis Park Ryton 6 Imperial Road Ryton on Dunsmore	Proposed elevational alterations to building and alterations to parking and service yard layout, plus the erection of additional buildings, structures and fencing.
<i>R17/0167 Approved 20.04.2017</i>	Pailton Pastures Montilo Lane Pailton Rugby	Erection of an agricultural building for the storage of grain and handling equipment
<i>R17/0232 Approved 20.04.2017</i>	24 Church Road Shilton Rugby	Proposed extension works to existing bungalow including raised roof height to part of dwelling, relocation of double garage and associated works.
<i>R17/0478 Approved 20.04.2017</i>	Meadfoot 28 Birdingbury Road Marton	Erection of a first floor side extension
<i>R13/0856 Approved 21.04.2017</i>	1 Lindale Rugby	Erection of 2m high fencing.
<i>R17/0444 Approved 21.04.2017</i>	Marton Fields Farm Fields Farm Lane Marton	Erection of barn
<i>R17/0277</i>	Land at Williams Fields	Erection of substation

<i>Approved</i> 21.04.2017	Coventry Road Cawston Rugby	
<i>R16/1484</i> <i>Approved</i> 24.04.2017	Knightlow Children's Partnership Limited KCP Nursery Hill Crescent Rugby	Erection of detached classroom.
<i>R17/0356</i> <i>Approved</i> 24.04.2017	Rugby Service Station 159-183 Lawford Road New Bilton Rugby	Proposed extension of the forecourt shop, demolition of the existing car wash and formation of a car parking area.
<i>R17/0254</i> <i>Approved</i> 24.04.2017	34 Newton Lane Newton Rugby	Retention of a front boundary fence.
<i>R16/2558</i> <i>Approved</i> 24.04.2017	The Engine 1 Bridget Street Rugby	Change of use of storage building to one flat.
<i>R17/0441</i> <i>Approved</i> 25.04.2017	6 Spellow Close Rugby	Erection of single storey rear extension
<i>R17/0488</i> <i>Approved</i> 25.04.2017	46 Catesby Road Rugby	Demolition of the existing outbuilding and garage, the erection of a single and two storey side and rear extension and the erection of a replacement outbuilding (amendments to approved planning permission R16/1781, dated 11/01/2017).
<i>R17/0272</i> <i>Approved</i> 25.04.2017	Hopsford Hall Farm Withybrook Lane Shilton Rugby	Change of use from agricultural unit to 3 no B1- B2 Commercial units.
<i>R16/2554</i> <i>Approved</i> 25.04.2017	2 Jubilee Cottages The Green Broadwell Rugby	Erection of a single storey side extension to provide a garden storage area.
<i>R17/0517</i> <i>Approved</i> 26.04.2017	St Valery 102 Newton Road Rugby	Erection of a single storey rear extension

<i>R17/0109 Approved 26.04.2017</i>	38 Rugby Lane Stretton on Dunsmore Rugby	Erection of a first floor front extension, first floor side extension, and two storey rear extension, to include the addition of two dormer windows on the rear elevation.
<i>R17/0290 Approved 26.04.2017</i>	Magnolia House Burton Lane Burton Hastings Rugby	Erection of a single storey rear extension and annexe.
<i>R17/0456 Approved 27.04.2017</i>	12 Fareham Avenue Hillmorton Rugby	Erection of a two storey side and rear extension
<i>R17/0364 Approved 27.04.2017</i>	9 Westgate Road Rugby	Erection of a single storey rear extension and two storey side extension to include a roof canopy to the front.
<i>R17/0038 Approved 27.04.2017</i>	Land off Flecknoe Road Broadwell Rugby	Change of use of field from agriculture to equestrian use, to include the erection of new stable block and hay barn with concrete yard and access drive.
<i>R17/0413 Approved 27.04.2017</i>	Park House Little Lawford Lane Rugby	Conversion of two barns and erection of new car shelter at Park House Farm and formation of new access following closure of 3 existing accesses to farm renewal of planning permission R14/0522
<i>R16/0659 Approved 27.04.2017</i>	Webb Ellis Industrial Estate Woodside Park Rugby	Erection of 44 no. new build apartments comprising of 2 no. studios, 33 no. 1 bed and 9 no. 2 bed flats.
<i>R17/0462 Approved 28.04.2017</i>	6 Little London Lane Newton	Internal alterations and extensions and creation of annex
<i>R17/0336 Approved 28.04.2017</i>	3 Arnold Villas Rugby	Retrospective application for the demolition of an existing garage, creation of a parking space and erection of a new wall (in association with the previously approved Listed Building Planning Application R16/1506).
<i>R17/0515 Approved 28.04.2017</i>	28 Hibbert Close Rugby	Erection of first floor extension to rear to create en suite to master bedroom

<i>R17/0537 Approved 28.04.2017</i>	49 Charlesfield Road Rugby	Erection of a garden store (retrospective).
<i>R17/0312 Approved 28.04.2017</i>	26 Ashlawn Road Rugby	Extend existing dropped kerb shared between 26 and 26a Ashlawn Road
<i>R17/0099 Approved 28.04.2017</i>	5 Charlotte Street Rugby	Conversion of existing dwelling into 2 flats
<i>R17/0541 Approved 28.04.2017</i>	33 Livingstone Avenue Rugby	Variation of condition 2 of planning application R15/1754 (demolition of existing dwelling and outbuildings and erection of four dwellings) to alter the access arrangements onto the site and the design and position of plot 2.
<i>R16/2399 Approved 28.04.2017</i>	Clocktowers Shopping Centre Market Mall Rugby	Replacement of Canopy Structure and Doors to Market Way Mall Entrance
<i>R17/0460 Approved 28.04.2017</i>	1 Heather Close Rugby	Two-storey side and single-storey rear extension, including part garage conversion to create a home-office.
<i>R17/0457 Approved 29.04.2017</i>	51 Cornwallis Road Rugby	Erection of a front extension.
<i>R17/0117 Approved 29.04.2017</i>	1 Hobley Close Rugby	Erection of a single storey side extension.
<i>R17/0005 Approved 29.04.2017</i>	22 Oxford Street Rugby	Erection of a single storey rear extension.
<i>R17/0505 Approved 29.04.2017</i>	1 Harpers Yard Harborough Magna Rugby	Erection of a single storey rear extension.
<i>R17/0550 Approved 02.05.2017</i>	22 Faraday Road Rugby	Erection of single storey and two storey rear extension

<i>R17/0532 Approved 02.05.2017</i>	Nethercote Farm Nethercote House Road Wolfhamcote CV23 8AS	Erection of single storey extension to side elevation
<i>R17/0506 Approved 02.05.2017</i>	5 Royal George Building Market Place Rugby	Change of existing use from A1 (retail) to A3 (café/ restaurant)
<i>R17/0385 Approved 02.05.2017</i>	204 Rugby Road Binley Woods Coventry	Erection of single storey rear extension
<i>R17/0464 Approved 02.05.2017</i>	Leverger Back Lane Rugby	Various internal alterations to property. Installation of rooflights and Juliet Balcony.
<i>R17/0523 Approved 02.05.2017</i>	89 Bilton Road Bilton Rugby	Extension to drop kerb
<i>R17/0553 Approved 03.05.2017</i>	1 Fenwick Drive Hillmorton Rugby	Erection of single storey rear extension
<i>R17/0499 Approved 03.05.2017</i>	7 Avonmere Rugby	Erection of part two storey and part single storey rear extension
<i>R17/0507 Approved 03.05.2017</i>	Land at Gypsy Lane Wolvey	Change of use of land for the siting of one residential gypsy pitch including the erection of a day room.
<i>R17/0594 Approved 03.05.2017</i>	27 Eden Road Rugby	Erection of single storey rear and side extension
<i>R16/2368 Approved 03.05.2017</i>	18 Langton Road Rugby	Erection of part two storey side and rear extensions, conversion of part of roof space, part single storey rear extensions, new entrance canopy feature and alterations to front elevation.
<i>R17/0559 Approved 03.05.2017</i>	Avoncroft Rugby Road Brandon	Demolition of existing rear extension and erection of single storey rear extension

<i>R16/1892 Approved 04.05.2017</i>	44 Birdingbury Road Marton Rugby	Erection of a single storey front extension and a part two storey part single storey gable ended rear extension. Installation of a front dormer
<i>R17/0348 Approved 04.05.2017</i>	Nature Trails Limited Nature Trails Crescent School Bawnmore Road Rugby	Retention of a wooden play tower
<i>R17/0438 Approved 04.05.2017</i>	Ashmoor Coventry Road Long Lawford Rugby	Erection of three new dwellings with associated access and parking.
<i>R17/0393 Approved 04.05.2017</i>	St John the Baptist Church The Locks Hillmorton	Demolition of Existing Lean-To Extension to West Elevation of Tower and replacement Extension to Accommodate Storage and WC.
<i>R17/0555 Approved 05.05.2017</i>	105 Carlton Road Rugby	Erection of porch extension
<i>R17/0609 Approved 05.05.2017</i>	1 Bracken Drive Hinckley	Erection of two storey side extension
<i>R17/0463 Approved 05.05.2017</i>	262 Rugby Road Binley Woods Rugby	Erection of single storey side extension and a part two storey part single storey rear extension.
<i>R17/0062 Approved 05.05.2017</i>	3 Rugby Road Long Lawford Rugby	Demolition of an existing lean too and the erection of a single storey rear extension (conservatory)
<i>R17/0571 Approved 05.05.2017</i>	91A Heather Road Binley Woods	Erection of a single storey front extension.
<i>R16/1724 Approved 05.05.2017</i>	Pool House Rugby Road Coventry	Erection of three dwellings with associated access and parking.
<i>R17/0150 Approved 05.05.2017</i>	26 Waring Way Dunchurch Rugby	Proposed alteration of the garage roof from a flat roof to a pitched roof.

<i>R15/0984 Approved 05.05.2017</i>	Britvic Soft Drinks LTD Aventine Way Brownsover Rugby	Erection of an industrial/distribution facility (Use Class B8) with underground tunnel link to existing building, to include first floor accommodation, gatehouse and associated access, car parking and landscaping.
<i>R17/0386 Approved 06.05.2017</i>	4 Lawrence Sheriff Street Rugby	Variation of Condition 3 (opening hours) of planning permission reference R12/1134 (Change of use from Use Class A1 (shops) to Use Class A1 (Shops), A3 (food and drink) and A5 (hot food takeaways) mixed use. Conversion of ground floor and basement from previous use as tourism offices and visitor centre. New use will include takeaway, café, retail space and delicatessen, dated 20 July 2012).
<i>R14/2338 Approved 08.05.2017</i>	Land adjacent 15 Parkfield Road Newbold Rugby	Outline application for residential development of up to 14 houses
<i>R17/0500 Approved 08.05.2017</i>	Ladywood Manor The Square Wolvey Hinckley	Convert plastic roof to tile roof. Convert existing games room to habitable rooms.
<i>R17/0501 Approved 09.05.2017</i>	10 Church Street Rugby	The retention of an ATM installed through existing glazing to the far left hand side of the shop front. Replacing part of the existing glazing with white laminate composite security panel incorporating the ATM fascia with a black bezel surround and white internally illuminated lettering Free Cash Withdrawals out of black background. Blue LED halo illumination to the ATM surround (286.478cd/m)
<i>R17/0595 Approved 10.05.2017</i>	70 Fareham Avenue Hillmorton Rugby	Demolition of rear conservatory, erection of a single and two storey rear extension.
<i>R17/0359 Approved 10.05.2017</i>	Meadfoot Bourton Road Frankton Rugby	Retention of replacement porch and addition of brick cladding to existing bungalow
<i>R16/2327 Approved</i>	1 Allans Lane Clifton upon Dunsmore	Erection of a first floor side extension and use as a residential annexe for ancillary

10.05.2017	Rugby	accommodation.
R17/0458 Approved 10.05.2017	Highwood Farm Coventry Road Brinklow Rugby	Installation of photo-voltaic panels to grain shed roofs.
<b>Prior Approval Applications</b>		
R17/0513 Prior Approval not required 28.04.2017	50-52 Regent Street Rugby	Prior approval for the change of use from ground and first floor office accommodation (B1) to 12 residential units (C3).
R17/0542 Prior Approval not required 02.05.2017	4 Cross Street Rugby	Prior Approval Application for the erection of a rear extension measuring 4.7 metres in depth; 3.5 metres in height to ridge and; 2.65 metres in height to the eaves
R17/0031 Prior Approval not required 02.05.2017	Garden House 91A High Street Ryton on Dunsmore	Prior Approval Application for the erection of a single storey rear extension projecting 5.5 metres from the original rear elevation of the dwelling, 3.8 metres to the eaves height, with a maximum height of 3.8 metres.
R17/0634 Prior Notification of agricultural or forestry development not required 09.05.2017	Ashtree Farm Rugby Road Rugby	Prior Notification for the erection of an agricultural building
R17/0615 Prior Approval not required 10.05.2017	Navigation Farm Longdown Lane Willoughby Rugby	Prior notification for the change of use of agricultural buildings to one residential dwelling Class Qb only.
<b>Advertisement Consent</b>		
R16/2458 Advertisement Consent 24.04.2017	Jaguar Land Rover Unit DC7 Prologis Ryton 6 Imperial Road Ryton on Dunsmore	Installation of non-illuminated signage, including totem.
R17/0573 Advertisement Consent 05.05.2017	The Blacksmiths Arms 19 High Street Ryton on Dunsmore Rugby	Display of 2no.externally illuminated fascia signs and 1no.externally illuminated projecting hanging sign.

<i>R17/0502 Advertisement Consent 09.05.2017</i>	10 Church Street Rugby	The retention of an ATM installed through existing glazing to the far left hand side of the shop front. Replacing part of the existing glazing with white laminate composite security panel incorporating the ATM fascia with a black bezel surround and white internally illuminated lettering Free Cash Withdrawals out of black background. Blue LED halo illumination to the ATM surround (286.478cd/m)
<b>Listed Building Consent</b>		
<i>R16/2409 Listed Building Consent 28.04.2017</i>	Clocktowers Shopping Centre Market Mall Rugby	Listed Building Consent for a replacement of canopy structure and doors to Market Way Mall entrance
<i>R16/2378 Listed Building Consent 29.04.2017</i>	The Store Rooms Coventry Road Dunchurch Rugby	Listed Building Consent for the display of advertisements to the building.
<b>Certificate of Lawful Use or Development</b>		
<i>R17/0360 Certificate of Lawful Use or Development 20.04.2017</i>	12 Bilton Lane Rugby	Certificate of Lawful Development for a proposed development. Provision of pitch roof over existing flat roof and the provision of rooflights
<i>R17/0483 Certificate of Lawful Use or Development 24.04.2017</i>	8 The Crescent Long Lawford Rugby	Certificate of lawful existing use for the change of use of land to residential curtilage.
<b>Approval of Details/ Materials</b>		
<i>R15/0876 Approval of Details 24.04.2017</i>	Land adjacent existing Cottages at Coton House Lutterworth Road Churchover Rugby	The erection of a detached dwelling and double garage.
<i>R15/0876 Approval of Details 24.04.2017</i>	Land adjacent existing Cottages at Coton House Lutterworth Road Churchover	The erection of a detached dwelling and double garage.

	Rugby	
<i>R14/0905 Approval of Details 25.04.2017</i>	44 Hillmorton Road Rugby	Installation of a loft conversion, formation of a second floor roof terrace, erection of a single storey rear extension, and increasing the height of the garden wall to 3.5m.
<i>R16/2545 Approval of Details 02.05.2017</i>	Laburnum Lodge Biggin Hall Lane Thurlaston Rugby	Extensions and alterations to dwelling.
<i>R16/1655 Approval of reserved matters 04.05.2017</i>	Rugby Radio Station (Key Phase 2) Crick Road Hillmorton Rugby	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - Application for reserved matters approval of access, appearance, landscape, layout and scale in respect of primary infrastructure, ground remodelling and associated works at Key Phase 2 of the Radio Station Rugby development including internal primary and secondary street network, junctions and turning heads, land reprofiling, utilities infrastructure including alignment of service runs, foul and surface water drainage infrastructure including pumping station, any necessary demolition, archaeological investigations, temporary stockpiling of construction materials and areas for construction use (Grey Infrastructure - Part discharge of condition 15 of outline planning permission R11/0699).
<i>R11/0699 Approval of Details 05.05.2017</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>R11/0476&amp;R14/1641 Approval of Details 09.05.2017</i>	Former Ballast Pits and Railway Sidings Lower Street Hillmorton Rugby	Application for Reserved Matters for 76 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R11/0476 for upto 76 dwellings with associated access, roads and infrastructure.
<i>R11/0476&amp;R14/1641 Approval of Details 09.05.2017</i>	Former Ballast Pits and Railway Sidings Lower Street Hillmorton Rugby	Application for Reserved Matters for 76 dwellings relating to appearance, landscaping, layout and scale against outline planning permission R11/0476 for upto 76 dwellings with associated access, roads and infrastructure.
<i>R16/1322 Approval of Details 10.05.2017</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.
<i>R11/0114 Approval of Details 10.05.2017</i>	Cawston Extension Site Coventry Road Cawston Rugby	Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).
<i>R12/13553 Approval of Details 10.05.2017</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>R14/0299 Approval of Details 10.05.2017</i>	The Old Farmhouse Fields Farm Lane Marton Rugby	Alterations and Extension to The Old Farmhouse, Marton
<b>Approval of Non Material Changes</b>		
<i>R16/1387 Approval of non-material changes 28.04.2017</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>R15/0787 Approval of non-material changes 28.04.2017</i>	7 Market Place Rugby	Change of use of first floor and second floor to form 10 residential apartments together with external alterations
<b>Withdrawn</b>		
<i>R17/0389 Withdrawn 26.04.2017</i>	Land North of Coventry Road Long Lawford	Erection of one V-board totem sign and two flag advertisements (advertising residential development at Back Lane).
<i>R17/0397 Withdrawn 04.05.2017</i>	St John the Baptist Church The Locks Hillmorton	Demolition of Existing Lean-To Extension to West Elevation of Tower and replacement Extension to Accommodate Storage and WC (Listed Building Consent)
<i>R17/0557 Withdrawn 03.05.2017</i>	40 School Street Wolston	Loft conversion with flat roof rear dormer