



20 December 2023

PLANNING COMMITTEE - 10 JANUARY 2024

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 10 January 2024 in the Council Chamber at the Town Hall, Rugby.

Members of the public may view the meeting via the livestream from the Council's website.

Mannie Ketley
Chief Executive

Note: Councillors 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 Councillor 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 Councillor does not need to declare this interest unless the Councillor chooses to speak on a matter relating to their membership. If the Councillor does not wish to speak on the matter, the Councillor 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 meeting held on 6 December 2023.
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 – 16 November 2023 to 13 December 2023.

Membership of the Committee:

Councillors Gillias (Chair), Edwards, Mrs Garcia, Harrington, Mrs Hassell, Karadiar, Lawrence, Lewis, Mrs Maoudis, Sandison, Srivastava and Ward

If you have any general queries with regard to this agenda please contact Linn Ashmore, Democratic Services Officer by emailing linn.ashmore@rugby.gov.uk. Any specific queries concerning reports should be directed to the listed contact officer.

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

Planning Committee – 10 January 2024

Report of the Chief Officer for Growth and Investment

Applications for Consideration

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

| Item | Application Ref Number | Location site and description | Page number |
|-------------|-------------------------------|---|--------------------|
| | | | |
| 1 | R23/0491 | Inwoods House, Ashlawn Road, Rugby Proposed construction of 25 no. residential dwellings | 3 |

Reference: R23/0491

Site Address: Inwoods House, Ashlawn Road, Rugby

Description: Proposed construction of 25 no. residential dwellings

Web Link: <https://planning.agileapplications.co.uk/rugby/application-details/38191>

Recommendation

1. Planning application R23/0491 be approved subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.
3. The Chief Officer for Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

1.0 Introduction

- 1.1 This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development.

2.0 Description of site

- 2.1 The application site is approximately 8.4 acres in size and is located to the south of Ashlawn Road (B4429), approximately 1 km to the east of the roundabout junction where the Dunchurch Road merges with the Rugby Road (A426). The site lies within the Dunsmore ward but is not within a designated parish.

- 2.2 The site is located outside of the Rugby Urban area within the open countryside.

- 2.3 The site was last used for B1 (E) office use by CIA Insurance Services who have now vacated the site and moved to new premises within Rugby. The site originally comprised of a large two storey building and a collection of outbuildings, however, they have now been demolished. Areas of land adjacent to and on the north side of where the building was positioned are laid to hardstanding and were used for car parking. With exception of the area occupied by buildings, car parking and the access and egress roads, the site is currently down to grass, or forms part of a lawned garden with intermittent tree and shrub planting. The main vegetation features comprise the hedgerows that bound the site to the east and west (the former with a line

of poplar trees), the woodland planting along the northern frontage to Ashlawn Road, the line of lime trees north of where the main building stood, and the area of scrub and broadleaved woodland on the southern edge of the site.

2.4 Trees within the eastern hedgerow and crossing the site to the front of the existing building are protected by a Tree Preservation Order.

2.5 The site has a highway frontage of around 125m to Ashlawn Road. There is footway and cycleway on the south side of Ashlawn Road. The existing access to the site is located close to the western boundary of the site and a driveway runs along the western boundary. There is another access point close to the eastern boundary leading to an additional access track, however the access point is gated and does not appear to be in use.

2.6 The site is bounded to the west, south and north (on the opposite side of Ashlawn Road) by land in arable agricultural use. To the east, the site is bounded by an area of parkland, used for pasture, associated with Ashlawn House which is around 230m east of Inwoods House, and used as a conference centre.

2.7 The northern part of the site closest to Ashlawn Road is broadly level at around 122m AOD (Above Ordnance Datum) although there is a slight fall in level from north to south to the existing car park and buildings, which are set at 120m AOD. South of the existing buildings land slopes gently down to 118m AOD at the south-east site corner and 117m AOD at the south-west site corner.

2.8 The town of Rugby and the site sit on a plateau of higher land which falls to the north and to the south from around 120m AOD adjacent to Inwood House to around 85m AOD adjacent to the brook in the floor of the Rainsbrook valley some 1.5km distant.

2.9 The nearest heritage assets are the Listed Buildings and Park and Garden at Bilton Grange and Garden, North Lodge and the Cock Robin Cottages. However, they are located over 700 metres from the application site.

3.0 Description of proposals

3.1 The development was originally for the construction of 22 (no). residential dwellings. The overall number of dwellings has since been increased to 25 (no) residential dwellings. All relevant consultees and interested parties have been notified of the amendments.

3.2 The proposed development consists of a total of 25 residential dwellings, to include 20 market housing and 5 affordable housing dwellings.

3.3 The affordable housing comprises 3 (no) one bed units and 2 (no) two bed units. The units are all 1-storey and located to the north of the site.

3.4 The units will provide: 1 or 2 bedroom(s), a combined kitchen/diner/living/office/dining space and a bathroom.

3.5 The affordable units each have allocated parking to the front of the property and their own garden area to the rear.

3.6 The proposed 20 market dwellings are spacious, either 2 or 2.5 storey of 5 different housing types. The dwellings will provide between 2 and 5 bedrooms and will include (generally):

a large kitchen/living/ dining space, utility rooms, studies or offices, separate lounges, WC and storage. At first floor, they include bedrooms, ensuites, studies or offices, balconies and gym/games room.

3.7 The units all have a private garden area. Parking is proposed on hard standing, adjacent to the front of the dwellings, within a garage or the combination of hardstanding and a garage.

3.8 Access to the individual properties is provided via secondary roads, which adjoin the primary access route.

3.9 The site will incorporate a landscape scheme, to include the retention (wherever possible) of existing trees and shrubbery on the site and enhancement, with the planting of new trees and hedgerows.

3.10 An area of open space will be located to the south (rear) of the site.

3.11 The development will be accessed via the existing access points off Ashlawn Road to the north-east and west of the site.

3.12 An Environmental Impact Assessment has been completed for this application.

Planning History

There is a detailed planning history relating to previous uses of the site. Applications to use the building as an old people's home were approved in 1975 and 1983.

The use of the buildings as offices and training centre was approved in 1989 and an extension to the offices was approved in 1992. However, it is not clear if the office use was implemented at this stage as an application approved in 1994 referred to an extension to provide a day surgery unit with associated health care facilities.

In 1993 applications for further development of the site were submitted:

R93/0216/6221/OP - Erection of 20 sheltered bungalows and a building to be used in conjunction with Inwoods House as a residential nursing home, day centre and surgical unit - Refused: - rural location where development unrelated to agriculture is resisted: approval could lead to other applications which would seriously affect the character and visual appearance of the area; increased turning movements on Ashlawn Road.

R93/0355/6221/OP – Erection of 20 sheltered bungalows, use of Inwoods House as a hospice, construction of nursing home, day centre, surgical unit, gate house and car parking - Refused: rural location where development unrelated to agriculture is resisted; approval could lead to other applications which would seriously affect the character and visual appearance of the area.

Planning permission was granted in 2002 for the use of the building for B1(a) office, purposes with an extension to the office building submitted in 2003.

R16/2333 - Demolition of existing buildings and development of retirement village consisting of 11 bungalows (Use Class C2), 40 apartments (Use Class C2) and a 60-bed care home (Use Class C2), highways and drainage infrastructure and landscaping (access unreserved) – 27/02/2018.

R20/0213 - Demolition of existing buildings and development of retirement village consisting of 11 bungalows (Use Class C2), 40 apartments (Use Class C2) and a 59-bed care home (Use Class C2), approval of reserved matters relating to R16/2333 – Approval of Reserved Matters – 12/11/2020.

Relevant planning history adjacent to the site:

An application was submitted relating to land opposite the application site: R13/2102, Land north of Ashlawn Road, Rugby, Outline application for the demolition of existing buildings, erection of up to 860 dwellings, land for a potential primary school

Refused, 27/01/2016 due to the application not constituting sustainable development because of the adverse impact on highway safety and air quality at the Dunchurch crossroads caused by increased traffic.

An appeal against this decision was subject of a Public Inquiry in January/February 2017 which included a revised mitigation scheme for the Dunchurch crossroads, and the Secretary of State granted planning permission on 11 July 2017.

The development is currently being built, with several properties completed and occupied.

Relevant Planning Policies:

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

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

Rugby Borough Local Plan 2011-2031, June 2019

Relevant policies and guidance:

GP1: Securing Sustainable Development

GP2: Settlement Hierarchy

GP3: Previously Developed Land and Conversions

H1: Informing Housing Mix

H2: Affordable Housing Provision

HS1: Healthy, Safe and Inclusive Communities

HS2: Health Impact Assessments

HS4: Open Space, Sports Facilities and Recreation

HS5: Traffic Generation and Air Quality, Noise and Vibration

NE1: Protecting Designated Biodiversity and Geodiversity Assets

NE2: Strategic Green and Blue Infrastructure

NE3: Landscape Protection and Enhancement

SDC1: Sustainable Design

SDC2: Landscaping

SDC3: Protecting and Enhancing the Historic Environment

SDC4: Sustainable Buildings

SDC5: Flood Risk Management

SDC6: Sustainable Drainage
SDC7: Protection of the Water Environment and Water Supply
SDC9: Broadband and Mobile Internet

D1: Transport
D2: Parking facilities
D3: Infrastructure and Implementation
D4: Planning Obligations

Guidance

National Planning Policy Framework, 2021 (NPPF)
Department for Communities and Local Government - Technical housing standards – nationally described space standard - March 2015
SPD Climate Change and Sustainable Design and Construction January 2023
SPD Planning Obligations March 2012
Air Quality - Supplementary Planning Document July 2021
Rugby Borough Council – Green Infrastructure Study 2009
Rainsbrook Valley Landscape Sensitivity Study, 2017
Coventry & Warwickshire Housing & Economic Development Needs Assessment (HEDNA) 2022
Warwickshire County Council – A New Local Transport Plan for Warwickshire LTP4 - July 2023

Technical consultation responses

Rugby Borough Council Parks & Cemeteries – Request for a financial contribution
Rugby Borough Council Trees and Landscape – Request for additional information
Rugby Borough Council Works Services Unit – Request for additional information
Rugby Borough Council Environmental Health Department – No objection, subject to conditions and informative notes

Warwickshire County Council Archaeology – Request for a programme of archaeological work, to be secured by condition.
Warwickshire County Council Ecology – Request for further information. Further Response, No objection
Warwickshire Fire & Rescue – No objection.
Warwickshire County Council Flood Risk Authority – No objection, subject to a condition
Warwickshire County Council Highways Department – No objection
Warwickshire Police – No objection
Warwick Building Control – No response.
National Highways – No objection
Environment Agency – No response
Hillmorton Vale – No response
Severn Trent Water Asset Protection – No objection, subject to an informative
Stagecoach – Response of 'no comment'.

Rugby Borough Council Housing Department – No objection
Warwickshire CC Planning Infrastructure Team – Request for a financial contribution
NHS Property Services – No response
UHCW NHS Trust – Request for a financial contribution

Amended Plans (increase in total number of units) 22 to 25 dwellings.

Rugby Borough Council Parks & Cemeteries – No additional comments.
Rugby Borough Council Trees and Landscape – No objection, subject to conditions

Rugby Borough Council Works Services Unit – No objection
Rugby Borough Council Environmental Health Department – No additional comments

Warwickshire County Council Archaeology – No additional comments
Warwickshire County Council Ecology – No additional comments
Warwickshire Fire & Rescue – No additional comments
Warwickshire County Council Flood Risk Authority – No objection
Warwickshire County Council Highways Department – No additional comments
Warwickshire Police – No objection, subject to an informative note.
Warwick Building Control – Response of no adverse comments under building regulations.
National Highways – No objection

Environment Agency – No response.
Hillmorton Vale – No response.
Severn Trent Water Asset Protection – No response.
Stagecoach – No response

Rugby Borough Council Housing Department – No additional comments
Warwickshire CC Planning Infrastructure Team – No additional comments
NHS Property Services – No response
UHCW NHS Trust – No additional comments

Third party comments

Neighbour (2)

- Impact on landscape – to include the Rainsbrook Valley - the importance and significance to rural landscape and character of the area.
- Speculative housing
- Highway Safety – to include the new Ashlawn Road Development, the sites secondary access and adjacent farm access. (At the request of the neighbour, WCC Highways have received a copy of the email).

Neighbour (2) Amended Plans

- Highway Safety – to include the new Ashlawn Road Development, the sites secondary access and adjacent farm access.
- Shortage of services – bus services, doctors, schools, kinder garden, post box and hospital services (at Rugby).
- Bridle way has been diverted and has no signage (the Bridleway is to the west and does not cross the application site).

4.0 Assessment of proposals

4.1 The key issues to assess in the determination of this application are: the principle of development, character and design, impact on residential amenity, highway safety, parking, flooding and drainage, landscape, ecology, archaeology, environmental health matters, matters relating to health, sports and open space provision, sustainability, infrastructure and the requirement to provide any necessary mitigation against the impact of the development on the local community and infrastructure.

5.0 Principle of development

5.1 Policy GP1 of the Local Plan states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of

sustainable development and to secure development that improves the economic, social and environmental conditions in the area.

5.2 This is reflected in Section 2 of the NPPF which states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development.

5.3 Paragraph 11 of the NPPF states that where there is an up-to-date development plan applications should be determined in line with that development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’.

5.4 The Local Plan for Rugby was adopted on the 4th June 2019. On adoption, the authority had a five-year supply of housing. The latest Annual Monitoring Report (AMR), published in October 2021, confirms this position. The Local Plan is considered fully up to date and in compliance with the NPPF and therefore is the starting point for decision making. All planning policies are relevant and are supported by a robust and up-to-date evidence base.

5.5 The Local Plan Policy GP2 states that development will be allocated and supported in accordance with a settlement hierarchy. The application site is located within the open countryside, where new development will be resisted and only where national policy on countryside locations allows will development be permitted. Therefore, in accordance with Policy GP1, a steer from national policy in the form of the NPPF must be sought in order to establish compliance with the Local Plan.

5.6 The development must be considered in relation to the current position in relation to housing delivery. The Council considers it can demonstrate a 5 Year Housing Land Supply (5YHLS) figure of 6.1 years for the period 1st April 2023 to 31st March 2028 based on the 2022/2023 monitoring data along with stakeholder engagement. A consistent supply of dwellings significantly above the annual requirement is expected. In the medium to longer term this is expected to increase the 5YHLS figure to a level comfortably above the 5-year threshold. This carries some weight against the proposal.

5.7 The application site is adjacent to the David Wilson development, Ashlawn Gardens, which is currently been constructed (circa 860 dwellings), and will form the new urban edge boundary, to the north of the application site and adjacent to the other side of the Ashlawn Road. The Ashlawn Road provides vehicle access, a cycle network and provides safe pedestrian routes to include pavements and a traffic controlled pedestrian crossing, to the urban area, the most sustainable location within the Borough, providing the best access to a range of services and facilities. Which would provide moderate weight in favour of the proposal.

5.8 There is currently a live application on site, (outline application R16/2333 and reserved matters application R20/0213), for a retirement village. The previous application provides a fallback position, regarding the principle of development, albeit the dwellings will not be for retirement purposes. This will provide some weight in favour of the application.

5.9 The NPPF classifies previously developed land, as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be

assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. It is therefore considered the application site can be considered previously developed land from the above definition, given the existing building on site.

5.10 The Local Plan Policy GP3: Previously Developed Land and Conversions seeks to support the redevelopment of previously developed land providing that redevelopment does not result in any unacceptable impact, to include (amongst other things), visual and biodiversity impact and potential intensification of the land, and consideration is given to other policies within the development plan. Any potential impact, which are material planning considerations, will be addressed later within this report.

5.11 The proposal would result in the effective reuse of previously developed land, in accordance with paragraph 120 of the NPPF and it is considered that this carries weight in favour of the development.

Loss of employment

5.12 Regarding the loss of employment, the site was last used as offices by an insurance company, which has since relocated to alternative premises within the borough. It was established under the previous application, (outline application, R16/2333), via an Economic Assessment that the building was unsuitable and unviable, with the employment use of the building being unlikely to continue, subsequently, resulting in the building being demolished.

5.13 The Council can currently demonstrate a 5-year housing land supply, which carries some weight against the proposal. However, the site is previously developed land, with an extant permission for a residential care home, within a sustainable location. Furthermore, it is unlikely that the employment use of the site will be resumed. It is therefore considered that, on balance, there is weight in favour of the development, and subsequently, the proposed development complies with Policy GP2 and GP3, providing all other planning matters are properly addressed.

6. Healthy, safe, and inclusive communities

6.1 The Council recognises the important role that spatial planning has in the creation of healthy, safe, and inclusive communities.

6.2 Local Plan Policy HS1 Healthy, Safe and Inclusive Communities advises that developers must consider the potential and opportunity for creating healthy, safe, and inclusive communities.

6.3 The development is adjacent to the urban area, which provides residents with good access to recreational facilities, parks, leisure facilities, employment, local shops, services, schools and community facilities. Many of the facilities are accessible by foot or bicycle and will provide opportunity for social interaction, thus, contributing to individual health and wellbeing and the health and wellbeing of the borough, in compliance with Policy HS1.

7. Health Impact Assessments

Local Plan Policy HS2 states that Health Impact Assessments (HIAs) are an important tool for understanding the potential impacts upon wellbeing arising from development proposals. Development above certain thresholds will need to demonstrate that it would not generate adverse impacts on health and wellbeing.

7.1 The development does not meet the threshold where a Health Impact Assessment would be required.

8. Informing Housing Mix

8.1 The Local Plan Policy H1 states that a mix of market houses and types should be provided consistent with the latest Strategic Housing Market Assessment (SHMA), although an alternative mix will be considered where market factors demonstrate this would better meet market demand.

| SHMA Recommended Mix of Market Housing in Rugby Borough | | | | |
|---|-------|--------|--------|---------|
| | 1-bed | 2-bed | 3-bed | 4+ -bed |
| Target | 5-10% | 25-30% | 40-45% | 20-25% |
| Actual | 0% | 25% | 45% | 30% |

8.2 The development will provide 2, 3 and 4+ bed market dwellings, but will not provide any 1 bed dwellings. The development does not strictly adhere to the suggested housing mix; however, the agent has provided information in support of the application, which suggests that there is little demand for 1- bedroom properties, due to factors including the need for additional room for home working and a shortfall of larger 5- bedroom properties, which would provide homes for larger families (to include elderly relatives) and for more contemporary living, to include office space.

8.3 Additionally, it is recognised that there will be 1 bed affordable properties included within the development, which combined with the other market housing will help provide a wider choice of homes, to meet the needs of the community. It is therefore considered although the Policy is not adhered to, the proposed mix is acceptable.

9. Affordable Housing Provision

9.1 Policy H2 states that on housing developments of this size on previously developed land sites a target of 20% affordable housing will be sought. This policy also sets out that the proposed mix of dwellings sizes and tenures should accord with the latest Strategic Housing Market Assessment.

9.2 The development will provide a total of 25 dwellings, 5 of which are affordable, which equates to 20% of the total number of dwellings.

9.3 The supporting text to the policy sets out the recommended provision and mix, with the expectation that the starting point for discussions will be 84% social or affordable rent and 16% intermediate products.

9.4 The Council's Communities and Homes Team were consulted regarding the affordable housing units and initially raised concerns, regarding whether the units (2-bedroom) could accommodate a family of four. They also had concerns regarding the maintenance and cleaning of a communal block of apartments and the quality of the amenity space.

9.5 The applicant has provided amended plans, based on the comments from the Housing Team. All the properties are detached, with the inclusion of 2-bedroom dwellings, which can provide occupancy for 4 people. The dwellings all now have their own private gardens.

9.6 The Strategic Housing Market Assessment (SHMA) recommends the following strategic mix of affordable housing (see table below). There is a predominant long-term marginal requirement for future affordable housing for three-bed properties relative to the Housing Market Area as a whole, but in general a greater need identified for the smaller properties, as indicated in the table below.

| | 1-bed properties | 2-bed properties | 3-bed properties | 4+ bed properties |
|--------|------------------|------------------|------------------|-------------------|
| Target | 30-35% | 30-35% | 20-25% | 5-10% |
| Actual | 60% | 40% | 0% | 0% |

9.7 The development does not adhere with the recommended mix, as it only provides 1- and 2-bedroom dwellings and no 3 or 4+ bedroom properties. However, the Council’s Communities and Homes Team have advised that the strategic need is for 1-bedroom properties and the agent has provided evidence from the Housing and Economic Development Needs Assessment (HEDNA) advising the greatest need is for 2-bed units. It is therefore considered that the mix is informed by current evidence and is therefore satisfactory.

9.8 The Communities and Homes Team have requested for the dwellings to be social rent, provided by a Recommended Registered Provider (RRP). The agent has contacted several RRP’s and received 2 responses, where the providers have advised that the low volume of dwellings, would be below their threshold of interest. The other RRP’s have not responded.

9.9 The Council has shown interest in acquiring the units, the final details will be negotiated within the Section 106 process. If not, the dwellings will be provided as discounted market sales housing.

9.10 It is therefore considered that the development will adhere with Policy H2.

10. Sustainable Design

10.1 Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

10.2 Policy SDC1 states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.

10.3 All developments should aim to add to the overall quality of the areas in which they are situated.

10.4 The NPPF within Section 12 states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.5 Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

10.6 Section 12 of the NPPF states that development will provide a high standard of amenity for existing and future users.

Design and Appearance

10.7 The proposed development is of a lower density and will provide a range of residential units, to include 1, 2 and 2.5 storey properties.

10.8 The dwellings have been designed to maximise natural lighting whilst providing solar shading to large areas of glazing. The use of balconies creates flow between internal and external

spaces and adds depth to the facades. The use of glazing in places allows views to pass through the dwelling to green space beyond, helping to further reduce the appearance of mass and its impact on the site and surrounding area.

10.9 The scale and massing of the dwellings is acceptable. The variation in ridge heights and reduced ridge heights (by lowering the eaves) across the site and the use of flat roof elements, helps to reduce the appearance of mass. The lower density and narrow forms also allow for natural light into the centre of the plan and reduces dependence on artificial lighting.

10.10 The properties are of an individual appearance but link together with the use of materials and similar design feature; to large gable roofs, glazing, balconies, single-storey links and a complementary material palette. The materials provide contrast and interest, to include cladding, brick and zinc cladding. The design features and materials will provide active frontages and interest within the streetscene. Car parking is located to either the front or side of the dwelling houses and includes some garages. The car parking will not dominate the development or detract from the overall setting of the properties.

10.11 To protect the unique design of the properties, a condition has been included to remove permitted development rights; Class A – enlargement, improvement or other alteration of a dwellinghouse, Class B – additions etc to the roof of a dwellinghouse, C - Any other alteration to the roof of a dwellinghouse, and D - The erection or construction of a porch outside any external door of a dwellinghouse.

10.12 The dwellings will be of a similar appearance to those already built at Bilton Fields Farm, off Ashlawn Road, however, the design has been evolved, to ensure there is enough variety to be viewed to as a standalone individual development.

10.13 The dwellings will be accessed via the two existing accesses. One will provide access to the affordable dwellings, with the second provided an access to the market dwellings, via 3 secondary access roads. Pedestrian footpaths will be provided along the access linking with the existing network on Ashlawn Road. Further into the site, the internal road network will be operated as a shared space and will provide access to the area of open space to the rear of the property.

10.14 The development will provide each of the dwelling houses with access to their own garden area. The garden sizes, accord with the guidance being of a comparable size to the footprint of the dwelling house and being at least 7 metres in length. The garden areas also adhere with the recommended size (60 sqm for a 2-bedroom property and 80 sqm for a 3-bedroom property), except from 3 of the affordable dwellings, which fall slightly under the recommended guidance figure.

10.15 The dwellings will have provision for their own individual secure bin store and cycle store, within their garden area to the rear of the property. A condition will be included for final details and to ensure they are provided, prior to occupation. **(Condition 16)**.

10.16 It is considered that the proposals are acceptable in relation to the design and impact on the character of the area in accordance with policy SDC1.

Space standards

10.17 The Design and Construction SPD advises, development that provides a satisfactory amount of space in line with the National Space Standards will help secure sufficient amenity and

quality design. The proposed development has been assessed against the standards (see table below).

10.18 In conclusion the market residential dwellings provide in excess of what is expected, with the affordable dwellings providing at least the recommended minimum gross internal floor area (m2) for each property and will be in general accordance with the other recommended technical requirements.

| Recommended and actual gross internal floor area (m2) | | | |
|---|-----------------------|-------------------|----------------|
| House Type | Beds | Recommended (SQM) | Actual (SQM) |
| Dwelling A (2.5 Storey) | 5 beds, 6 to 8 people | 116 to 134 | 403.3 |
| Dwelling B (2 Storey) | 3 beds, 4 to 6 people | 84 to 102 | 338.4 |
| Dwelling C (2 Storey) | 4 beds, 5 to 8 people | 97 to 124 | 408.6 to 413.1 |
| Dwelling D (2 Storey) | 2 beds, 3 to 4 people | 70 to 79 | 188.4 |
| Dwelling E (2 Storey) | 3 beds, 4 to 6 people | 84 to 102 | 242.2 |
| Affordable (1 Storey) | 1 bed, 1 to 2 people | 50 | 50.2 |
| Affordable (1 Storey) | 2 beds, 3 to 4 people | 61 to 70 | 70.7 |

10.19 It is therefore considered that the dwellings will provide a satisfactory amount of internal space in line with the standards, to help secure sufficient amenity and quality design in accordance with SDC1.

Residential amenity

10.20 The Local Planning Authority would recommend a separation distance of approximately 21 Metres (window to window), between existing and proposed dwellings.

10.21 The nearest neighbouring properties are located within the new development across the Ashlawn Road to the north (Ashlawn Meadows). The separation distances between the proposed dwellings and the existing properties, and the properties which will be built in the future, at Ashlawn Meadows is at least 21 metres. It is therefore considered that any potential impact, relating to loss of privacy/overlooking, loss of sunlight and daylight does not exceed a level which would be considered unreasonable to these properties.

10.22 Due to the proposed layout, separation distances and the existing and proposed landscaping, it is considered that the development would not appear overbearing, as viewed from the neighbouring properties at Ashlawn Meadows.

10.23 The nearest other neighbouring properties are at least (approximately) 200 metres away.

10.24 Regarding the relationship between the proposed properties within the development.

10.25 The proposed dwellings are of a less conventional design, in comparison to a traditional dwelling house, to include the properties informal 'L' shape, links, dual-aspect frontages and regarding features, for example, window positioning and the inclusion of balconies. The layout of the development is also less conventional, to include an informal 'U' shape of dwellings, within the middle section of the site and other features, for example, greater open frontages. The rear gardens include either a post and rail fence and hedge and a mini-gabion wall, to protect views from ground level, towards the properties and the area directly behind the properties, an important private amenity space. Where properties face each other directly (front-to-front); rear-to-rear; or

front to rear, the separation distances are over 21 metres, which is an acceptable distance to prevent overlooking, or the perception that a neighbouring property is overbearing.

10.26 Any views from the ground floor windows are generally either towards the front of the property, a more public space, towards a blank side elevation, across a public space, towards to a non-habitable room (for example an entrance door) or screened by the boundary treatment. The affordable dwellings are side-by-side, and closer together. The potential views from these properties include windows that serve a bathroom, which are obscure glazed, views towards a blank side elevation, towards a smaller secondary window or from an entrance door (which serves a non-habitable room) and windows that have potential overlooking are obscure glazed. Due to the proximity of the properties a condition will be included that no additional side facing windows will be permitted, with any windows to remain obscure glazed (**Conditions 19**)

First floor

10.27 Regarding the potential of overlooking and loss of privacy from the first floor of the dwellings: generally, side facing elevations are both blank; side facing balconies are at least 10 metres from the boundary; balconies have views to the front of the property (a more public space); any non-obscure glazed window are at least 8 metres from a boundary; balconies which are nearer to the boundary are screened by an overhang or fixed screen; view from non-obscured windows are towards the front of a neighbouring property (a more public area). Windows face other obscure glazed windows or are angled towards a non-obscure glazed window or non-habitable room/space.

10.28 Due to the less conventional layout, and to protect the individual design of the properties, a condition will be included that all side facing windows, that are annotated as being obscure glazed, at first floor level remain obscure glazed, with no new windows being permitted and balcony screening must remain. (**Conditions, 21 and 22**)

10.29 Although it is recognised that there is greater potentially for overlooking and loss of privacy within the development, consideration must be given to the following factors. The design and layout are less conventional and will provide a pleasant and more communal environment to live. Once the development is built, the first occupiers and any future occupiers will be able to make their own decision as to whether the more open aspect, of the development, is acceptable to them personally. It is therefore considered that the impact on residential amenity, regarding overlooking, loss of privacy and the perception that neighbouring properties are overbearing is of an acceptable level, in accordance with policy SDC1.

Historic Environment

10.30 Policy SDC3 - Protecting and Enhancing the Historic Environment states that development will be supported that sustains and enhances the significance of the Borough's heritage assets including listed buildings, conservation areas, historic parks and gardens, archaeology, historic landscapes, and townscapes.

10.31 The NPPF within Section 16 states that Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

10.32 Paragraph 189 of the NPPF states that, amongst other things, that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

10.33 Warwickshire County Council Archaeology have been consulted and have provided the following response: *'The proposed development lies within an area of significant archaeological potential. A Late Bronze Age to Early Iron Age pit alignment visible as a cropmark on aerial photographs, the presence of which has been confirmed following a programme of archaeological fieldwork, is recorded approximately 430m to the northwest of the proposed development site (Warwickshire Historic Environment Record MWA 29905). Also identified approximately 600m to the northwest of the site is a double ditched enclosure (MWA304942) again appearing as a cropmark.'*

10.34 Whilst Archaeology do not object to the principle of development, as there is potential for the proposed development to disturb archaeological deposits dating from the later prehistoric and Roman periods, they have requested that some archaeological work is required. This will be controlled by a condition **(Condition 7)**

10.35 It is therefore considered that providing the condition is satisfactorily discharged, the proposed development will adhere with Rugby Borough Council Local Plan Policy SDC3

Environmental Health

10.36 The application includes supporting information, including a Contaminated Land Assessment and Air Quality Assessment.

Air Quality

10.37 Policy HS5: Traffic Generation and Air Quality, Noise and Vibration Development proposals should promote a shift to the use of sustainable transport modes and low emission vehicles (including electric/hybrid cars) to minimise the impact on air quality, noise and vibration caused by traffic generation.

10.38 Development of 10 or more dwellings or development within the Air Quality Management Area should achieve or exceed air quality neutral standards or address the impact of poor air quality due to traffic.

10.39 The Environmental Health Team have reviewed the Air Quality Assessment and considered the document to be acceptable as an air quality assessment and for meeting air quality neutral / mitigation under policy HS5. The initial document was in a draft form, the applicant has now provided a final version, which will the Environmental Health Officer concluded was acceptable.

10.40 It is therefore considered that the development adheres with Policy HS5, regarding sustainable transport and to minimise the impact on air quality, noise and vibration caused by traffic generation.

10.41 The Environmental Health Team have also requested conditions for a Construction Management Plan to control noise and vibration emissions from construction activities, to control dust emissions, to reduce mud deposition offsite from vehicles leaving the site and for a piling risk assessment to be completed (if necessary). **(Condition 9)**. Furthermore, a contamination condition will be included for construction to be stopped, if unexpected contamination is found after development has begun. **(Condition 10)**

10.42 In addition to the conditions, the Environmental Health Team has also requested for informative notes to be included regarding construction hours and to make the new occupiers aware of the potential impact from existing farming activities, within the locality.

10.43 It is considered that provided the conditions are adhered to the development is acceptable regarding those material planning matters relating to Environmental Health.

Waste Management

10.44 The Rugby Work Service Team have been consulted and have provided a response of no objection to the development providing details of refuse and recycling bins and refuse/recycling waste bins stores are provided and confirmation all access roads are of highway standard to enable a collection vehicle of 26 tons and suitable turning areas on the site.

10.45 The amended layout indicates that all the properties (to include the affordable units) will have their own refuse/recycling bin store to the rear of the unit. Details have been provided on the amended site plan.

10.46 The applicant has confirmed that the internal roads and designated turning areas have been subject to a vehicle tracking exercise to ensure that the required refuse vehicle can enter and exit the public highway in a forward gear and the turning areas are large enough to cater for the refuse design vehicle as required by Warwickshire County Council.

11. Broadband and Mobile Internet

11.1 Policy SDC9 - Broadband and Mobile Internet: requires developers to facilitate and contribute towards the provision of broadband infrastructure suitable to enable the delivery of broadband services. A condition, (Condition 4), will be included within the decision notice to ensure each dwelling is provided with the facility to enable broadband internet connection. It is considered once the condition has been complied with satisfactorily, the proposed development will comply with Policy SDC 9.

12. Sustainable Buildings

12.1 Policy SDC4 – Sustainable Buildings: requires all new dwellings to meet the Building Regulations requirement of less than 110 litres of water-per-person-per-day unless it can be demonstrated that it is financially unviable. A condition, (Condition 5), will be included to ensure the target limit is not breached. It is considered once the condition has been complied with satisfactorily, the proposed development will comply with Policy SDC4.

12.2 The application is accompanied by an Energy Statement, which provides details of how the development will comply with the relevant Building Regulations, relating to energy efficiency. The report advises that the development has Co2 emissions and fabric efficiency that are Part L (Building Regulations) compliant via passive Energy Efficiency Measures.

12.3 Warwick Building Control have been consulted and reviewed the proposed development (amended plans) and provided a response of 'no adverse comments under Building Regulations'.

13. Landscape and Visual

13.1 Policy NE3 Landscape Protection and Enhancement states new development which positively contributes to landscape character will be permitted.

13.2 Policy SDC2 Landscaping states that landscape aspects of a development proposal will be required to form an integral part of the overall design, to include the identification and retention of Important site features.

13.3 A Landscape Visual Assessment (LVA) was submitted for the previous application, (outline Planning permission R16/2333). The assessment advised that the landscape of the site is unexceptional, with the site containing no features of local or district level importance in respect of landscape character. It is not, and never has been, the subject of any local landscape or environmental designation. In conclusion although the development would lead to a change to the landscape, including the impacts on landscape character, receptors and vegetation, these changes would not entail any unacceptable landscape effect.

13.4 The proposal development was also assessed against Rainsbrook Valley Landscape Sensitivity Study, 2017: although this is not an adopted policy document it is considered a material consideration and a useful tool in assessing the impact of developments within the Rainsbrook Valley. The application site is contained within the study area.

13.5 To assist with the assessment an illustrative layout plan and zoning plan were provided, which included a green buffer zone between the built development and Ashlawn Road and a parcel of land to the south being identified as a “No buildings – landscape area.” The illustrative layout and Zoning Plan indicated that a development could be accommodated on the site in a manner that would protect the character of the wider landscape of the area. As the development will be situated on a similar footprint to the previously approved scheme and will be of a similar scale and massing, it is considered that the development will have no greater impact on the landscape, regarding the visual setting.

13.6 The application has been accompanied by a site plan, which indicates trees to remain and proposed trees to be planted and a detailed plan to show trees to be planted.

13.7 The Tree and Landscaping Officer has been consulted and initially objected to the development, due to proposed development’s relationship with the existing trees; to include unacceptable separation distances between the existing trees and the built for and concerns regarding post development tree retention and the requirement to protect trees due to their important visual and amenity landscape features.

13.8 Negotiations have taken place between the Tree and Landscape Officer and the agent, to include the submission and amendment to several landscaping schemes. The negotiations have reached a successful conclusion, and the Tree and Landscape Officer has provided a final response of no objection, subject to the inclusions of conditions for the submission of a finalised arboricultural method statement and tree protection plan for the protection of the retained trees; (Condition 14) and a finalised landscape scheme to show exact details of planting throughout the site, to include proposed tree/shrub/hedging (Condition 15). Once the conditions have been discharged to the satisfaction of the Local Planning Authority, it is considered that the development will be acceptable in relation to Policy NE3 and Policy SDC2.

14. Green and Blue Infrastructure

14.1 Policy NE2: Strategic Green and Blue Infrastructure of the Rugby Borough Council Local Plan 2011-2031 states that the Council will work with partners towards the creation of a comprehensive Borough wide Strategic Green and Blue Infrastructure Network. This will include the protection, restoration and enhancement of existing and potential Green and Blue Infrastructure assets within the network. The area to the rear of the site forms part of the Green Infrastructure Corridor. The area will not be developed and will remain as Green Infrastructure. It is therefore considered that the development complies with Policy NE2.

15. Ecological Considerations

15.1 Part 15 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, amongst other things.

15.2 In addition, Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Council Local Plan 2011-2031 states that the Council will protect designated areas and species of international, national, and local importance for biodiversity and geodiversity. In addition, development will be expected to deliver a net gain in biodiversity.

15.3 The application includes supporting information, including a Preliminary Ecological Appraisal, Ecological Impact Assessment and Arboricultural Method Statement.

15.4 The Warwickshire County Council Ecology Unit have been consulted and initially requested additional information relating to protected species and measures to include additional biodiversity (Net Gain) on site. Protected species and relative measures can be secured by conditions to include a Construction Environmental Management Plan (Condition 11) and a Landscape and Ecological Management Plan (Condition 12). A condition will also be included for details of any external lighting, to minimise impact on emerging and foraging bats (Condition 13). The development will provide a biodiversity net gain, which will be implemented in conjunction with the Landscape and Ecological Management Plan.

15.5 It is considered, providing the conditions are discharged to the satisfaction of the Local Planning Authority, the development complies with Policy NE1 of the Local Plan.

16. Flood Risk and Drainage

16.1 Policy SDC5 Flood Risk Management aims to steer new development to areas with the lowest probability of flooding, to minimise the flood risk to people and property and manage any residual risk. Additionally, the policy requires the submission of a Flood Risk Assessment for sites over 1 hectare in Flood Zone 1.

16.2 Policy SDC6 requires Sustainable Drainage Systems to be used on major developments.

16.3 Policy SDC7: Protection of the Water Environment and Water Supply requires adequate water supply to serve existing and proposed developments.

16.4 Warwickshire County Council as the Lead Local Flood Authority (LLFA) has been consulted and reviewed the application. The LLFA initially objected to the application, as the details relating to the surface water drainage were insufficient. To overcome the objection, the LLFA have requested a Flood Risk assessment and additional details regarding drainage.

16.5 In response, the applicant has provided the additional information.

16.6 The LLFA have reviewed the details and based on the information submitted, have reversed their objection, subject to the following conditions. To include a Verification Report (Condition 17) for the installed surface water drainage system and a site-specific maintenance plan (Condition 18). Once these conditions have been satisfactorily discharged, it is considered that the development will comply with policy SDC5, SDC6 and SDC7.

16.7 Severn Trent has advised the applicant to discuss the development with Severn Trent, and requested an informative note to be included, regarding the statutory protection of public sewers.

16.8 Severn Trent have no comments to make relating to surface water; as it is proposed to be discharged into a ditch course or for foul water, as this will connect into a sewage treatment tank. However, they have advised the applicant to discuss surface water proposal with the Lead Local Flood Authority, relating to disposal methods or flow rates.

16.9 The Environment Agency have been consulted regarding the proposed development and have provided no response.

17. Access, Traffic and Transport

17.1 The Local Plan 2011-2031 Policy D1 Transport states that development should address, amongst other things, whether safe and suitable access to the site can be achieved. Additionally, development will only be permitted where sustainable transport methods are prioritised and measures to mitigate the transport impacts are provided.

17.2 The application is accompanied by a Transport Statement.

17.3 Warwickshire County Council Highways have been consulted on the proposed development and initially objected, due to the following reasons:

- The number of vehicular access points.
- The design of the primary access.
- The facilities for pedestrians and cyclists along Ashlawn Road (B4429).
- Refuse collection arrangements.

17.4 The applicant has provided additional information which addresses these concerns. Warwickshire County Council Highways have provided a response of no objection, subject to the inclusion of conditions **(Conditions 26 to 33)** and informative notes.

Number of Vehicular Access Points:

17.5 The development will include the modification of the secondary access, to provide a footway crossover and the inclusion of an access to the neighbouring field. The proposed modifications to the access have been subject to an independently prepared Stage 1 Road Safety Audit (RSA) which has been reviewed by the Warwickshire County Council Safety Engineering Team.

17.6 Highways have noted that the access is existing, and that there have been no reported personal injury accidents involving its use since 2002 and the access will provide only access to a limited number of units. Highways do not object to the secondary vehicular access, subject to Technical Approval of the detailed design, including a Stage 2 Road Safety Audit.

17.7 Highways have also requested for a pedestrian link between the proposed secondary and primary vehicular access, this has been provided within the internal layout.

Primary Access Design:

17.8 The applicant has modified the design of the proposed access and the scheme has been subject to an independently prepared Stage 1 RSA, which has been reviewed by the Warwickshire County Council Safety Engineering Team.

17.9 The Highway Authority is satisfied with the proposed design of the primary vehicular access, subject to Technical Approval of the detailed design and the inclusion within the plans of the widening of the existing cycle path to a minimum width of 3m between the site access point and the Pegasus crossing of Ashlawn Road and a Stage 2 RSA.

Facilities for pedestrians and cyclists along Ashlawn Road (B4429):

17.10 Highways have requested for the cycleway, from the primary entrance to the Pegasus crossing to be widened.

- The NCN41 cycle path is narrow and only designed for being shared with pedestrians.
- The widened section will provide suitable and safe access to local services and facilities. The Pegasus crossing provides direct connections with existing active travel infrastructure including a bridleway and the shared pedestrian and cycle path on the north side of Ashlawn Road.
- The widened path will encourage pedestrians to use the Pegasus crossing and prevent conflict between cyclists and pedestrians.
- The request is considered reasonable and related in scale as it is limited to the section between the primary entrance and Pegasus crossing.
- Use of the NCN41 was shown to increase in 2019 and 2021.

17.11 In addition, the Highway Authority consider that the requested widening of the cycleway is wholly consistent with and supportive of Warwickshire's adopted strategy and policies on promoting active travel and to reduce carbon as set out in the recently adopted Warwickshire Local Transport Plan (LTP4). The proposed widening of the section of road will be conditioned. **(Condition 29)**

Refuse collection arrangements:

17.12 Swept path analysis has been undertaken, which confirms a refuse vehicle, can turn within the site and leave and re-enter the public highway in a forward gear. Highways have noted that refuse collection from the affordable housing plots may have to be undertaken from the adjacent public highway. Highways have requested for a condition to be included requiring bin storage and collection facilities are located such that they will not obstruct the adjacent public highway and cycle path. **(Condition 28)**

Road Safety Audit:

17.13 The Stage 1 Road Safety Audit included three recommendations in respect to the proposed design of the internal layout. The applicant has advised that these will be addressed. Although the Highway Authority has not objected to the development and have confirmed that they will not adopt the internal layout, they have recommended that a Stages 2 and 3 Road Safety Audit (RSA) be undertaken to ensure that the safety issues have been satisfactorily resolved prior to first occupation of the development. The applicant has agreed to the request and a condition will be included. **(Condition 33)**

17.14 The application site is previously developed land and includes an extant/live permission for a retirement village, which will have comparable traffic movements to the proposed development.

17.15 Warwickshire County Council have provided a final response of no objection to the development, subject to conditions and Informative notes. Once the conditions have been

successfully discharged, it is considered that the development will comply with Policy D1 Transport.

17.16 National Highways have been consulted and have provided a response of no objection to the proposed development.

Parking

17.17 The Local Plan 2011-2031 Policy D2 Parking Facilities states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities.

17.18 The application site is located within the Low Access Zone, where the parking standards in the table below will apply.

| Residential Dwellings | | | |
|-----------------------|----------------------|----------------------------|------------------------------|
| | Car Parking Standard | Cycle Standard (minimum) | Short Stay (Cycles) Visitors |
| | Low Access | | |
| Dwelling Houses | | | |
| 1-2 bed units | 1.5 spaces/unit | 1/unit secure & undercover | Considered on own merit |
| 3 bed units | 2 spaces/unit | 1/unit secure & undercover | Considered on own merit |
| 4 bed units | 3 spaces/unit | 1/unit secure & undercover | Considered on own merit |

17.19 The 1, 2 and 3 bed units will provide at least 2 parking spaces. All units with 4+ bedrooms will provide at least 3 parking spaces.

17.20 Electric and hybrid vehicle charging points are required to be provided as part of development. One passive charging point per dwelling with allocated parking spaces. A condition will be included to ensure compliance with the Policy D2. (Condition 6).

17.21 The proposed car parking, cycle storage and electric vehicle charging points provision adheres with the guidance provided for the development typology, within a low access zone. It is therefore considered that suitable parking facilities can be provided in accordance with policy D2.

18. Other Matters

18.1 Warwickshire Fire and Rescue Service has no objection to the proposed development, subject to the imposition of a condition for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site and subject to the development meeting the fire safety criteria, as required by Approved Document B, Volume 1, Requirement B5 – Access and Facilities for the Fire Service. A condition (Condition 8) and informative note will be included to notify the applicant/developer’s responsibility to fire safety.

18.2 Warwickshire Police have been consulted and have provided a response of no objection, subject to an informative note to be included within the decision notice, relating to Crime Reduction and Community Safety matters.

18.3 Stagecoach (local bus service provider) have provided a response that they have no comments to make relating to the application.

19. Planning Obligations

19.1 Paragraphs 55, 57 and 58 of the Framework, policies D3 and D4 of the Local Plan and the Planning Obligations SPD set out the need to consider whether financial contributions and planning obligations could be sought to mitigate against the impacts of a development and make otherwise unacceptable development acceptable.

Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) makes it clear that these obligations should only be sought where they are:

- (a) necessary to make the development acceptable in planning terms.
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

19.2 If a requested planning obligation does not comply with all of these tests, then it is not possible for the Council to take this into account when determining the application. It is within this context that the Council has made and received a number of requests for planning obligations as detailed below. It is considered that all of these requests meet the necessary tests and are therefore CIL compliant.

Open Space, Sports Facilities and Recreation

19.3 Local Plan Policy HS4: Open Space, Sports Facilities and Recreation states that all Residential development of 10 dwellings and above, shall provide or contribute towards the attainment of the Council’s open space.

19.4 The development meets the threshold for providing or contributing towards open space provision. The Open Space, Sports Facilities and Recreation contribution, for 25 dwellings, with an estimated population figure of 60 people, within an urban area, Dunchurch Parish.

19.5 The guidance within the Planning Obligations Supplementary Planning Document states that the provision of good quality and accessible open space is fundamental to creating environments and improving the quality of the public realm. Moreover, it advises that facilities should be provided through on site provision but can exceptionally be met through financial contributions for enhancements or additions elsewhere in accessible locations.

19.6 The development will provide open space provision onsite, an area of green infrastructure, to the rear of the site. The other Open Space facilities will be provided offsite, see table below.

| Type | | Contribution |
|------------------------------------|--|---|
| Amenity Greenspace | Onsite | N/A (Provided onsite) |
| | Maintenance Provision – the Amenity Greenspace is of a larger area than what would usually be required by the Council. | To be agreed (if provided by the Council) |
| Natural & Semi-Natural Greenspaces | Onsite | N/A (Provided onsite) |
| | Maintenance Provision – the Amenity Greenspace is of a larger area than what would usually be required by the Council. | To be agreed (if provided by the Council) |

| | | |
|---|--|------------|
| Children and Young People | Bawnmore Road and Dickens Road Play Area | £5010 |
| Allotments | Ashlawn Road | £2971.80 |
| Parks and Gardens | Whitehall Recreation Ground | £42,498.00 |
| Outdoor Sports (Football, Cricket, and Rugby Union Pitches). | Football and Rugby Alwyn Road and Ashlawn Road Cricket - Alwyn Road | £47,621.70 |
| Total (to be revised if the Council is to provide maintenance for the Amenity Greenspace and Natural & Semi-Natural Greenspaces). | | £98,101.50 |

19.7 It is considered that this request meets the necessary tests and is therefore CIL compliant.

Indoor Sports Provision

19.8 Local authorities should ensure that provision is made for local sports and recreation facilities (either through an increase in the number of facilities or through improvements to existing facilities) where planning permission is granted for new developments (especially housing).

19.9 Contributions will be sought for all residential developments of 10 units or more to meet the West Midlands provision standards for swimming, health & fitness, sports halls and indoor bowls.

19.10 The contribution will be used towards improving the flooring in the Swimming, Health and Fitness and Sports Hall areas respectively.

| | |
|---------------------------------|-----------|
| Swimming Pools Contribution | £1495.65 |
| Health and Fitness Contribution | £729.24 |
| Sports Halls Contribution | £12352.54 |
| Total | £14577.43 |

19.11 It is considered that this request meets the necessary tests and is therefore CIL compliant.

Affordable Housing Provision

19.12 Policy H2 Affordable Housing Provision states that on housing developments of this size on previously developed land sites a target of 20% affordable housing will be sought. This policy also sets out that the proposed mix of dwellings sizes and tenures should accord with the latest Strategic Housing Market Assessment.

19.13 The development will provide a total of 25 dwellings, 5 of which are affordable, which equates to 20% of the total number of dwellings.

19.14 The Council will have first refusal on the units, with the tenure preference being for rent at social rent level. If the Council choose not to purchase the units, the dwellings will be marketed as discounted market sales housing.

19.15 It is considered that this request meets the necessary tests and is therefore CIL compliant.

Planning and Infrastructure

Sustainable Travel Promotion

19.16 Warwickshire County Council have requested that the developer contributes £10 per dwelling towards the cost of promoting sustainable travel. WCC have based the request on the initial total of 22 dwellings at a cost of £220. WWC have not provided an updated request on the amended scheme of 25 dwellings.

19.17 It is considered that this request meets the necessary tests and is therefore CIL compliant.

Road Safety

19.18 Warwickshire County Council have requested that the developer provides a contribution of £50.00 per dwelling to support road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area. Based on 22 dwellings the contribution requested will be £1,100. WWC have not provided an updated request on the amended scheme of 25 dwellings.

19.19 It is considered that this request meets the necessary tests and is therefore CIL compliant.

Monitoring and Administration

19.20 Warwickshire County Council requires a monitoring fee for the monitoring and administration of County Council obligations, due upon signing of the agreement. Based on 22 dwellings the calculation is as follows:

£250 + (5 hours x £40 Officer time x Number of triggers)

19.21 WWC have not provided an updated request on the amended scheme of 25 dwellings.

19.22 It is considered that this request meets the necessary tests and is therefore CIL compliant.

NHS Contributions

19.23 The NHS Trust - University Hospitals Coventry and Warwickshire (UHCW) initially requested a sum of £39,551.00 to be secured through a Section 106 agreement, to go towards the gap in the funding for the provision of acute and planned healthcare, created by each potential patient from the development. This figure was later increased, to £44,944.00, to reflect the increase in the total number of dwellings (from 22 to 25 dwellings). The NHS advise that without the requested contribution, the access to adequate health services is rendered more vulnerable, thereby undermining the sustainability credentials of the proposed development.

19.24 UHCW request, states that it is not possible for the trust to predict when planning applications are made and delivered and therefore, they cannot plan for additional development occupants as a result. It also states that the funding is negotiated on a yearly basis, and this will eventually catch up with the population growth. It is rare that a development is permitted and delivered in the same year and therefore it seems difficult to accept that predications on population growth in line with Council's five-year housing land supply positions could not be made.

19.25 It is stated that the Trust's hospitals are now at full capacity and there are limited opportunities for it to further improve hospital capacity utilisation. The population increase associated with this proposal is stated to directly impact the Trust by adding 132 acute interventions. Due to this the Trust would be required to source agency staff to meet this additional demand until it is in receipt of ICB funding to enable recruitment of substantive posts to manage this additional demand.

19.26 It is considered that the request for a contribution, to make up funding which is intended to be provided through national taxation, cannot lawfully be made subject to a valid Section 106 obligation, as such payments must serve a planning purpose and have a substantial connection to the development and not be merely marginal or trivial.

19.27 Notwithstanding the above, the legal requirements of reg. 122(2) of the CIL Regulations 2010 (as amended) are also not satisfied due to the quality of information submitted by UHCW to date. The contribution is not necessary, when funding for this type of NHS care is intended to be provided through national taxation. UHCW is unable to demonstrate that the burden on services arises directly from the development proposed, opposed to a failure in the funding mechanisms for care and treatment. The request made is to meet a funding gap over the forthcoming 12-month period and is requested on commencement of development, consideration should be given as to whether the development is likely to be built out and occupied by residents from outside of the existing trust area within 12 months, and therefore be the source of burden on services as calculated. UHCW has not demonstrated through evidence that the burden on services arises fairly from the assessment of genuine new residents likely to occupy the dwellings. Therefore, it has not been demonstrated that the request fairly and reasonable relates in scale and kind to the development proposed.

19.28 Furthermore, the Council understands from the cases of R (Worcestershire Acute Hospitals NHS Trust) v Malvern Hills DC and others [2023] EWHC 1995 (Admin) and R (University Hospitals of Leicester NHS Trust) v Harborough District Council [2023] EWHC 263 that Acute NHS Trust funding from CCGs (or their successors ICBs) includes an element for population growth. The Trust's request does not appear to acknowledge this nor explain how much of the funding it receives from CCGs / ICBs is attributable to population growth.

19.29 The Council is not satisfied that the Trust has shown that there will be any residual funding gap, nor, if there is such a funding gap, what the size of that gap is. Therefore, it would be unlawful to require the payment of the contribution sought by the Trust.

19.30 This request is therefore not considered to meet the test of the CIL Regulations and therefore the financial request will not be included with the Section 106 agreement.

Heads of Terms

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

| Obligations | Requirement | Trigger |
|-------------------------|--|--|
| Open Space | Provision of offsite open space facilities: £98,101.50 (to be revised if the Council is to provide maintenance for the Amenity Greenspace and Natural & Semi-Natural Greenspaces). | Upon first occupation of the development |
| Indoor Sports Provision | Contribution towards the cost of improving the flooring in the Swimming, Health and Fitness and Sports Hall – Total £14,577.43 | Upon first occupation of the development |

| | | |
|---|---|--|
| Affordable Housing | Provision of 5 units of affordable housing. Initially to be offered to the Council, if not to be provided as low-cost market. | Upon occupation of 50% of the market units |
| Planning and Infrastructure | Promotion of sustainable travel and to support road safety initiatives. Total £1,320 | Upon first occupation of the development |
| Warwickshire County Council Monitoring Fee | To contribute towards the cost to the County of monitoring the implementation and compliance with the legal agreement - £250 + (5 hours x £40 Officer time x Number of triggers) | Upon signing of the agreement |
| Rugby Borough Council – Monitoring contribution | To contribute towards the cost to the Council of monitoring the implementation and compliance with the legal agreement for any obligation related to Affordable Housing which contains eligibility criteria 500.00 - for each obligation which only seeks a monetary contribution 500.00 - 5% of the total financial contribution per obligation where additional ongoing monitoring is required over and above just a monetary contribution | Upon signing of the agreement |

19.32 Local planning authorities should ensure that the combined total impact of planning conditions, highway agreements and obligations does not threaten the viability of the sites and scale of development identified in the development plan. A viability report has not been submitted as part of this application.

19.33 If the committee resolves to approve the proposal, this will be subject to the completion of an agreement by way of a section 106 covering the aforementioned heads of terms.

19.34 In relation to any financial contributions or commuted sums sought through a s.106 agreement, the financial contributions or commuted sums set out in this report will be adjusted for inflation for the period from resolution to grant to completion of the s.106 agreement. In addition, any financial contributions or commuted sums sought through a s.106 agreement will be subject to indexation from the completion of the s.106 agreement until the date that financial contribution

or commuted sum falls due. Interest will be payable on all overdue financial contributions and commuted sums.

19.35 Subject to the completion of a section 106 agreement the development would be in accordance with Policy D3 of the Local Plan.

20. Planning Balance and Conclusion

20.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

20.2 The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The NPPF (Paragraph 7) identifies the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

20.3 Paragraph 8 continues to advise that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning systems three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The three objectives are an Economic, Social, and Environmental objective.

Economic objective

20.4 From an economic perspective the proposed new residential units would result in an immediate investment into the borough. Due to the construction on site and employment relating to construction jobs whilst the development is being built. New occupiers of the dwellings' spending would contribute to the viability of local retailers, services and businesses, and additional Council Tax revenue. Such matters would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the application.

20.5 The proposed development accords with the economic dimension of sustainable development and should therefore be afforded positive weight in the determination of this application.

Social objective

20.6 From a social perspective the proposed development, would make a positive contribution towards housing needs within the Borough. The application site is previously developed land and will contribute towards meeting identified local need for housing, within a sustainable, inclusive and mixed community. Providing future residents with the ability to access services, open space and recreational areas and facilities by means other than the private car.

20.7 It is considered that the clear social benefits carry substantial weight in favour of the proposed development.

Environmental objective.

20.8 From an environmental perspective the potential adverse impacts of the proposed development in relation to the creation of healthy, safe, and inclusive communities, provision of open space, sports facilities and recreation, dwelling type, tenure and design and appearance,

residential amenity, sustainability, environmental health matters, air quality, landscape, ecological considerations, flood risk and drainage, highway safety and parking have all been considered.

20.9 Specifically, the scheme has provided notable environmental benefits to include ecological and landscaping enhancements and electric vehicle car charging points.

20.10 Therefore, the development of the site would result in social, economic, and environmental benefits. Paragraph 8 of the Framework is clear that the 3 roles should not be taken in isolation but that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. The identified benefits would mean, on balance, that the proposal would represent sustainable development in terms of the Framework and is therefore considered to accord with the Development Plan and the Framework.

30. Conclusion

30.1 In conclusion, it is considered that the development is acceptable, regarding the key material planning considerations, to include, the principle of development, character and design, impact on residential amenity, highway safety, parking, flooding and drainage, landscape, ecology, archaeology, environmental health matters, matters relating to health, sports and open space provision, sustainability and infrastructure. The proposal will also provide the necessary mitigation against the impact of the development on the local community and infrastructure.

30.2 On balance, it is concluded that the development would provide a sustainable development of high-quality design, which will positively provide, social, environmental and economic benefits.

30.3 Planning obligations set out in a Section 106 agreement will address adverse impacts of the development, ensuring it is acceptable in Planning terms.

30.4 In view of the above, the proposed development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with policy GP1 of the Local Plan.

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

31. Recommendation

1. Planning application R23/0491 be approved subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

3. The Chief Officer for Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

DRAFT DECISION

REFERENCE NO:
R23/0491

DATE APPLICATION VALID:
15-May-2023

APPLICANT:

Inwoods Park Limited, The Robbins Building, Albert Street, Rugby, Warwickshire, CV21 2SD

AGENT:

C/O Rickett Architects Ltd, 2nd Floor, 168 Parade, Leamington Spa, CV32 4AE

ADDRESS OF DEVELOPMENT:

Site Of Former Inwoods House, Ashlawn Road, Dunchurch

APPLICATION DESCRIPTION:

Proposed construction of 25 no. residential dwellings

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

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

REASON:

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

CONDITION 2:

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

The Design and Access Statement

The Application Form

Transport Statement - DN/BM/25072-01 20th March 2023

AAC Air and Acoustic Consultants - Air Quality Assessment April 2023

Brindle and Green - Preliminary Ecological Appraisal - BG23.113 - March 2023

Farrow Walsh Drainage Strategy - FW2334_DS_001 V1 - April 2023

Salisbury Street Investments Ltd - Contamination Assessment Review - Report No: 23.03.016 - April 2023

Received by the Local Planning Authority on the 2nd May 2023

Site Location Plan & Existing Site Plan - 3343 S3 000 A

Existing Site Section - 3343 S3 002

Proposed Site Section - 3343 S3 700

Received by the Local Planning Authority on the 9th May 2023

DLP Planning Statement - May 2023

Received by the Local Planning Authority on the 12th May 2023

Energy Statement - 113029 - June 2023

Received by the Local Planning Authority on the 20th June 2023

Farrow Walsh - Flood Risk Assessment - FW2334_FRA_001 V2 - June 2023 (to include the Listers Geo Inwoods Park Ltd - Ground Investigation - Report No: 23.04.018 - July 2023, Listers Geo Inwoods Park Ltd - Ground Investigation Report and Listers Geo - Ground Contamination Assessment)

Received by the Local Planning Authority on the 24th August 2023

Brindle and Green Arboricultural Impact Assessment Survey and Report - BG23.113.1 Rev 1
September 2023

Brindle and Green Arboricultural Impact Assessment Survey and Report - BG23.113.2 Rev 1
September 2023

Received by the Local Planning Authority on the 15th September 2023

DTA - Road Safety Audit Response Report Rev A

Received by the Local Planning Authority on the 16th October 2023

Farrow Walsh Drainage Strategy - Technical Note - FW2334_TN_001_v4

Farrow Walsh Drainage Strategy - FW2334-D-400 - Rev A6

Farrow Walsh Drainage Details Sheet 1 of 2 - FW2334-D-401-01 - Rev A3

Farrow Walsh Drainage Details Sheet 2 of 2 - FW2334-D-401-02 - Rev A3

Farrow Walsh Engineering Layout Sheet 1 of 2 - FW2334-E-500-01 - Rev A3

Farrow Walsh Engineering Layout Sheet 2 of 2 - FW2334-E-500-02 - Rev A3

Received by the Local Planning Authority on the 17th November 2023

Proposed Plans - 3343 S3 600 B

Proposed Elevations - 3343 S3 610 B

Proposed Tree Plan - 3343 S3 900 B

Received by the Local Planning Authority on the 19th October 2023

Brindle and Green - Biodiversity Net Gain Rev4 Plan

Received by the Local Planning Authority on the 21st November 2023

Proposed Plans - 3343 S3 100 E

Proposed Elevations - 3343 S3 110 D

Proposed Plans - 3343 S3 200 G

Proposed Elevations - 3343 S3 210 F

Proposed Plans - 3343 S3 240 B

Proposed Elevations - 3343 S3 250 B

Proposed Plans - 3343 S3 260 B

Proposed Elevations - 3343 S3 270 B

Proposed Plans - 3343 S3 280 B

Proposed Elevations - 3343 S3 290 B

Proposed Plans - 3343 S3 300 G

Proposed Elevations - 3343 S3 310 E

Proposed Plans - 3343 S3 320 B

Proposed Elevations - 3343 S3 330 A

Proposed Plans - 3343 S3 340 B

Proposed Elevations - 3343 S3 350 A

Proposed Plans and Elevations - 3343 S3 500 B

Proposed Plans and Elevations - 3343 S3 510 B

Proposed Plans and Elevations - 3343 S3 520 B

Proposed Plans and Elevations - 3343 S3 530 B

Proposed Site Plan (Boundary Treatment) - 3343 S3 015 A
Received by the Local Planning Authority on the 28th November 2023

Proposed Site Plan - 3343 S3 001 M
Proposed Plans - 3343 S3 220 C
Proposed Elevations - 3343 S3 230 D
Proposed Plans - 3343 S3 650 E
Proposed Elevations - 3343 S3 660 E
Received by the Local Planning Authority on the 5th December 2023

REASON:

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

CONDITION 3:

The facing materials to be used on the external walls and roof of the dwellings shall be as specified within application, and the samples received by the Local Planning Authority.

Zinc Cladding - VMZinc Brown/Red
Bricks - Vandersanden Old Coachhouse and Old Farmhouse
Millboard - Envello Shadow Line and Smoked Oak
Millboard - Envello Board and Batten - Smoked Oak
Millboard - Envello Shadow Line - Antique Oak

REASON:

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

CONDITION 4:

Prior to the first occupation of each dwelling broadband infrastructure shall be provided to that dwelling to allow broadband services to be provided.

REASON:

To provide broadband connectivity for future occupiers.

CONDITION 5:

The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

REASON:

In the interests of sustainability and water efficiency.

CONDITION 6:

Prior to the first occupation of each dwelling a passive electric vehicle charging point shall be provided to that dwelling.

REASON:

To encourage the use of electric vehicles in the interest of sustainability.

CONDITION 7:

No development shall take place until:

- 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 fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.
- c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been 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 approved documents, shall be undertaken in accordance with those documents.

REASON:

In the interest of Archaeology

CONDITION 8:

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

REASON:

In the interests of Public Safety from fire and the protection of Emergency Fire Fighters.

CONDITION 9:

Construction Management Plan

Prior to the commencement of any works, a Construction Management Plan shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

- the control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase
- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase (which may be those identified in the air quality assessment).
- measures to reduce mud deposition offsite from vehicles leaving the site.
- a piling risk assessment if such works are to take place.

Development shall be carried out in compliance with the approved Construction Method Statement, unless otherwise approved in writing by the Local Planning Authority.

REASON:

In the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

CONDITION 10:
Contaminated Land

The 'Listers Geo Salisbury Street Investments Ltd Contamination Assessment Review Inwoods House Rugby Warwickshire CV22 5QF report no. 23.03.016 April 2023 issue 4 19th April 2023 Final Report' and the 'Listers Geo Inwoods Park Ltd Ground Investigation Inwoods House. CV22 5QF report no: 23.04.018 July 2023 issue no. 2 10th July 2023 Final Report' have been implemented. No development other than that required to be carried out as part of an approved scheme of remediation shall commence [in any phase of the development] until condition (a) to (c) below have been complied with [for that phase]. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the local planning authority until condition (c) below has been complied with in relation to that contamination.

- a) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and subject to approval in writing by the local planning authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- b) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.
- c) In the event that contamination is found at any time when carrying out the development hereby permitted that was not previously identified it shall be reported in writing immediately to the local planning authority. An investigation and risk assessment shall be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be subject to approval in writing by the local planning authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be subject to approval in writing by the local planning authority. Where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition (b) which shall be subject to approval in writing by the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which shall be subject to approval in writing by the local planning authority in accordance with condition (b).

REASON:

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

CONDITION 11:

Construction Environmental Management Plan:

The development hereby permitted shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for protected species (eg. amphibians, Nesting birds, badger, bats and hedgehogs) and appropriate working practices and safeguards for retained habitats and for wildlife that are to be employed whilst works are taking place on site. The agreed Construction Environmental Management Plan shall thereafter be implemented in full.

REASON:

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

CONDITION 12:

Landscape and Ecological Management Plan:

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

REASON:

To ensure a net biodiversity gain in accordance with NPPF.

CONDITION 13:

Bats and lighting:

The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted on the south and south-east of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps.
- the brightness of lights should be as low as legally possible.
- lighting should be timed to provide some dark periods.
- connections to areas important for foraging should contain unlit stretches.

REASON:

In accordance with NPPF, ODPM Circular 2005/06

CONDITION 14:

No works, demolition or development shall take place until a finalised arboricultural method statement and tree protection plan for the protection of the retained trees (such method

statement and plan to be in accordance with sections 5.5 & 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. This arboricultural method statement and tree protection plan must include details and positioning of tree protection fencing, any ground protection measures to create construction exclusion zones and an auditable system of monitoring. The approved arboricultural method statement and tree protection plan shall be implemented in full prior to any works, demolition or development taking place. Protective measures must remain in place until the completion of all construction works. 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. Prior to any works, demolition or development taking place, a site meeting between the applicant, the Local Planning Authority arboricultural officer and designated arboricultural consultant responsible for the site will take place to inspect tree protection measures.

REASON:

To ensure all retained trees are suitably protected during the construction phase and successfully incorporated into the approved scheme.

CONDITION 15:

A final specification of all proposed tree planting must be submitted and approved in writing by the Local Planning Authority (LPA). 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 LPA 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 LPA gives its written consent to any variations.

REASON:

In the interests of biodiversity, visual amenity, and environmental site enhancement.

CONDITION 16:

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

REASON:

In the interest of visual and residential amenity.

CONDITION 17:

No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy (FW2334-D-400 A6) and Flood Risk Assessment (FW2334_FRA_001 V2) has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:

- 1) Demonstration that any departure from the agreed design is in keeping with the approved principles.
- 2) Any As-Built Drawings and accompanying photos.
- 3) Results of any performance testing undertaken as a part of the application process (if required / necessary)
- 4) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- 5) Confirmation that the system is free from defects, damage, and foreign objects.

REASON:

To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy.

CONDITION 18:

No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is provided to the Local Planning Authority in consultation with the Lead Local Flood Authority. Such maintenance plan should

- 1) Provide the name of the party responsible, including contact name, address, email address and phone number.
- 2) Include plans showing the locations of features requiring maintenance and how these should be accessed.
- 3) Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.
- 4) Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 19:

Other than those shown on the approved plans, no new windows shall be formed in the side elevations of plots 21, 22, 23, 24 & 25, with the approved windows, annotated as being obscure glazed, to be installed in the side elevations (of plots 21, 22, 23, 24 & 25), being glazed in obscure glass and non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 20:

The window to be installed in the north side elevation, of plot 23 (to serve the living room), shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The window shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

REASON:

In the interest of residential amenity

CONDITION 21:

Other than those shown on the approved plans, no new windows/rooflights shall be formed in any elevation (at first floor level or above) or roofslope of plots 1-20, with any of the approved

windows, annotated as being obscure glazed, to be installed in the side elevations (of plots 1-20), being glazed in obscure glass and non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 22:

Any balcony screening for plots 1-20 shall be installed prior to occupation of the dwelling; the balcony screening shall not be altered and will remain thereafter in perpetuity unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION 23:

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 and D of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

REASON:

In the interest of residential amenity and design.

CONDITION 24:

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

REASON:

In the interest of visual amenity.

CONDITION 25:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, the garages shall not be converted to living accommodation and shall remain for the purposes of parking vehicles and storing bicycles.

REASON:

In the interest of highway safety.

CONDITION 26:

No construction shall be undertaken until a Construction Management Plan is submitted to and approved by both the Planning and Highway Authorities and which should contain details of:

- The routeing and timing (avoiding peak periods) of delivery and other construction traffic to/from the proposed development and the measures by which this is to be managed and monitored, including signage and information that will be provided to contractors and delivery companies.

- Suitable areas for the parking of contractors and visitors, including details of the capacity of the on-site staff/visitor/contractor car parking areas and confirmation of the assessment that this is sufficient to accommodate forecast demand and thereby avoid vehicles having to park off site on the highway network.
- Measures to prevent mud and debris on the public highway, including wheel washing facilities and the methods to be used to keep the public highway clear of any mud, debris, and obstacles (in the event of spillage).
- The swept path analysis of the expected largest type of delivery vehicle when entering, leaving, and turning within the site. This is needed to confirm that vehicles can enter and leave the site (from and to the public highway) safely, in a forward gear and without obstructing the public highway, and if not, what safety precautions will be implemented.
- Suitable areas for the unloading and storage of materials off the public highway.

REASON:

In the interest of highway safety

CONDITION 27:

The development shall not be occupied until visibility splays have been provided to the vehicular accesses to the site with an 'x' distance of 2.4m and 'y' distances to the near edge of the public highway carriageway of no less than 160m, and cycle visibility splays of no less than 31m. No structure, tree or shrub shall be erected, planted, or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON:

In the interest of highway safety

CONDITION 28:

No built construction shall be carried out until detailed drawings for the highway works, in general accordance with Drawing Numbers 25072-01-2, Rev C and 25072-01-3, Rev C, but modified to include details of the widening, to a width of 3m, of the existing cycleway (NCN41) between the proposed primary site access and the existing Pegasus crossing of Ashlawn Road and the provision of suitable bin storage and collection facilities for the proposed affordable housing plots, have been submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority, subject to Highway Authority Technical Approval of the detailed design and a Stage 2 Road Safety Audit.

REASON:

In the interest of highway safety

CONDITION 29:

The development shall not be occupied until the section of existing cycleway (NCN41) between the proposed primary site access and the existing Pegasus crossing of Ashlawn Road (a distance of c. 70m) has been widened to 3m in line with LTN 1/20 standards, with technical details to be agreed in writing by the Local Planning Authority in consultation with the Highway Authority and subject to Highway Authority Technical Approval of the detailed design and a Stage 2 Road Safety Audit.

REASON:

In the interest of highway safety

CONDITION 30:

The development shall not be occupied until the internal access roads, vehicle turning areas and pedestrian footways within the site have been constructed so as to enable the largest vehicles expected to enter the site to leave and re-enter the public highway in a forward gear, in accordance with Drawing Number 25072-01-4.

REASON:

In the interest of highway safety

CONDITION 31:

The accesses to the site for vehicles and pedestrians shall not be used in connection with the development until they have been surfaced with a bound material, suitably lit and have been constructed in accordance with the standard specification of the Highway Authority.

REASON:

In the interest of highway safety

CONDITION 32:

Each individual dwelling development shall not be occupied until on-site vehicle parking and secure cycle storage meeting Rugby Borough Council Supplementary Planning Document standards in respect of capacity, dimensions and design have been submitted to and approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety

CONDITION 33:

Prior to first occupation of the development, a Stages 2 and 3 Road Safety Audit (RSA) shall be undertaken to ensure that the internal layout provides safe vehicular and pedestrian movement. The RSA details are to be agreed in writing by the Local Planning Authority in consultation with the Highway Authority and subject to Highway Authority Technical Approval.

REASON:

In the interest of highway safety

CONDITION 34:

Notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any order amending, revoking or re-enacting the Order, no hard surface shall be constructed within the landscaped areas in front of, or to the side of the dwelling houses and no new means of vehicular or pedestrian access constructed to the adjoining public highway or shared/private drive without the prior permission of the Local Planning Authority.

REASON:

In the interests of the visual amenities of the locality.

CONDITION 35:

No dwelling shall be occupied until the parking areas has been provided for that plot in accordance with the approved details listed in this decision. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles.

REASON:

To ensure adequate parking provision, to ensure the proper development of the site and in the interest of visual amenity.

CONDITION 36:

The proposed development is subject to the below criteria being met, as required by Approved Document B, Volume 1, Requirement B5 - Access and Facilities for the Fire Service:

- A fire appliance to gain access to within 45 metres of all points inside each dwelling.
- Minimum width of the access road is 3.7 metres along the entire length.
- Minimum width of any gateways is 3.1 metres.
- Minimum height clearance is 3.7 metres.
- Minimum carrying capacity is 12.5 tonnes.
- Dead-end access routes longer than 20 metres require turning facilities.
- Turning circles should be a minimum of 16.8 metres between kerbs or 19.2 metres between walls.

REASON:

To ensure adequate access and facilities for the Fire Service

INFORMATIVE 1:

Warwickshire Police advise:-

The security requirements for dwellings as set out in Part Q of Schedule 1 to the Building Regulations recommend that all doors meet PAS 24:2022 standard and are third party certified such as companies that achieve 'secured by design' accreditation.

Warwickshire Police request that the below be incorporated into the design as they will go some way to ensuring the residents do not become victims of crime or anti-social behaviour.

- All perimeter fencing should be 1.8 metre high close boarded fencing however where it backs onto open space it should be topped with 0.2 trellis, so the overall height is 2 metres in height.
- Lighting on adopted highways, footpaths, private roads and footpaths and car parks must comply with BS 5489-1:2020. A Uo value of 0.4 or 40% is recommended to ensure that lighting installations do not create dark patches next to lighter patches where our eyes would have difficulty in adjusting quickly enough for us to see that it was safe to proceed along any route.
- Fencing or similar be considered along the open space areas and balancing pools, this will refrain vehicles driving onto the open space causing anti-social behaviour or injuring someone who is using the space for play.
- Footpaths and emergency routes that lead onto the development should have staggered bollards installed to stop motor bikes riding onto the site.

I would ask that the applicant/ agent adopts the principles of 'secured by design' and evidence how they have designed in features to deter crime and anti-social behaviour.

https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_update_May.pdf

Building sites and in particular, site offices and storage areas are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All

plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf (securedbydesign.com)

INFORMATIVE 2:

It is a legal requirement that all new properties are numbered, and roads named and in this respect, you must apply for Street Naming and Numbering at the earliest opportunity for both new or changes to existing properties, including development revisions. Failure to do this in good time can delay the installation of services and/or prevent the sale of properties.

To register the properties on a development and receive correct addressing or to amend an existing address please complete an application form for Street Naming and Numbering. The form can be accessed at:

https://www.rugby.gov.uk/info/20084/planning_control/76/street_naming_and_numbering .

INFORMATIVE 3:

With Rugby's Hedgehog Improvement Area status for this planning application all fencing/gravel boards/gates/walls on boundary lines should be specified to have occasional CD size gaps (13cm x 13cm) as a simple very low cost measure for ensuring boundaries are accessible for hedgehogs and wide range of species to enable roaming for habitat/food/mates etc across the development providing links between gardens and also provide links to and from public open space, encouraging colonisation and preventing habitat fragmentation.

INFORMATIVE 4:

Construction Hours

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. - 6.00 p.m.

Saturday 8.30 a.m. - 1.00 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 5:

Impacts from existing activities.

The development is adjacent to farmland and will be subject to reasonable disturbance from noise, dust, odour, vibration, and light associated with farming practices. These practices may at times extend into the night or early hours, such as harvest.

INFORMATIVE 6:

Section 23 of the Land Drainage Act 1991 requires that before the erection or alteration of any obstruction to the flow in an ordinary watercourse, a written consent is obtained from the Lead Local Flood Authority (LLFA) for the area. A new outfall into the watercourse from the site drainage system will require consent. Our guidance and application form can be found at the following link: <https://www.warwickshire.gov.uk/watercourse>.

INFORMATIVE 7:

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently

adopted under, The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

INFORMATIVE 8:

This development is subject to a s106 legal agreement.

INFORMATIVE 9:

It is strongly encouraged that the development hereby approved shall utilise green construction methods. This should include utilising natural, recycled, and sustainable building materials. Measures to minimise damage to the local area and ecosystem during and after construction should also be employed.

INFORMATIVE 10:

Rugby Borough Council Works service require the development to comply with the following.

- The doors to the refuse/bin stores, which serve the flats, must open outwards, and there must be a dropped kerb at the end of the path, to allow refuse/bins to be transferred to the refuse collection vehicle.
- The highway must comply with Highway Standards to allow access for a 26-tonne refuse collection vehicle.
- All domestic properties will need to present their bins kerbside by 7.30 a.m. on morning of collection.

INFORMATIVE 11:

Conditions 28 and 29 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

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

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

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

INFORMATIVE 12:

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

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



AGENDA MANAGEMENT SHEET

| | |
|---|---|
| Report Title: | Delegated Decisions - 16 November 2023 to 13 December 2023 |
| Name of Committee: | Planning Committee |
| Date of Meeting: | 10 January 2024 |
| Report Director: | Chief Officer - Growth and Investment |
| Portfolio: | Growth and Investment |
| Ward Relevance: | All |
| Prior Consultation: | None |
| Contact Officer: | Chief Officer - Growth and Investment |
| Public or Private: | Public |
| Report Subject to Call-In: | No |
| Report En-Bloc: | No |
| Forward Plan: | No |
| Corporate Priorities: | This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but |
| (C) Climate (E) Economy (HC) Health and Communities (O) Organisation | |
| Summary: | The report lists the decisions taken by the Head of Growth and Investment under delegated powers. |
| Financial Implications: | There are no financial implications for this report. |
| Risk Management Implications: | There are no risk management implications for this report. |

| | |
|------------------------------------|---|
| Environmental Implications: | There are no environmental implications for this report. |
| Legal Implications: | There are no legal implications for this report. |
| Equality and Diversity: | There are no equality and diversity implications for this report. |
| Options: | |
| Recommendation: | The report be noted. |
| Reasons for Recommendation: | To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers. |

Planning Committee - 10 January 2024

Delegated Decisions - 16 November 2023 to 13 December 2023

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 10 January 2024

Subject Matter: Delegated Decisions - 16 November 2023 to 13 December 2023

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

| Doc No | Title of Document and Hyperlink |
|---------------|--|
| | |
| | |
| | |
| | |
| | |
| | |

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

Exempt information is contained in the following documents:

| Doc No | Relevant Paragraph of Schedule 12A |
|---------------|---|
| | |
| | |
| | |
| | |
| | |
| | |

DECISIONS TAKEN BY THE CHIEF OFFICER FOR GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 16/11/2023 To 13/12/2023

APPENDIX 1

Delegated

8 Weeks Advert

Applications Refused

| | | |
|----------------|--------------------------|---------------------|
| R23/0746 | 165, MURRAY ROAD, RUGBY, | Signs to restaurant |
| 8 Weeks Advert | CV21 3JR | |
| Refusal | | |
| 12/12/2023 | | |

Applications Approved

| | | |
|----------------|----------------------------------|-----------------------------------|
| R23/0985 | 6 Royal George Buildings, Market | Advert Consent for 1 no. |
| 8 Weeks Advert | Place, Rugby, CV21 3EA | Illuminated fascia sign and 1 no. |
| Approval | | illuminated box hanging sign. |
| 07/12/2023 | | |

8 Weeks PA Applications

Applications Refused

| | | |
|------------|-----------------------|------------------------------|
| R22/1189 | MILE END BARN, LITTLE | Erection of three-bay timber |
| 8 Weeks PA | WALTON, MONKS KIRBY, | garage (one bay open at the |
| Refusal | RUGBY, CV23 0QL | front) |
| 22/11/2023 | | |

| | | |
|------------|---------------------|--|
| R23/0881 | 8, SOVEREIGN CLOSE, | |
| 8 Weeks PA | RUGBY, CV21 4BB | |
| Refusal | | |

Delegated

8 Weeks PA Applications

Applications Refused

05/12/2023

Retrospective change of use from open green space/green buffer zone to land as garden including erecting 1.80m high timber fence.

R23/0904
8 Weeks PA
Refusal
05/12/2023

7, SOVEREIGN CLOSE,
RUGBY, CV21 4BB

Retrospective change of use from open green space/green buffer zone to land as garden including erecting 1.80m high timber fence.

R23/0652
8 Weeks PA
Refusal
06/12/2023

15, LUTTERWORTH ROAD,
PAILTON, RUGBY, CV23 0QE

Proposal to erect a new detached dwelling and associated parking to the rear of 15 Lutterworth Road, Pailton.

Applications Approved

R23/0164
8 Weeks PA
Approval
16/11/2023

HOSPITAL FARM, HAYWAY
LANE, BROADWELL, RUGBY,
CV23 8HH

Construction of detached dwelling house.

R23/0962
8 Weeks PA
Approval
16/11/2023

The Ladycraft, Main Road, Ansty,
Warwickshire, CV7 9JA

Single Storey Rear Extension & Loft Conversion (rear dormer and hipped to gable roof conversion)

Delegated

8 Weeks PA Applications

Applications Approved

R23/0964

8 Weeks PA

Approval

16/11/2023

CLIFTON HALL FARM,
LILBOURNE ROAD, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BB

Proposal to extend the existing
agricultural building resulting from
R22/1194 with a mono-pitched
side extension.

R23/0383

8 Weeks PA

Approval

17/11/2023

4, Heath Lane, Brinklow, Rugby,
CV23 0NR

Proposed two storey rear and
single storey front extension to
existing dwelling.

R23/0873

8 Weeks PA

Approval

17/11/2023

84, Holbrook Avenue, Rugby,
CV21 2QQ

Conversion of 6 bedrooms HMO
(C4) into 7 rooms 7 person HMO
(Sui Generis)

R23/0974

8 Weeks PA

Approval

17/11/2023

17, EASTLANDS ROAD,
RUGBY, CV21 3RP

Retrospective planning
application detailing a single
storey rear extension and internal
alterations (variation on
previously approved application
ref R22/0319).

R23/0890

8 Weeks PA

Approval

59A, Albert Street, Rugby, CV21
2SN

Change of use from commercial
(Class E) to residential (Class
C3).

Delegated

8 Weeks PA Applications

Applications Approved

20/11/2023

| | | |
|--|--|--|
| R23/0909 8 Weeks PA Approval 20/11/2023 | PREMIER INN, BROWNSOVER ROAD, RUGBY, CV21 1HL | Installation of external plant and equipment - two condenser units on the north-west and south-west ground floor elevations |
|--|--|--|

| | | |
|--|---|------------------------------|
| R23/0948 8 Weeks PA Approval 21/11/2023 | 3, Quarry Close, Rugby, Warwickshire, CV21 1DR | Single Storey rear extension |
|--|---|------------------------------|

| | | |
|--|--|--|
| R23/0960 8 Weeks PA Approval 21/11/2023 | 67 Rugby Road, Clifton upon Dunsmore, Rugby, CV23 0DE | Single storey rear extension with a flat roof |
|--|--|--|

| | | |
|--|---|---|
| R23/0991 8 Weeks PA Approval 22/11/2023 | 48, HILLMORTON ROAD, RUGBY, CV22 5AD | Proposed single storey rear and side extension to dwelling. Retrospective planning for insulated white render to part of the rear and side of the building. |
|--|---|---|

| | | |
|--|---|--|
| R23/0874 8 Weeks PA Approval 24/11/2023 | 210, Frobisher Road, Rugby, Warwickshire, CV22 7JF | Change of use of vacant retail (Class E) unit to hot food takeaway (sui generis) with installation of extraction and ventilation equipment and minor |
|--|---|--|

Delegated

8 Weeks PA Applications Applications Approved

external alterations including
installation of entrance ramp.

R23/0950
8 Weeks PA
Approval
24/11/2023

BIRCHWOOD, RUGBY ROAD,
BRANDON, Rugby, CV8 3GJ

Attached single storey garage/
annexe to the eastern side of the
dwelling

R23/0065
8 Weeks PA
Approval
27/11/2023

MILL HOUSE, STOCKTON
ROAD, BIRDINGBURY, RUGBY,
CV23 8EE

PROPOSED CHANGE OF USE
OF AGRICULTURAL LAND TO
RESIDENTIAL FOR NEW
ACCESS TRACK TO DWELLING

R23/0882
8 Weeks PA
Approval
27/11/2023

HEDGEHOG CORNER,
STOCKTON ROAD,
BIRDINGBURY, RUGBY, CV23
8EE

Variation of conditions 6 and 8
imposed on planning permission
ref R19/0772 for
'Removal/variation of conditions
2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 16
and 17 of approval R18/1486
(Erection of one new dwelling)
dated 23rd August 2018'
approved 15th November 2019

R23/0971
8 Weeks PA
Approval
27/11/2023

1, Hall Lane, Wolvey, Hinckley,
LE10 3LF

Conversion of loft to a bedroom
and bathroom, including the
installation of Velux windows

Delegated

8 Weeks PA Applications Applications Approved

1, Hall Lane, Wolvey, Hinckley,
LE10 3LF

R23/0972
8 Weeks PA
Approval
27/11/2023

Erection of front, side and rear
extensions, cladding and solar
panels

R23/0889
8 Weeks PA
Approval
28/11/2023

Aspen Road Allotments, Aspen
Road, Rugby, CV21 1TA

Erection of polytunnel

R23/1014
8 Weeks PA
Approval
28/11/2023

PIERCES BARN, MONTILO
LANE, HARBOROUGH MAGNA,
RUGBY, CV23 0HE

Single-Storey Extension,
Conversion of Outbuildings to
form a Boot Room, 3 new
Windows

R23/0883
8 Weeks PA
Approval
29/11/2023

42, JACKSON ROAD, RUGBY,
CV21 4LS

Single storey rear extension
(retrospective)

R23/1066
8 Weeks PA
Approval
30/11/2023

WOLVEY CAMPUS, LEICESTER
ROAD, Wolvey Heath

Temporary access for
construction vehicles for the
approved residential
development (reference
R20/0968 and R22/0113).

Delegated

8 Weeks PA Applications Applications Approved

12, WESTGATE ROAD, RUGBY,
CV21 3UD

R23/0886
8 Weeks PA
Approval
04/12/2023

Two storey front and rear
extension, single storey rear
extension and elevation changes
to front and rear elevation

R23/0988
8 Weeks PA
Approval
04/12/2023

36, CATESBY ROAD, RUGBY,
RUGBY, CV22 5JJ

A single storey rear extension
and associated internal
alterations.

R23/1001
8 Weeks PA
Approval
05/12/2023

16 , Livingstone Avenue, Long
Lawford, Warwickshire, CV23
9BU

Erection of single storey wrap
around extension

R23/1043
8 Weeks PA
Approval
05/12/2023

CHESNUT COTTAGE, POST
OFFICE ROAD, LEAMINGTON
HASTINGS, RUGBY, CV23 8DZ

First-floor extension and ground-
floor refurbishment

R23/0984
8 Weeks PA
Approval
07/12/2023

6 Royal George Buildings, Market
Place, Rugby, CV21 3EA

Change of use to Hot food
takeaway (Sui Generis) to include
external seasonal seating

Parkfield Business Park, Rugby

Delegated

8 Weeks PA Applications Applications Approved

Western Relief Road, Rugby,
Warwickshire, CV21 1QJ

R23/0454
8 Weeks PA
Approval
08/12/2023

Erection of a storage facility building falling within Use Class B2 & B8, with external works, yard and vehicle parking, including roof mounted photo-voltaic panels.

R23/0750
8 Weeks PA
Approval
08/12/2023

SUNRISE PARK, OXFORD ROAD, RYTON-ON-DUNSMORE

Demolish and remove all hard standing for 10 utility buildings and barn, to form 2no. utility blocks with disability accommodation to the rear (previously approved under planning permission R17/1543, dated 09 July 2018).

R23/0832
8 Weeks PA
Approval
11/12/2023

10, MURRAY ROAD, RUGBY, CV21 3JN

Change of use from use class C3 to use class C1.

R23/0680
8 Weeks PA
Approval
12/12/2023

3, WOODLANDS ROAD, BINLEY WOODS, COVENTRY, CV3 2DA

Extension of existing outbuilding - Timber structure outbuilding with EPDM roof - Timber cladding
Outbuilding to be used for personal storage.

Delegated

8 Weeks PA Applications

Applications Approved

R23/0945

8 Weeks PA

Approval

12/12/2023

CENTRE OF AGROECOLOGY,
RYTON ORGANIC GARDENS,
WOLSTON LANE, RYTON-ON-
DUNSMORE, COVENTRY, CV8
3LG

Installation of security gatehouse
including access control to the
main entrance of Ryton Organic
Gardens

R23/1071

8 Weeks PA

Approval

13/12/2023

12, Badby Leys, Rugby,
Warwickshire, CV22 5RB

Part two storey and part single
storey rear extension

R23/1100

8 Weeks PA

Approval

13/12/2023

TOFT BARN, SOUTHAM ROAD,
DUNCHURCH, RUGBY, CV23
8AD

Proposed swimming pool room

Certificate of Lawfulness Applications

Applications Approved

R23/0955

Certificate of

Lawfulness

Approval

04/12/2023

Beech Building Unit 1 Ansty Park,
Draken Drive, Coombe Fields

Certificate of lawfulness for
proposed external alterations to
building including removal of
cladding panels, removal of stand-
alone columns and refurbishment
of main entrance doors and

Delegated

Certificate of Lawfulness Applications Applications Approved

immediate surrounds with facade redecorated.

R23/0967
Certificate of
Lawfulness
Approval
13/12/2023

31 , Victoria Street, New Bilton,
Rugby, Warwickshire, CV21 2HN

Lawful Development Certificate -
Proposed Change from C3
Dwellinghouse to C4 HMO

Conditions Applications Refused

R22/1088
Conditions
Refusal
23/11/2023

Land North Of, Airfield Drive,
Coombe Fields

Discharge of condition 10 of
application R21/0845- Landscape
and ecological management plan
(LEMP).

Applications Approved

R22/0868
Conditions
Approval
27/11/2023

LAND NORTH OF COVENTRY
ROAD, COVENTRY ROAD,
LONG LAWFORD

Approval of details in relation to
condition 12 attached to
R17/1089 - Drainage Scheme

R23/0915
Conditions
Approval

ZONE C: LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

Delegated

Conditions

Applications Approved

30/11/2023

Details for condition 37: Plant noise mitigation scheme of R16/2569 (Outline application for Use Class B8 buildings with associated infrastructure) in relation to Zone C of site covered by R22/0803

R23/1017
Conditions
Approval
30/11/2023

ANSTY HALL HOTEL, MAIN
ROAD, Ansty, COVENTRY, CV7
9HZ

Approval of details in relation to conditions 4, 5 & 6 attached to R23/0353 - Terrace Design, Ecological and Landscaping Scheme and Written Scheme of Investigation

R23/1011
Conditions
Approval
01/12/2023

Land Parcel P19216 South of
Brownsover Road, Brownsover,
Rugby, CV21 1HL

Approval of details related to Condition 11-air quality, 12- noise and 13-Construction Management Plan of R22/0997 (Erection of 16 dwellings with associated parking and access.)

R23/1123
Conditions
Approval
04/12/2023

WOLSTON ALLOTMENTS,
STRETTON ROAD, WOLSTON

Details submitted in relation to Condition 18- tree planting of R19/1411 (Erection of up to 48 dwellings with associated open space, landscaping and infrastructure (Outline - Principle and Access Only).)

Delegated

Conditions

Applications Approved

ZONE C: LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

R23/1145
Conditions
Approval
05/12/2023

Details for condition 12: External
plant or storage of R16/2569
(Outline application for Use Class
B8 buildings with associated
infrastructure) in relation to Zone
C of site covered by R22/0803

R22/0869
Conditions
Approval
06/12/2023

LAND NORTH OF COVENTRY
ROAD, COVENTRY ROAD,
LONG LAWFORD

Approval of details in relation to
condition 16 attached to
R17/1089 - Drainage

R23/0951
Conditions
Approval
06/12/2023

LAND TO REAR OF NUMBER
99, LENTONS LANE,
ALDERMANS GREEN

Discharge of condition 10 (coal
mining) attached to R21/1087 -
Conversion of existing stable
block and detached garage to
habitable space, approved
17-Jan-2022

R23/1031
Conditions
Approval
07/12/2023

Land North of Stocks Lane to
rear of Acorn Cottage, Stocks
Lane, Thurlaston

Approval of Conditions 9A
(Archaeology - part discharge),
11 (Arboricultural), 13 (Ecology),
14(CMP) and 16 (Noise) of
R18/0873 (Outline planning
permission - Erection of 1no.
Dwellinghouse, all matters
reserved except access)

Delegated

Conditions

Applications Approved

Land north of Stocks Lane to rear of Acorn Cottage, Stocks Lane, Rugby, Thurlaston

R23/1051
Conditions
Approval
13/12/2023

Approval of Condition 10 (Drainage) of R18/0873 (Outline planning permission - Erection of 1no. Dwellinghouse, all matters reserved except access)

R23/1052
Conditions
Approval
13/12/2023

Land north of Stocks Lane to rear of Acorn Cottage, Stocks Lane, Rugby, Thurlaston

Approval of Condition 22 (Tree Protection) of R21/0944 (Approval of the reserved matters of the layout, scale, appearance and landscaping of the development pursuant to condition 3 of the outline planning permission R18/0873)

Discharge of Conditions

Applications Approved

R18/0873

LAND NORTH OF STOCKS LANE TO REAR OF ACORN COTTAGE, STOCKS LANE, THURLASTON,

07/12/2023

Outline planning permission - Erection of 1no. Dwellinghouse, all matters reserved except access

R18/0873

Delegated

Discharge of Conditions

Applications Approved

13/12/2023

LAND NORTH OF STOCKS
LANE TO REAR OF ACORN
COTTAGE, STOCKS LANE,
THURLASTON,

Outline planning permission -
Erection of 1no. Dwellinghouse,
all matters reserved except
access

Listed Building Consent Applications

Applications Approved

R23/1036

Listed Building Consent

Approval of Reserved

Matters

06/12/2023

THE OLD RECTORY,
FRANKTON ROAD,
BIRDINGBURY, RUGBY, CV23
8EW

Remedial works including sub-
strata resin impregnation and
interior redecoration

Major Applications

Applications Refused

R23/0625

Major Application

Refusal

30/11/2023

SAXON FIELDS EQUESTRIAN,
LILBOURNE ROAD, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BB

Outline permission (for principle
and access only) for the
Demolition Of Existing Farm
Shop, Cafe & Smokery, Stables
and 2No. Outdoor Menages &
Outline Permission For The
Erection Of 10No. Detached
Dwellings.

Delegated

Major Applications

Applications Approved

| | | |
|----------------------|--------------------------|-------------------------------|
| R23/1049 | PHASE 3 - R3, RUGBY | Variation of condition 1 of |
| Major Application | GATEWAY, LEICESTER ROAD, | R19/0976 (Erection of 146 |
| Approval of Reserved | CHURCHOVER | dwelling etc) to change |
| Matters | | housetypes to plots 96, 112 & |
| 24/11/2023 | | 113. |

Prior Approval Applications

Prior Approval Applications

| | | |
|----------------------|---------------------------|----------------------------------|
| R23/1072 | PIKE HALL FARM, GIBRALTAR | Application under Schedule 2 |
| Agriculture Prior | LANE, LEAMINGTON | Part 6 of the General Permitted |
| Approval | HASTINGS, RUGBY, CV23 8EX | Development Order for the |
| Required and Refused | | erection of two 500 sq m |
| 20/11/2023 | | agricultural buildings to house |
| | | livestock, storage of machinery, |
| | | fodder and straw. |

| | | |
|----------------|---------------------------|-----------------------------|
| R23/1033 | 12, BRINDLEY ROAD, RUGBY, | Prior Approval: Larger home |
| Prior Approval | CV21 4BH | extension |
| Extension | | |
| Not Required | | |
| 21/11/2023 | | |

| | | |
|-----------------|-------------------------|------------------------------------|
| R23/1008 | OLD LAURENTIAN RFC, | The installation of a new sharable |
| Telecoms Prior | FENLEY FIELD, LIME TREE | 25m lattice mast. The |
| Approval | AVENUE, RUGBY, BILTON, | development will include a base |
| Withdrawn by | CV22 7QT | station, 2.4m high fencing, 6no. |
| Applicant/Agent | | operator cabinets, |
| 27/11/2023 | | 6no. antennas 1no. meter cabinet |

Delegated

Prior Approval Applications

Prior Approval Applications

and ancillary development thereto. This is required to facilitate enhanced network coverage for the Mobile Network Operators. This multi-user structure with secure compound and upgraded power supply will enable a consolidation of equipment and in time lead to the removal of unused infrastructure from the wider site and cell area.

R23/1030
Prior Approval change
of use
Required and Refused
04/12/2023

WALDINGS FARM, BARBY
LANE, RUGBY, CV22 5QJ

Prior approval change of use of
agricultural buildings and land
within their curtilage to 5no.
dwellinghouses and for
associated building operations

R23/1212
Agriculture Prior
Approval
Not Required
06/12/2023

Little Meadow Farm, Calcutt
Lane, Stockton, Warwickshire,
CV23 8FY

Prior Approval: Building for
agricultural/forestry use