



30 August 2024

PLANNING COMMITTEE - 11 September 2024

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 11 September 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 the meeting held on 14 August 2024.
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 – 1 July 2024 to 21 August 2024

Membership of the Committee:

Councillors Gillias (Chair), S Edwards, Freeman, Harrington, Howling, Karadiar, Lawrence, Maoudis, Russell, Sandison, Srivastava, Thomas.

If you have any general queries with regard to this agenda please contact Lucy Kirbyshire, Democratic Services Officer by emailing lucy.kirbyshire@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 – 11 September 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	R22/1035	Myson House, Railway Terrace, Rugby, CV21 3LS Outline planning application with all matters reserved for demolition of six story office block and construction of two six story apartment blocks with associated external works and landscaping.	3

Reference: R22/1035

Site Address: MYSON HOUSE, RAILWAY TERRACE, RUGBY, CV21 3LS

Description: Outline planning application with all matters reserved for demolition of six storey office block and construction of 2no. six storey apartment blocks with associated external works and landscaping

Recommendation

1. Planning application R22/1035 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 a further viability review of the site at a point in time when the development has been substantially progressed and, if viable, secure the necessary financial contributions and/or planning obligations as indicatively outlined in the 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 Chair) 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.

Weblink: <https://planning.agileapplications.co.uk/rugby/application-details/36023>

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. The application was presented to Rugby Borough Council Planning Committee on 21st June 2023. The application was deferred for the reasons stated below:

- 1) *this application be deferred pending further consultation with the Highway Authority;*
- 2) *an invitation be extended to the Highway Authority to attend a future meeting of the Committee;*
- and*
- 3) *the Committee to email queries and requests for further information relating directly to the application to the Case Officer.*

1.2 Following receipt of queries and requests to the Case Officer further consultation was carried out with the Highway Authority.

1.3 The application was presented again to Rugby Borough Council Planning Committee on 16th August 2023. The application was approved subject to the conditions and informatives set out in the draft decision notice and 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 the officer report.

1.4 Since that Committee decision the applicant has now presented a viability assessment regarding the proposal and requested contributions. This has been independently assessed and is discussed later in the report. Due to the outcome of the assessments the application is being brought back to Committee for consideration.

2.0 Description of site

2.1 The site is located approximately 300 metres to the west of Rugby Railway Station and 0.5 miles to the north-east of Rugby town centre. The site is bounded by Railway Terrace to the east and by Wood Street to the south. To the west of the site lies a recent three and four storey residential development on the former Woodside Business Park site.

2.2 The railway lies to the north of the site although there remains the benefit of a retained access road and open land. On the opposite side of Railway Terrace lies the existing Stagecoach bus depot and associated parking along with the new six storey development on the former Cattle Market site, just to the south of the depot.

2.3 The site is approximately 0.55 hectares and has been owned by Stepnell Developments Ltd for circa 30 years.

3.0 Description of proposals

3.1 This application seeks outline permission with all matters reserved for demolition of the existing six storey office block and construction of two six storey apartment blocks with associated external works and landscaping.

Planning History

R06/0075/PLN	Installation of 2no. condenser units to flat roof area of building.
Approval	20-Feb-2006

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.

The Local Plan is over 5 years old, and paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should be updated as necessary. The Local Plan review is underway however, this report sets out the relevant Local Plan policies and notes any NPPF inconsistencies between them or any other material consideration which could render a policy out of date.

Rugby Borough Local Plan 2011-2031, June 2019

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

H1: Informing Housing Mix

H2: Affordable Housing Provision

HS1: Healthy, Safe and Inclusive Communities

HS5: Traffic Generation and Air Quality

HS4: Open Space, Sports Facilities and Recreation

NE1: Protecting Designated Biodiversity and Geodiversity Assets
SDC1: Sustainable Design
SDC2: Landscaping
SDC4: Sustainable Buildings
SDC5: Flood Risk Management
SDC6: Sustainable Drainage
SDC9: Broadband and Mobile Internet
SDC8: Supporting the Provision of Renewable Energy and Low Carbon Technology
D4: Planning Obligations
D3: Infrastructure and Implementation
D2: Parking Facilities
ED1: Protection of Rugby's Employment Land

National Planning Policy Framework, 2023 (NPPF)

Climate Change and Sustainable Design and Construction SPD 2023

Air Quality SPD 2021

Technical consultation responses

WCC Archaeology Detailed assessment undertaken for this application and concluded that it is unlikely to have a significant archaeological impact. Therefore, no archaeological comments.

WCC Fire Authority No objection subject to criteria being met

Cadent Gas No objection subject to informative

Stagecoach No objection

NHS Contributions requested

WCC Ecology No objection subject to conditions

WCC Flood Authority Initial objection following receipt of further details no objection subject to conditions

WCC Highways Initial objection following receipt of further details no objection subject to conditions

RBC Environmental Health No objection subject to conditions and informatives

WCC Infrastructure Outline of contribution requests provided

RBC Arboricultural Officer No objection subject to conditions

Third party comments

One neighbour objection- impact on light and extra traffic

One letter of support- sustainable location, point raised on provision of electric charging points

4.0 Assessment of proposals

4.1 This an outline scheme with all matters reserved.

4.2 The key issues to assess in the determination of this application are:

5.0 Principle of development

5.1 Paragraph 2 of the National Planning Policy Framework (NPPF) (December 2023) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF

confirms 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.

5.2 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy GP1 of the Local Plan (LP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Local Plan (2019).

5.3 The Local Plan (2019) sets out the spatial vision for the borough and Policy DS1 sets out the overall development needs, including the need for housing. Policy GP2 of the Local Plan sets out the settlement hierarchy in order to deliver the spatial strategy. The Local Plan identifies and provides allocations for housing and other development within the context of the settlement hierarchy. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy. The application site is located within the Rugby Town which provides the main focus for all development within the Borough. As such, there is a principle in favour of sustainable development subject to all planning matters being appropriately addressed.

5.4 Policy HS1 Informing Housing Mix of the Local Plan seeks to ensure that healthy, safe and inclusive communities will be taken into account when considering development proposals and supports proposals which provide good access to local shops, employment opportunities, services, schools and community facilities. Based on the location of the site it is considered sustainably located for residential development and complies with Policy HS1.

The presumption in favour of sustainable development

5.5 The Local Plan is over 5 years old, and paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should be updated as necessary. The Local Plan review is underway; however, this report sets out the relevant Local Plan policies and notes any NPPF inconsistencies between them or any other material consideration which could render a policy out of date.

5.6 Paragraph 225 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. Due weight should be given to them according to their degree of consistency with the NPPF. Furthermore, it is recognised by the courts that out-of-date policies can still be given some weight, particularly where their overall strategic aims might be designed to operate on a longer time scale than a particular plan period.

5.7 As set out in paragraph 77 of the NPPF and footnote 42 it has been determined that Policy DS1 of the Local Plan is in need of updating due to the age of the plan and the evidence in relation to housing which has been published (HEDNA 2023). Policy DS1 is therefore out of date.

5.8 The latest Five-Year Housing Land Supply Position Statement 2023-2028, published on 5th October 2023, confirms the council can currently demonstrate a 6.1 year supply of housing. This position is currently being updated due to the provisions within paragraph 77 and footnote 42 of the NPPF however the Standard Method Calculation for local housing need is 525 dwellings per annum as of 1st April 2024 and the Local Plan requirement is 663 dwellings per annum. The 'tilted balance' is therefore not engaged in relation to 5YHLS.

5.7 Local Plan Policy GP3 states that the council will support redevelopment of previously developed land where proposals are consistent with the policies of the local plan. Policy GP3 states that particular consideration will be given to “the impact on existing services if an intensification of the land is proposed”. Policy GP3 is considered out of date as it is inconsistent with the NPPF in that it supports the change of use of buildings in rural areas to residential use even where they are not redundant or disused. This is more liberal than NPPF paragraph 84. However, this application site is within the urban area, not rural.

5.8 Local Plan Policy ED1: Protection of Rugby’s Employment Land states “*All land currently or last used for employment purposes will be protected where a site continues to make a viable contribution to economic development within the Borough. However, in order to ensure land used for economic development continues to provide jobs in the local economy, where a site is proven to be no longer viable for employment uses, a proposal for change of use to a non B-use class may be considered acceptable.*”. The definition of “employment land” in Policy ED1 covers all uses that were at the time classified as B uses. This includes offices which were B1(a) uses and are now Class E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

5.9 Policy ED1 identifies six tests that will be applied in “order to demonstrate to a sufficient level that market signals indicate that there is no reasonable prospect of the site being used for employment purposes and/or that an alternative land use would support sustainable local communities. The six tests are:

- *Whether the site is allocated or designated for employment land. Such sites will be given greater protection.*
- *Whether there is an adequate supply of employment sites of sufficient quality in the locality to cater for a range of business requirements. This would involve an assessment of vacant units or land currently being marketed.*
- *Whether the site is capable of being serviced by a catchment population of sufficient size. This may include consideration of whether there is a suitable balance between population and employment in the relevant area settlement, what the impact of employment loss on commuting patterns might be and whether there would be a detrimental impact on the local economy from loss of the employment land. This will be particularly relevant in rural locations.*
- *Whether there is evidence of active marketing. For allocated or designated sites evidence of active marketing should be submitted. This should be for a continuous period of 24 months and should be through a commercial agent with local or sub-regional practice connected to Rugby Borough, at a price that genuinely reflects the market value in relation to use, condition, quality and location of the floor space. A professional valuation of the asking price and/or rent will be required to confirm that this is reasonable.*
- *Whether redevelopment of the site for employment use could be brought forward, taking account of site characteristics (including physical factors, accessibility and neighbouring uses). If employment redevelopment is not viable, whether mixed use redevelopment could be brought forward. It must be demonstrated that consideration has been given to alternative layouts and business uses, including smaller premises with short term flexible leases appropriate for SMEs.*
- *Whether firms are likely to be displaced through redevelopment, whether there is a supply of alternative suitable accommodation in the locality to help support local businesses and jobs and whether this would promote or hinder sustainable communities and travel patterns.”*

5.10 In applying these tests:

- the site is not allocated or designated for employment use.
- Evidence has been presented within the application on the supply of employment sites on 9th March 2023. The latest Authority Monitoring Report shows the Local Plan requirement for

additional employment land is on track to be met, but this comprises principally industrial and distribution land rather than offices. The recently published Coventry and Warwickshire Housing and Economic Development Needs Assessment (HEDNA) records low vacancy for offices within the borough. The HEDNA also provides evidence of significant future need for office space in the borough in the period 2021-2041.

- As the site is located adjacent to the railway station, it is a good location for an office and has access to a wide catchment workforce. The building is partly occupied so its closure is unlikely to impact commuting patterns and the impact of its closure on the local economy would be limited.
- Marketing evidence is only required for allocated or designated sites, so this requirement is not applicable. Notwithstanding that, the applicant states that Drake Commercial were instructed to market the property, as either a single unit, entire floors or smaller units (depending upon the current level of occupancy) from 2014 until 2020 without success.
- The applicant states that refurbishment to make the space more attractive to tenants would not be viable as the costs of the works would not be recoverable in higher rents. No viability evidence is presented to back up this assertion. The HEDNA notes that speculative office development in the borough is unlikely to be viable without a pre-let or cross subsidy from residential in a mixed-use development, due to low office rents. Mixed-use residential/office development could be explored and isn't mentioned in the applicant's material.
- There would be no displacement of existing firms as the design and access statement indicates that building is currently largely unoccupied and the applicant states "The Applicant's (Stepnell) who currently occupy part of the ground floor of Myson House have their head offices located along Lawford Road, Rugby, it is intended therefore that their use of the site will be relocated to their other local premises.". The design and access statement refers to a gradual diminution of occupier demand accelerated by the Covid 19 pandemic.

5.11 The evidence presented does not demonstrate that the site is no longer viable for employment use as required by Policy ED1 as it has not shown that mixed-use development would be unviable.

5.12 However there are a number of other material considerations to consider when assessing the proposal:

- Under Class O to Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) there would be deemed planning permission to change to residential use, subject to a requirement for prior approval.
- The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 to create Class E (Commercial, Business and Service) which incorporates the former Class B(a) use class together with retail, sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises, financial, professional and other services uses and various other uses into the same use class. By operation of s55(2)(f) of the Town and Country Planning Act 1990 a change of use within the same use class i.e. to another Class E uses would not constitute development.
- As a building last in Class E use, Myson House will benefit from Class MA (commercial, business and service uses to dwellinghouses) permitted development to change to residential use.
- The Rugby Regeneration Strategy supports development of a residential neighbourhood in this area.

5.13 Additionally Paragraph 127 of the Framework states "*Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently*

developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- (a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and”*

Although Rugby Borough can demonstrate a five-year housing supply the application location is within an area of high housing demand. Myson House redevelopment would not undermine a key economic sector. In relation to land not allocated for employment use in the Local Plan, Policy ED1 is more restrictive than Paragraph 127 of the Framework and so this Policy is regarded as being out of date and less weight should be put on any conflict with the policy.

5.14 On consideration of the details outlined above the principle of residential development in this location and the re-use of previously developed land would be in accordance with the development plan. Whereas the loss of the existing office use would conflict with Policy ED1 as the employment use has not been demonstrated as no longer viable. However, it is considered any conflict is outweighed by other material considerations. Following the assessment of the application the planning balance will conclude if the ‘tilted’ balance is engaged in relation to the ‘most important policies to determine the application being out-of-date’ as set out in paragraph 11(d) of the NPPF.

6.0 Character and Design

6.1 Policy SDC1 of the Local Plan states that development should 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. All developments should aim to add to the overall quality of the areas in which they are situated.

6.2 Section 12 of the Framework states that planning policies and decisions should ensure that developments add to the overall quality of the area, not just for the short term but over the lifetime of the development and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

6.3 As this is an outline application with all matters reserved, the comprehensive design of the proposals cannot be assessed at this stage. In terms of the scale of development, it is considered that the site is of sufficient size to accommodate a residential development based on the information submitted.

6.4 Indicative floorplans have been submitted with the proposal. While these are not being considered for approval or refusal as part of this application the officer notes that the room sizes indicated on the plans are smaller than national space standards and when considered at reserved matters stage it will be assessed if these sizes are acceptable for affordable housing provision and an adequate standard of living for future occupiers of all units.

6.5 This application is therefore considered to be in accordance Section 12 of the Framework and Policy SDC1 of the Local Plan as far as is relevant to the development proposal.

7.0 Ecological Considerations

7.1 Section 15 of the Framework states that the planning system:

- should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

7.2 Policy NE1 of the Local Plan states that The Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity.

Habitat

7.3 Warwickshire County Council Ecological Services department have provided detailed ecological comments regarding the proposal. A Preliminary Ecological Appraisal (PEA) prepared by Phlorum Limited and dated August 2022 was submitted to support the application. A Phase 1 habitat map included in the document shows buildings, hardstanding, amenity grassland, ruderal vegetation, introduced shrub, trees, intact and defunct hedgerows and continuous scrub habitats within the site.

7.4 WCC Ecology recommend that loss of existing vegetation is avoided retained as far as possible, especially the young trees and intact hedge, which could be enhanced through appropriate management and reach maturity. Although they appreciate space appears to be limited, they also recommend the introduction of additional native species planting in line with Framework. Enhancements for bats, birds and hedgehogs should be included in the scheme. Bat and bird boxes can be incorporated into the building. By preference they would recommend that bat and bird boxes are integrated into the fabric of buildings as they are more robust, reduce the risk of being removed and do not require maintenance. Specialist units are available to suit many types of facing materials, including brick and render so the boxes can be almost invisible or used as an architectural feature. Areas to the edges of the site could be left untidy to retain natural shelter for hedgehogs. These recommendations can be secured via **condition (20)** subject to the granting of any approval.

Protected Species

7.5 Constraints for nesting birds and hedgehogs were identified. A bat note is recommended as the building has negligible potential to support bat roosts. As roof areas of tall buildings such as that proposed for demolition a nest bird timings/supervision option **condition (18)** would be attached to any approval. A general trench note is also proposed in relation to potential hedgehogs as the report identifies low potential for hedgehog presence across the site, but they are recorded nearby.

7.6 It is therefore considered that this proposal will not have an adverse impact on biodiversity. This application is considered in accordance with Policy NE1 and Section 15 of the Framework.

8 Impact on Highway Safety

8.1 Policy D1 seeks to ensure that transport impacts will be mitigated and that safe and convenient access to the site can be achieved. Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities, based on the Borough Council's Standards.

Parking provision

8.2 As this is an outline application with all matters reserved, layout of the proposal is not being considered at this stage. At the Reserved Matters Stage, it is considered that it would be

possible to achieve a layout that has adequate car parking to confirm with policy D2. Exact parking levels should conform with the Parking Standards contained within Annex 5 of the Local Plan as well as minimum cycle parking. The application site is located within the 'High Access Zone' and 1-2 bed apartments are required to provide 0.75 spaces per unit. As such the proposed indicative number of units would require the provision of 90 parking spaces on site. The applicant proposes to provide a total of 112 car park spaces, which is in excess of that required by the Adopted Local Plan and equates to a ratio of 0.93 parking spaces per unit.

8.3 Concern was raised that residents of the proposed development may have a vehicle and not secure an allocated parking space with potential for overspill parking onto the adjacent adopted highway. The impact of any overspill if it were to occur most likely to be experienced in zones already covered by existing parking Traffic Regulation Order restrictions. Myson House is within TRO R1. To address these concerns subject to the granting of any approval a **condition (25)** to secure an On-Street Parking Monitoring Plan to establish the existing situation and undertake further survey(s) so that if overspill parking does occur this can be addressed via consultation and revision to Resident Parking TRO(s) as necessary.

8.4 WCC Highway Authority had provided an initial objection to the proposal however following the submission of revised details and undertaking further survey work they removed their objection and provided **conditions (11-13)** subject to the granting of any approval.

Highway Safety

8.5 In relation to extra traffic within the ward and the impact on highway safety WCC Highway Authority has to consider both the anticipated vehicle traffic generation of the proposed development and that of the existing (consented) operational use on the site, i.e., the net change in traffic attributable to the proposed development. The assessment indicated that the proposed development is expected to result in a net reduction in vehicle trips generated by the site in comparison with the existing permitted use as summarised in the table below.

Period	Vehicle Trips		
	Existing permitted use	Proposed Development	Difference (proposed-existing)
Daily (06:00 - 19:00)	441	261	-180
AM Peak Hour (08:00 - 09:00)	55	28	-27
PM Peak Hour (17:00 - 18:00)	53	33	-20

8.6 Similarly, in respect of public transport, active travel and other transport modes the proposed development is forecast to result in a net reduction in trips as summarised in the table below.

Modes	Daily Person Trips		
	Existing permitted use	Proposed Development	Difference (proposed-existing)
Walk	180	106	-74
Cycle	27	16	-11
Train	26	16	-10
Bus	26	16	-10
Taxi	4	2	-2
Motorcycle	7	4	-3
Passenger in Car/Van	63	37	-26
TOTALS	333	197	-136

8.7 WCC Highway Authority’s Transport Planning Team reviewed the applicant’s assessment of the site access junction and concluded that:

“...This shows, as before that the delay and queuing at the junction is minimal and the junction continues to operate with no impacts on capacity. I have no further concerns about this.”

8.8 In respect of highway safety WCC Highway Authority noted that the proposed development would generate less traffic than the currently permitted use. WCC Highway Authority also considered the applicant’s assessment of the recorded safety record on the highway network in the vicinity of the site, analysing the personal injury accident (PIA) data for the period 01/05/2017 – 16/05/2022. This indicated that that there had been no recorded PIA’s within the immediate vicinity of the site and no accident clusters.

8.9 Following a request by WCC Highway Authority the applicant undertook an additional Automatic Traffic Count on Wood Street adjacent to the site for a seven day period in March 2023. The survey identified 85th percentile traffic speeds of c. 18 miles/hr, which is below the 20 miles/hr posted speed limit. The survey indicated traffic flows of c. 3,130 vehicles per day (c. 270 during the AM Peak and c. 285 during the PM peak), of which c. 9% were HGV’s. Based on the assessment of the submitted data WCC Highway Authority considers that the development proposals will not have a negative impact on highway safety.

Damage to Network

8.10 Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. This is addressed in the proposed **informative 19** subject to the granting of any approval.

Public Transport

8.11 In relation to the matter regarding infrastructure for bus routes and cycle routes to be added around the development WCC Highway Authority outlined that Rugby railway station is located circa 250m walk from the proposed development, whilst the nearest bus stops are circa 260m walk. The nearest bus stops are currently served by c. 2 buses/hr service providing a link with Rugby town centre and other connecting bus and coach services. Existing pedestrian footways link the site with the station and bus stops, and the town centre.

8.12 The Warwickshire Local Cycling and Walking Infrastructure Plan indicates that the proposed development site lies within Rugby’s proposed “Core Walking Zone,” Wood Street and the section of Railway Terrace between its junctions with Albert Street and Murray Road/Mill Road form part of the town’s existing on-road cycle routes. In addition, Wood Street and the section of

Railway Terrace between the site and Murray Road/Mill Road also form part of National Cycle Network Route 41, using the well-established 20miles/hr zone around Rugby railway station. Rugby railway station is currently provided with c 135 cycle parking spaces and two Cycle Hubs with bike repair facilities and secure storage for a further 200 bikes. The Warwickshire Local Cycling and Walking Infrastructure Plan does not as yet include proposals to improve infrastructure for pedestrians or cyclists along Railway Terrace and Wood Street in the vicinity of the proposed development. As discussed later in the report other contributions relating to infrastructure were sought however as they are not considered to meet the required tests and cannot be imposed on the development.

9.0 Open Space, Sport Facilities and Recreation

9.1 Policy HS4 of the Local Plan seeks to ensure that residential development of 10 dwellings and above, shall provide or contribute towards the attainment of the Council's open space standards. Off-site contributions to open space, sport and recreation are necessary as part of this scheme. The contribution, together with the details of the relevant projects can be secured via a S106 contribution. The contribution will be calculated by formula as the contribution will be linked to the reserved matters detailing. It is considered that the proposal conforms with policy HS4.

9.2 Contribution secured by S106 agreement would link to Caldecott Park and Millennium Green and Great Central Way.

10.0 Archaeology

10.1 Section 16 of the Framework and Policy SDC3 of the Local Plan sets out that new development should seek to conserve and enhance the historic environment.

10.2 WCC Archaeology has undertaken a detailed assessment for this application and have concluded that it is unlikely to have a significant archaeological impact and therefore have no archaeological comments to make on this application. As a result, the proposal complies with the Framework and Policy SDC3.

11.0 Flooding

11.1 When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- o Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- o Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

11.2 Whilst the application site is located within Flood Zone 1 which has a low probability of flooding as the application constitutes major development the Warwickshire County Council (Flood Risk Management) team have been consulted on the application.

11.3 Warwickshire County Council (Flood Risk Management) initially objected to the application on the grounds that insufficient information has been submitted relating to surface water drainage.

The additional information was submitted with the application and re-consultation was carried out accordingly. It has been confirmed from Warwickshire County Council (Flood Risk Management) that they have no objections subject to **conditions (17 and 18)**.

12.0 Housing

12.1 The proposed development will boost the supply of housing and will contribute to the Council's five year housing supply. Policy H1 states that new residential development should contribute to the overall mix of housing in the locality, taking into account the current need, particularly for older people and first time buyers, current demand and existing housing stock.

12.2 The Council will consider an alternative mix in the following circumstances where it is clearly demonstrated how the delivery of a mix which has regard to the SHMA, or relevant update, is compromised:

- Where the shape and size of the site justifies the delivery of a mix of housing; or
- The location of the site, for example sustainable and very accessible sites within or close to Rugby town centre or the train station; or
- Sites with severe development constraints where the housing mix may impact on viability, where demonstrated through submission of viability appraisal; or
- Where a mix of housing would compromise the ability of the development to meet a specifically identified affordable or specialist housing need; or
- Conversions, where the characteristics of the existing building prohibit a mix to be delivered; or
- Where market factors demonstrate an alternative mix would better meet local demand.

12.3 The location of the site in proximity to the town centre and train station is a consideration in the mix of units provided at the proposal.

12.4 As layout is not being considered at this stage, the exact housing mix has not been established. An indicative housing mix of 1 and 2 bedroom apartments has been shown which is considered appropriate for the very accessible site close to the train station and town centre.

13.0 Affordable Housing

13.1 Policy H2 of the Local Plan states affordable housing should be provided on all sites of at least 0.36 hectares in size or capable of accommodating 11 (net) dwelling units or more (including conversions and subdivisions). On previously developed sites a target affordable housing provision of 20% will be sought.

13.2 It was anticipated that suitable clauses could be inserted into a Section 106 agreement to comply with policy H2 and secure permanent affordable housing at 20%. This matter is further discussed in terms of viability later in the report.

14.0 Residential Amenity

14.1 Policy SDC1 of the Local Plan sets out that proposals for new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded.

14.2 As the application is in outline form and layout is not being considered at this stage. It is considered that a scheme within the developable area is capable of being provided to ensure that the impact in relation to light, privacy and amenity would be acceptable.

14.3 RBC Environmental Health have recommended a noise **condition (15)**. It is therefore considered that a scheme could be designed that would not have a detrimental impact on residential amenity or noise, in accordance with policy SDC1.

15.0 Air Quality

15.1 Policy HS5 requires that development of more than 1000 sqm of floorspace or 10 or more dwellings must achieve or exceed air quality neutral standards. If air quality neutral standards are not met, points 2, 3 and 4 of the policy detail how developments should address the impacts of poor air quality, including mitigation measures.

15.2 The Local Plan defines Air Quality Neutral as “emissions from the development proposal being no worse, if not better, than those associated with the previous use.”

15.3 It is recognised that the current proposal triggers the threshold of a Major development and as such policy HS5 is relevant. The proposal introduces new boilers to each unit.

15.4 Within the context of point 1 of the policy, the development is not considered to be air quality neutral and in addition requires an Air Quality Assessment. An Air Quality Assessment has been submitted with the application and assessed by RBC Environmental Health. The report is accepted subject to additional air quality neutral/mitigation works with regard to Policy HS5 are undertaken.

15.5 A **condition (14)** requiring the reserved matters to incorporate measures to improve air quality to control on-site emissions, including the use of ultralow emission boilers (<40 mg/NOx/kWh) or technological equivalent. This includes measures such as the electric heating/photovoltaics or air/ground source heat pumps, cycle parking, electric vehicle charging, landscaping, and/or green walls and roofs.

15.6 The proposed development in relation to passing the Clean Air Act was raised as a concern. The provisions of the Clean Air Act 1993 that are still in place are summarised generally as relating to:

Prohibition of dark smoke from chimneys.

Prohibition of dark smoke from industrial or trade premises.

Meaning of “dark smoke”. ...

Requirement that new furnaces shall be so far as practicable smokeless. ...

Emission of grit and dust from furnaces. ...

Arrestment plant for new non-domestic furnaces.

Smoke control areas

Control of certain form of air pollution including sulphur content of fuel and cable burning

Special cases such as railway engines and vessels

15.7 RBC Environmental Health do not have comments that relate specifically to the Clean Air Act 1993. Change as per The Environment Act 2021 is addressed through air quality targets, the Air Quality Action Plan and Air Quality supplementary planning guidance.

15.8 As a result, subject to a suitably worded condition, Environmental Health raise no objection to the scheme subject to **condition (16)** and informative which relate to air quality matters. As a result, it is considered that the scheme is therefore policy compliant with HS5.

16.0 Sustainable Buildings

16.1 Policy SDC4 requires all new buildings meet the Building Regulations requirement of 100 litres of water/person/day unless it can be demonstrated that it is financially unviable. A **condition (9)** would be applied to the granting of any permission to comply with this requirement.

16.2 In line with the Climate Change and Sustainable Design and Construction SPD a **condition (26)** would be applied to the granting of any permission to require the submission of an energy statement. In general terms, the energy statement will require details of the equipment and technology to be incorporated to achieve carbon emissions and reductions.

17.0 Broadband

17.1 Policy SDC9 of the Local Plan sets out the need for new developments to facilitate and contribute towards the provision of broadband infrastructure.

17.2 A **condition (6)** is included in the attached draft report to ensure the provision of broadband. As a result, the proposal complies with policy SDC9.

18.0 Fire and Rescue

18.1 Warwickshire Fire and Rescue have suggested an informative associated with compliance with Building Regulations which is included in the draft decision **informative 7**. With the detailed design reserved at this stage the informative is considered necessary for Fire and Rescue safety reasons.

19.0 Trees

19.1 A Tree Report relating to Demolition and Construction has been submitted for consideration with the proposal. An Arboricultural Impact Assessment, Method Statement and Tree Protection Plan is provided.

19.2 The proposal identifies 7 trees and 1 hedge for removal to facilitate the development. Trees and hedging proposed for removal are generally of low quality with limited long term value. However, collectively they do offer a degree of amenity/biodiversity value, therefore it is important that a landscape strip is retained adjacent to Railway Terrace and new tree/hedge planting incorporated to mitigate the losses and to enhance the scheme using appropriate species that will add value to the surrounding urban landscape and development.

19.3 RBC Arboricultural Officer has no objection subject to the provision of a detailed landscaping plan and a finalised Arboricultural Method Statement for the protection of retained trees during the development phase. These **conditions (22 and 23)** are included in the draft decision notice subject to the granting of any approval.

20.0 Planning Obligations and Viability Assessment

20.1 Paragraphs 54, 56 and 57 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.

20.2 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.

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. Each is considered below if these requests meet the necessary tests and are therefore CIL compliant.

20.3 *Open Space*

Policy D4 of the Local Plan Policy along with the Planning Obligations SPD states that the type, amount and phasing of contributions sought from developers will be necessary to make the development acceptable, directly related, and fairly and reasonably related in scale to the development proposed. Policy HS4 states that residential development of 10 dwellings and above shall provide or contribute towards the attainment of the Council's open space standards.

The SPD on Planning Obligations states that an off-site contribution is required, subject to negotiation with the Council, in this instance a contribution is required towards the costs of the open space provision. It has been confirmed that the contribution would be used to provide the following:

Caldecott and Millennium Green for play/young people and general parks and amenity space. Caldecott specifically for 'parks and gardens' and for any sports contributions
Great Central Way for any natural and semi-natural.

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

20.4 *Libraries*

Warwickshire County Council seeks a financial contribution to improve, enhance and extend the facilities or services of a specified library service point where local housing development will mean an expected increase in numbers of people using those facilities. This may include purchase of additional stock, targeted collections, additional seating/study spaces or related facilities, improved family facilities and targeted promotions to inform new residents of services available to them. In this instance the contribution would support Rugby Library. The level of contribution is currently estimated until the housing make up is confirmed at reserved matters.

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

20.5 *Education*

Warwickshire County Council expects to secure financial contributions towards education provision as a result of this development. The County Council does not seek education contributions in respect of one-bedroom properties and therefore dependent on the final housing make up only larger relevant units will be considered for calculating education contributions. The contributions will be used to deliver additional or enhance existing facilities and provision. The site falls within the Rugby North Central Primary Planning Area. The funding would cover early years, primary and secondary education.

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

20.6 *Public Transport*

Warwickshire County Council requested contributions to maintain the bus service at appropriate times from the closest bus stops (Murray Road) to the employment areas of Rugby Gateway and Castle Mound Way, and to Elliot's Field Shopping Area. This request is not considered to meet the necessary tests and therefore is not CIL compliant and will not be included in the Heads of Terms.

Warwickshire County Council also requested contributions for provision of Real Time Information at the pair of bus stops on Murray Road near the junction with Railway Terrace. This did not form part of the IDP linked to the Local Plan. This request is not considered to meet the necessary tests and therefore is not CIL compliant and will not be included in the Heads of Terms.

20.7 *Sustainable Transport*

Warwickshire County Council is keen to promote sustainable travel and requests that either the Developer contributes £10 per dwelling towards the cost of the provision of such information, or that they provide it under a planning condition as part of their new dwelling welcome information. This has been included **Condition (21)** in the draft decision.

20.8 *Road Safety*

Warwickshire County Council sought a contribution to support road safety initiatives within the community associated with the development. No details could be provided how the funds will be spent. This request is not considered to meet the necessary tests and therefore is not CIL compliant and will not be included in the Heads of Terms.

20.9 *Health*

NHS Coventry and Warwickshire Integrated Care Board in order to support the additional growth anticipated from the proposed housing development requests contributions for which may be by way of a new build facility or improvement works which will be for the primary care and healthcare estate within the area of the planned development which includes Market Quarter Medical Practice and Beech Tree Medical Practice.

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

20.10 *Affordable Housing*

20% of final unit numbers decided at reserved matters stage in line with the requirements of Policy HS2 of the Local Plan.

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

Heads of Terms

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

Obligations	Requirement	Trigger
Affordable Housing	20% of total units	Upon first occupation of the development
Open Space	Formula based on final housing mix approved	Upon first occupation of the development
WCC Libraries	£1,510 approx. The level of contribution is currently	Upon first occupation of the development

	estimated on the housing make up as detailed in the planning application.	
WCC Education	To secure education provision £796,695 approx	Upon first occupation of the development
WCC Monitoring Fee	To contribute towards the cost to the County of monitoring the implementation and compliance with the legal agreement. Based on 120 units £500 + (5 hours x £40 Officer time x Number of triggers)	Due upon signing of the agreement
NHS Integrated Care Board	To facilitate primary care £42,105 approx.	Upon first occupation of the development
Rugby Borough Council-Monitoring contribution	To contribute towards the cost to the Council of monitoring the implementation and compliance with the legal agreement (£590 per relevant obligation)	Upon first occupation of the development

20.12 Figures included in the table above may be subject to change to reflect the final housing number and mix when approved at reserved matters stage.

20.13 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.

20.14 If the committee resolves to approve the proposal, this will be subject to the completion of an agreement by way of a section 106.

20.15 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.

Viability

20.16 In terms of the above requests for financial contributions Policies H2 and D4 refer to the impact on the financial viability of the development being a consideration.

20.17 This reflects paragraph 58 of the NPPF which states it is for the applicant to demonstrate the need for a viability assessment at the application stage and this assessment would need to be submitted.

20.18 A viability assessment has been produced and submitted by the applicant. This has been independently assessed on behalf of the Council and sensitivity assessed. It has been determined through this process that any financial contributions including the provision of affordable housing would make the scheme unviable.

20.19 The applicant has provided the reasoning below as to how they intend to deliver the scheme given the outcome of the appraisals:

“The outcome of the Council’s review of the Applicant’s Viability Assessment has shown that using industry standard assumptions, tolerances, contingencies and costs, that the development proposed is unable to provide affordable housing or infrastructure contributions as requested by the Council. The Viability Assessment shows that when delivering an industry standard 20% developer’s profit (as is usually required to accommodate developer risk) the scheme does not provide a viable development.

In this instance, the Applicant has been unable to fully let Myson House for commercial purposes for over 10 years as there is very little demand for such sizeable commercial floorspaces. The building is unsuitable for conversion due to the presence of High Alumina Cement (HAC) (which suffers from degradation and gradual strength loss) and neither can it be easily sub-divided into smaller commercial spaces. Even if the building was suitable for conversion or sub-division, there is still little demand in Rugby for this type of lower grade/dated residential or commercial accommodation. The surrounding area is now largely residential and the Applicant is willing to take a higher risk (i.e. a reduced developer’s profit and hope for increased sales values) that changing the use of the site to residential will provide an appropriate use for the site rather than the existing building standing largely vacant and underused.”

20.20 The scheme has been assessed as unviable meeting the full level of affordable housing sought by Local Plan Policy H2. The scheme is also shown as unviable without any on-site affordable housing contributions. This is despite favourable adjustments to the build costs and Benchmark Land Value.

20.21 Sensitivity analysis demonstrating the impact of variable build costs and sales values on the scheme’s viability based on a policy-compliant scenario has also been carried out. With significant increases in sales values and decreases in construction costs, a policy compliant scheme becomes viable. Conversely, if values were to decrease by 24% and costs were to increase by the same amount, the deficit would be further exacerbated.

20.22 It is therefore considered, on balance, that to provide affordable housing or s106 contributions would unduly threaten the viability of the scheme and therefore the delivery of the proposal based on the assessments provided. As detailed above existing and emerging policies and the NPPF allow for viability to be taken into consideration when considering requirements for contributions and affordable housing.

20.23 However it is considered that a Section 106 agreement should still be entered into regarding the development with a review mechanism installed that considers the scheme’s actual sales values achieved and incurred costs. This will allow the Council to benefit from any significant uplifts in viability resulting from any cost engineering or improvements to the sales market by the time the units come to the market.

20.24 It is therefore considered, on balance, that the s106 requirements can be removed in this case subject to the review mechanism and the proposals will comply with the NPPF and relevant policies.

21.0 Community Infrastructure Levy

21.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.

21.2 As the proposals include residential apartments in the urban area the charging schedule has a rate of nil.

22.0 Planning Balance and Conclusion

22.1 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.

22.2 Policy GP2 is considered to be up to date in relation to settlement boundaries due to the Council being able to demonstrate a 5YHLS, passing the Housing Delivery Test and the fact that the local housing need, as set out by the standard method can be delivered within the current spatial strategy as set out within the Local Plan. In relation to the basket of policies most important for determining this application it is therefore concluded that in this instance the basket of policies is not out of date and therefore the 'tilted' balance in paragraph 11(d) of the Framework does not apply. Therefore, the decision should be made in accordance with the development plan.

22.3 The proposal is in generally in accordance (some of subject to conditions/contributions) with the Local Plan. Where there are conflicts with policies these have been outlined above in the report. There is a conflict identified with Policy ED1 but this is given limited weight. The potential that the development would result in receipt of none of the requested Section 106 contributions is also a detriment of the scheme. Weighed against this is the Government's commitment to significantly boosting the supply of housing through the Framework.

22.4 The Framework 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 Framework at paragraph 7 identifies the three dimensions to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advise that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is important to identify any further benefits.

22.5 From an economic perspective the proposed new residential units would result in money being invested in construction on the site, employment relating to construction jobs over the build period, new household spending in the Borough, a contribution to the viability of local retail uses, 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. This has been balanced against the loss of the office units at the site. New Homes Bonus generated by the development (approximately £151,680 but will depend on final unit numbers and Council Tax bands) would contribute significantly to the Borough. Such factors

would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the proposal. As such, the proposed development would satisfy the economic role of sustainable development.

22.6 From a social perspective the proposed development, would make a positive contribution towards housing needs within the Borough. As such, the proposed development would satisfy the social role of sustainable development. Providing future residents with the ability to access services, open space and recreational areas and facilities by means other than the private car.

22.7 From an environmental perspective any potential adverse impacts of the proposed development have been considered and can be mitigated through conditions while providing residential units at the most sustainable location in the Borough.

22.8 Therefore, the development of the site would result in social and economic benefits as well as 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.

22.0 Recommendation

- 1 Planning application R22/1035 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 a further viability review of the site at a point in time when the development has been substantially progressed and, if viable, secure the necessary financial contributions and/or planning obligations as indicatively outlined in the 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 Chair) 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:
R22/1035

DATE APPLICATION VALID:
27-Sep-2022

APPLICANT:

Jim Smith, Stepnells Ltd Stepnells Ltd, Myson House, Railway Terrace, Warwickshire, Rugby, CV21 3HT

AGENT:

Helen Lowe, Stansgate Planning The Coutyard Timothy's Bridge Road Stratford-Upon-Avon CV37 9NP

ADDRESS OF DEVELOPMENT:

MYSON HOUSE, RAILWAY TERRACE, RUGBY, CV21 3LS

APPLICATION DESCRIPTION:

Outline planning application with all matters reserved for demolition of six storey office block and construction of 2no. six storey apartment blocks with associated external works and landscaping

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

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

REASON

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

CONDITION 2:

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

REASON:

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

CONDITION 3:

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

- a - Layout,
- b - Scale,
- c - Appearance,
- d - Access
- e - Landscaping

REASON:

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

CONDITION 4:

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

- Application form received by the Local Planning Authority on 27th September 2022
- Site location Plan Dwg No. 2821-HBA-DR-A-P01 received by the Local Planning Authority on 27th September 2022
- Air Quality Assessment by NoiseAir Report Ref: P5540-R2-V2 Issue Date 26th August 2022 Version 2 received by the Local Planning Authority on 27th September 2022
- Preliminary Ecological Appraisal August 2022 by phlorum received by the Local Planning Authority on 27th September 2022
- Additional Ecology letter from phlorum dated 6th December 2022 received by the Local Planning Authority on 7th December 2022
- LLFA Response Cover Letter dated 06.12.2022 received by the Local Planning Authority on 7th December 2022
- Drainage Strategy Report Revision B, Document Reference HSP2022-C3812-C&S-TR-859, December 2022 received by the Local Planning Authority on 7th December 2022
- Flood Risk Assessment, Document Reference HSP2022-C3812-C&S-FRAS1-784, July 2022 received by the Local Planning Authority on 27th September 2022
- Phase I Geo-Environmental Desk Study Report Myson House July 2022 HSP2022-C3812-G-GPI-751 by HSP Consulting Engineers Ltd received by the Local Planning Authority on 27th September 2022
- Noise Impact Assessment Report by NoiseAir Report Ref: P5540-R2-V2 Issue Date 7th August 2022 Version 2 received by the Local Planning Authority on 27th September 2022
- Refuse Vehicle Tracking Dwg No. C3812-HSP-00-00-DR-C-900 received by the Local Planning Authority on 10th May 2023
- Transport Assessment C3812-Myson House, Rugby July 2022 by HSP Consulting Engineers Ltd received by the Local Planning Authority on 27th September 2022
- Transport Assessment C3812-Myson House, Rugby July 2022 by HSP Consulting Engineers Ltd Appendices received by the Local Planning Authority on 7th November 2022
- Transport Technical Note for Planning Application R22/1035 24th March 2023 by HSP Consulting Engineers Ltd Appendices received by the Local Planning Authority on 28th March 2023
- BS5837 Tree Report by Bawden Tree Care 4th August 2022 Revision 1 received by the Local Planning Authority on 27th September 2022

REASON:

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

CONDITION 5:

The details required to be submitted in accordance with Condition 3 above shall include full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 6:

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

REASON:

To provide broadband connectivity for future occupiers.

CONDITION 7:

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

REASON:

In the interest of visual amenity.

CONDITION 8:

Full details of the siting, 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 any apartment and remain in perpetuity.

REASON:

In the interest of visual and residential amenity.

CONDITION 9:

The apartments 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 10:

No above ground development of the car parking areas shall commence until full details of electric vehicle charging points, including the location, make and model, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other in accordance with the approved details. The electric vehicle charging points shall be permanently retained and made available for the charging of vehicles.

REASON:

To encourage the use of electric vehicles in the interest of sustainability, to reduce air pollution and in the interests of visual amenity.

CONDITION 11:

Access for refuse collection vehicles to the site shall not be made or maintained from any public highway other than D3209 Railway Terrace.

REASON:

In the interests of highway safety.

CONDITION 12:

The development shall not be occupied until space has been provided within the site for the parking and manoeuvring of vehicles in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON:

In the interest of highway safety.

CONDITION 13:

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

- (i) The control of noise and vibration emissions from demolition and construction activities including groundworks and the formation of infrastructure as well as arrangements to monitor noise emissions from the development site during the demolition and construction phase;
 - (ii) The control of dust including arrangements to monitor dust emissions from the development site during the demolition and construction phase;
 - (iii) The parking of vehicles of site operatives and visitors during the demolition/construction phase; &
 - (iv) Measures to prevent deleterious material being carried onto the highway network
- Development shall not be carried out other than in accordance with the approved demolition and construction management plan.

REASON:

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

CONDITION 14:

No above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet the air quality mitigation requirements of policy HS5 has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

REASON:

In the interests of air quality.

CONDITION 15:

Prior to above ground works commencing, a scheme detailing the type of glazing and passive ventilation or mechanical ventilation to be incorporated within the development shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be in accordance with the recommendations of the 'NoiseAir Air Quality Assessment Myson House, Railway Terrace, Rugby, CV21 3HT report ref: P5540-R2-V2 issue 26th August 2022 document status Version 2'. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

REASON:

In the interests of air quality.

CONDITION 16:

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (a) to (d) below have been complied with. 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 (d) below has been complied with in relation to that contamination.

(a) An investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme 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. The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, existing or proposed property and buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with UK Government and the Environment Agency's Land Contamination Risk Management (LCRM) 8th October 2020.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment 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.

(c) 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.

(d) 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 the requirements of condition (a) and 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 (c).

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, 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 17:

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and the approved Drainage Strategy (Report Revision B, Document Reference HSP2022-C3812-C&S-TR-859, dated December 2022) has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

1. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the 50% betterment runoff rate of 59.2l/s for the site in line with the approved Drainage Strategy (Report Revision B, Document Reference HSP2022-C3812-C&S-TR-859, dated December 2022).
2. As the drainage scheme proposes to connect into the Severn Trent Water public sewer, further information should be provided regarding the right to connect. This should consist of proof of an initial Developer Enquiry supporting proposals, which at the discharge of conditions stage, should progress to approval for indirect connection under Section 106 of the Water Industry Act (1991).
3. As stated within the Drainage Strategy (Report Revision B, Document Reference HSP2022-C3812-C&S-TR-859, dated December 2022), undertake a CCTV survey of the existing drainage network on site, providing the results of such. Results of the survey should also include details on any remedial works or areas of the existing drainage network to be utilised which may require replacing.
4. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
 - a. This includes further exploration and inclusion of permeable paving as stated within the Drainage Strategy (Report Revision B, Document Reference HSP2022-C3812-C&S-TR-859, dated December 2022). Small source control features such as rain gardens and tree pits should also be considered where there are proposed green areas on site, ensuring appropriate water quality mitigation is provided.
5. Provide detail drawings including cross sections, of proposed features such as attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
6. Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
 - a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
 - c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
7. Provide exceedance and overland flow routing plans that are supported by topography and levels of the site. Such overland flow routing should:

- a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
- b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
- c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

REASON:

To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.

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 Local Lead 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 life time 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

The approved maintenance plan shall be followed in perpetuity.

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 19:

The development hereby permitted shall either:

1. Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
2. Not commence until a qualified ecologist has been appointed by the applicant to inspect the building/vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by ecologist.

Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub.

Nesting birds are protected under the 1981 Wildlife and Countryside Act.

REASON:

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

CONDITION 20:

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the Local Planning Authority (with advice from WCC Ecological Services). The scheme must include all aspects of landscaping including details of any habitat creation. The development shall be carried out and subsequently managed in accordance with the scheme so approved.

REASON:
In accordance with NPPF.

CONDITION 21:

No apartment shall be occupied until a sustainable travel pack has first been provided within that apartment for the occupiers.

REASON:
In the interest of sustainability.

CONDITION 22:

A final specification of all proposed tree planting must be submitted and approved in writing by the Local Planning Authority. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 10 years from the date of planting of any tree/shrub/hedge that tree/shrub/hedge, or any tree/shrub/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations. The development shall not be carried out other than in accordance with the approved details.

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

CONDITION 23:

No works, demolition or development shall take place until a final 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 protected from damage during the construction phase.

CONDITION 24:

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

REASON:

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

CONDITION 25:

No apartment shall be occupied until an On-Street Parking Monitoring Plan (OSPMP) has been submitted to and approved in writing by the Local Planning Authority. The OSPMP shall set out a process for monitoring and surveying existing on-street parking levels in the area of Traffic Regulation Order R1. It shall then set out a process for monitoring and surveying on-street parking levels in the area of Traffic Regulation Order R1 at defined intervals following the first apartment being occupied. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure there is sufficient parking provision for existing occupiers in the area of Traffic Regulation Order R1 and in the interests of highway safety and traffic flows.

CONDITION 26:

Prior to any above ground development an Energy Statement to demonstrate compliance with the sustainable policies of the Local Plan shall be submitted and approved in writing by the Local Planning Authority. The Energy Statement will require details of the equipment and technology to be incorporated to achieve carbon emission reductions. The following list is not exhaustive, however it is recommended that the following information is included:

- Energy efficiency of the building fabric
- Predicted annual carbon emissions of the development
- The contribution of each proposed renewable energy technology
- Feasibility of district or community heating
- Summary of the benefits of various low energy technologies
- The total estimated reduction in the development's baseline carbon emissions and/or energy demand.

A non-technical summary should be included outlining the conclusions of the statement. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the details of the development are acceptable and complies with Local Plan Policy SDC4.

INFORMATIVE 1:

Prior to any demolition, redevelopment or refurbishment works taking place an appropriate Asbestos Survey should be undertaken by an asbestos licensed/authorised company/person and any recommendations implemented. For pre-demolition assessment the asbestos survey is fully intrusive and will involve a destructive inspection, as necessary, to gain access to all areas. Where presence of asbestos is suspected the Health and Safety Executive (HSE) and Environment Agency must be notified and special waste regulations complied with; asbestos removal activities fall under the remit of the HSE.

INFORMATIVE 2:

If the proposed development is to incorporate piling in the foundation detail, the developer is to consult with Rugby Council Commercial Regulation Team to obtain guidance. This will reduce the chance of enforcement action should an unsuitable method of piling be chosen which causes nuisance by way of noise and/or vibration. Continuous Flight Auger or other methods shall be prioritised for use over driven piling methods.

INFORMATIVE 3:

This development will be subject to separate enforcement regimes including, but not limited to, the Housing Act 2004, building regulations and Council's Standards of Amenity. Advice should be sought from Housing Enforcement on (01788) 533857 prior to any work commencing.

INFORMATIVE 4:

The applicant / occupiers should consult with RBC waste services team regarding waste collection proposals for the proposed development.

INFORMATIVE 5:

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 6:

The applicant is encouraged to incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development. Initiatives could include the installation of an ultra-low emission boiler (<40mg/kWh), increased tree planting/landscaping, solar thermal panels, and the incorporation of electric vehicle charging points on any car parking. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:

https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute towards improving air quality.

Further information can be obtained from Environmental Health on 01788 533857 or email ept@rugby.gov.uk

INFORMATIVE 7:

The applicant/developer is advised that the development will need to comply with Approved Document B, Volume 2, Section B5 - Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc regarding this can be found at: www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning Where compliance cannot be met, the applicant/developer will need to provide details of alternative measures intended to be put in place. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18, Access for Emergency Vehicles. In addition, Warwickshire Fire and Rescue Authority fully endorse and support the fitting of sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

INFORMATIVE 8:

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE 9:

This planning permission is subject to pre-commencement conditions which require details/drawings to be submitted to and approved in writing by the Local Planning Authority before ANY development may lawfully commence. Any development commenced in breach of these pre-commencement conditions will be unauthorised, a breach of planning control, and liable to immediate Enforcement and Stop Notice action.

INFORMATIVE 10:

This development is subject to a s106 legal agreement.

INFORMATIVE 11:

As outlined within the condition, the strategy should be treated as a minimum at this stage of the design. Further consideration should be given during the next stage of the design to incorporate additional, localised source control SuDS such as green roofs, rain-gardens and tree pits as part of a 'SuDS management train' approach to provide water quality, amenity and bio-diversity benefits and increase the resilience within the design.

At the 'discharge of condition' stage proposals for surface water drainage should be approaching a level of detail suitable for tender or construction. Documentation should show the drainage scheme including SuDS features, specific details (e.g. standard details or cross sections) and demonstrate the performance and of the system through calculations and exceedance management respectively. Such scheme should be in line with the original planning application/permission and where significant changes are made, justification should be provided.

INFORMATIVE 12:

Particular care should be taken when clearing ground prior to development, and if evidence of badger, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptiles/loughs or badgers, snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136.

Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed a protected species.

INFORMATIVE 13:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife

and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) making them a European Protected Species. It is a criminal offence to disturb, obstruct or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0208 261089. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 02080 261089 for advice on the best way to proceed.

INFORMATIVE 14:

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 15:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

INFORMATIVE 16:

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 17:

The development is in close proximity to existing commercial /industrial operations, as well as the railway line and roads. It will be subject to reasonable disturbance from noise, dust, odour, vibration and light associated with the activities. Such activities may extend into the night time period, particularly any repair works on the railway line.

INFORMATIVE 18:

Prior to commencement of development, the applicant is required enter into an agreement with the Highway Authority under Section 59 of the Highways Act 1980. Prior to works taking place on site and following completion of the development, a joint survey shall be undertaken with the County's Locality Officer to agree the condition of the public highway. Should the public highway be damaged or affected as a consequence of the works being undertaken during the development of the site, the developer will be required to undertake work to remediate this damage as agreed with the Locality Officer.

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 01 July 2024 to 21 August 2024
Name of Committee:	Planning Committee
Date of Meeting:	11 September 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 - 11 September 2024

Delegated Decisions - 01 July 2024 to 21 August 2024

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee
Date of Meeting: 11 September 2024
Subject Matter: Delegated Decisions - 01 July 2024 to 21 August 2024
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

Delegated

8 Weeks Advert

Applications Approved

R24/0467 8 Weeks Advert Approval 12/07/2024	THE PADDOX, 360 HILLMORTON ROAD, RUGBY, CV22 5EY	Advertisement consent for installation of illuminated and non- illuminated signs.
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R24/0586 8 Weeks Advert Approval 12/08/2024	34, NORTH STREET, RUGBY, CV21 2AJ	Installation of 1 no. illuminated fascia sign and 1 no. illuminated hanging sign.
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R24/0099 8 Weeks Advert Approval 20/08/2024	College Of Policing, LEAMINGTON ROAD, RYTON- ON-DUNSMORE, COVENTRY, CV8 3EN	Planning consent for banners, flags and two non-illuminated logos across College of Policing Site
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8 Weeks PA Applications

Applications Refused

R23/1274 8 Weeks PA Refusal 25/07/2024	150B, Railway Terrace, Rugby, Warwickshire, CV21 3HN	Construction of 8 no. flats including parking and amenity space
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Delegated

8 Weeks PA Applications

Applications Refused

HIGH LODGE, LUTTERWORTH
ROAD, WOLVEY, HINCKLEY,
LE10 3HW

R24/0476
8 Weeks PA
Refusal
06/08/2024

Proposed conversion of existing
storage roof space to office and
side extension to form extended
garage with store over.

R23/0924
8 Weeks PA
Refusal
09/08/2024

SHELFORD, 52, HINCKLEY
ROAD, WOLVEY, HINCKLEY,
LE10 3HQ

Two storey rear and single storey
rear extension

R24/0477
8 Weeks PA
Refusal
16/08/2024

OAKDENE, RUGBY ROAD,
BRETford, RUGBY, CV23 0LB

Proposed Change of Use from
Residential Annexe to Short
Term Holiday Let (Retrospective)

Applications Approved

R24/0217
8 Weeks PA
Approval
01/07/2024

10, Hawkins Close, Rugby,
Warwickshire, CV22 6TH

Rear single storey extension.

R24/0270
8 Weeks PA
Approval
03/07/2024

38, The Green, Dunchurch,
Rugby, CV22 6NX

Proposal for the replacement of
existing steel framed single
glazed windows with Heritage
style uPVC windows.

Delegated

8 Weeks PA Applications Applications Approved

R24/0313 8 Weeks PA Approval 03/07/2024	6 , Firs Drive, Bilton, Rugby, Warwickshire, CV22 7AQ	Proposed Side Extension
R24/0481 8 Weeks PA Approval 03/07/2024	27, ELSEE ROAD, RUGBY, RUGBY, CV21 3BA	Demolition of existing sun room and erection of a single storey rear extension
R24/0363 8 Weeks PA Approval 04/07/2024	APPLEBY, PUDDING BAG LANE, THURLASTON, RUGBY, CV23 9JZ	TWO STOREY FRONT EXTENSION.
R24/0450 8 Weeks PA Approval 05/07/2024	Parkfield Business Park, Rugby Western Relief Road, Rugby, Warwickshire, CV21 1QJ	Variation of conditions 2 and 9 attached to approved application R23/0454. This variation proposes a new roof design, alterations to the exterior of the building and a revised vehicular access into the yard and parking area.
R24/0452 8 Weeks PA Approval 08/07/2024	LINGMELL, 32, ORSON LEYS, RUGBY, RUGBY, CV22 5RF	PROPOSED SECOND STOREY FRONT AND REAR EXTENSIONS, SINGLE STOREY FRONT AND REAR

Delegated

8 Weeks PA Applications Applications Approved

EXTENSIONS TO DWELLING.

R24/0303
8 Weeks PA
Approval
09/07/2024

191 193, Railway Terrace,
Rugby, Warwickshire, CV21 3HW

Retrospective application for
single storey front extension.

R24/0352
8 Weeks PA
Approval
09/07/2024

197, Lower Hillmorton Road,
Rugby, Warwickshire, CV21 3TR

Single storey rear extension.

R24/0403
8 Weeks PA
Approval
09/07/2024

FLECKNOE FARM STUD AND
LIVERY, FLECKNOE VILLAGE
ROAD, FLECKNOE, RUGBY,
CV23 8AU

Variation of condition 2 from
approved application R21/0573
which restricts the approved
development from commencing
until the equine business ceases
use from the site and all
equipment associated with that
existing Equine business is
removed from the site.

R24/0333
8 Weeks PA
Approval
10/07/2024

BRIDGE FARM, DRAYCOTE
ROAD, DRAYCOTE, RUGBY,
CV23 9RB

Construction of a Timber Car Port
Building

Front porch extension & single

Delegated

8 Weeks PA Applications Applications Approved

R24/0393 8 Weeks PA Approval 10/07/2024	Goose Lodge, Goose Lodge, Watling Street, Clifton upon Dunsmore, Rugby, CV23 0AQ	storey side infill extension.
R23/0669 8 Weeks PA Approval 11/07/2024	TOFT COTTAGE FARM, SOUTHAM ROAD, DUNCHURCH, RUGBY, CV23 8AD	Conversion of existing agriculture buildings to 9 holiday lets and change of use of agriculture field to camp site for up to 25 tents, associated access works and parking area.
R23/1239 8 Weeks PA Approval 11/07/2024	33, Langton Road, Rugby, Warwickshire, CV21 3UA	Side and Rear Single and Two Storey Extension
R24/0262 8 Weeks PA Approval 11/07/2024	29, Langton Road, Rugby, Warwickshire, CV21 3UA	Partial demolition of side south elevation and two storey rear extension
R24/0389 8 Weeks PA Approval 11/07/2024	67, Manor Road, Rugby, Warwickshire, CV21 2TQ	Variation of condition 2 (Plans) of R23/0503 - Extension to and conversion of outbuilding to create a new dwelling.

Delegated

8 Weeks PA Applications Applications Approved

R23/0812 8 Weeks PA Approval 12/07/2024	RUGBY BUSINESS CENTRE, 21-23, CLIFTON ROAD, RUGBY, CV21 3PY	Vertical extension of building in order to construct 6 flats
R24/0275 8 Weeks PA Approval 12/07/2024	2830, Half Moon, Lawford Road, Rugby, CV21 2DY	Partial demolition (at ground floor rear), external alterations and conversion of ground floor from public house to 2 x Class E units with parking.
R24/0484 8 Weeks PA Approval 12/07/2024	10, Hart Close, Rugby, CV21 3TP	Erection of a single storey rear and side extension.
R24/0448 8 Weeks PA Approval 16/07/2024	250 , Hillmorton Road, Rugby, Warwickshire, CV22 5BQ	single storey side extension and internal alterations to the building.
R24/0520 8 Weeks PA Approval 17/07/2024	225, HILLMORTON ROAD, RUGBY, RUGBY, CV22 5BA	Single storey rear extension

Delegated

8 Weeks PA Applications Applications Approved

R24/0392 8 Weeks PA Approval 18/07/2024	8, Packwood Avenue, Rugby, CV21 4BZ	Single storey rear extension.
R24/0442 8 Weeks PA Approval 18/07/2024	16 , Boscage Road, Binley Woods, Warwickshire, CV3 2WJ	Conversion of existing detached garage to study.
R24/0502 8 Weeks PA Approval 18/07/2024	Martry Fields Barn, FLECKNOE ROAD, BROADWELL, Rugby, CV23 8HS	Proposed extension of dwelling to provide an additional bedroom
R24/0136 8 Weeks PA Approval 19/07/2024	BRICKHILL COTTAGES, 111, COVENTRY ROAD, RUGBY, CV22 7RY	Removal of Condition 6 (Road Safety Audit) of R23/0521 (Erection of 1 No. detached dwelling, car port and associated works)
R24/0287 8 Weeks PA Approval 19/07/2024	62, Lawford Road, Rugby, CV21 2ED	VARIATION OF CONDITION 2 (PLANS) IMPOSED ON PERMISSION REFERENCE R23/0794 FOR PROPOSED CONVERSION OF EXISTING SHOP AND DWELLING TO A 13 BED HOUSE OF MULTIPLE

Delegated

8 Weeks PA Applications Applications Approved

OCCUPATION, WITH ASSOCIATED BIN AND CYCLE STORE, REAR EXTENSIONS, NEW WALL TO THE FRONT BOUNDARY AND DORMER WINDOWS TO REAR ROOF SLOPE, APPROVED 9/11/2023

R24/0444
8 Weeks PA
Approval
19/07/2024

330, NEWBOLD ROAD, RUGBY,
CV21 1EG

Variation of condition 2 attached to approved application R21/0149. This variation proposes an increase in roof massing by providing an overhang feature.

R24/0378
8 Weeks PA
Approval
22/07/2024

35, Long Furlong, Rugby, CV22
5QT

Ground floor and first floor rear extensions. Change to front door and window.

R24/0433
8 Weeks PA
Approval
22/07/2024

7, Beverly Close, Rugby,
Warwickshire, CV23 1BL

Single storey rear extension.

R24/0486
8 Weeks PA
Approval
22/07/2024

PAILTON RADIO STATION,
MONTILO LANE, PAILTON,
CV23 0HD

IMPROVEMENTS TO 3 NO. EXISTING VEHICULAR ACCESSES ONTO MONTILO LANE.

Delegated

8 Weeks PA Applications Applications Approved

IVY HOUSE, CHURCH STREET,
CHURCHOVER, RUGBY, CV23
0EW

R24/0319
8 Weeks PA
Approval
24/07/2024

Subdivision of existing dwelling to
form 2 separate 3 bedroom
dwellings including external
alterations and addition of porch
to side.

R24/0429
8 Weeks PA
Approval
25/07/2024

197, Townsend Lane, Long
Lawford, Rugby, CV23 9DE

Retrospective permission for
installation of 1.3m high front
garden fence

R24/0114
8 Weeks PA
Approval
26/07/2024

140, ASHLAWN ROAD, RUGBY,
CV22 5EP

Single storey rear, second storey
front extensions and remodelling
of dwelling.

R24/0291
8 Weeks PA
Approval
26/07/2024

63, School Street, Long Lawford,
Rugby, Warwickshire, CV23 9AT

Single storey front and side
extensions.

R24/0350
8 Weeks PA
Approval
26/07/2024

S/O 74 WHEATFIELD ROAD,
BILTON, RUGBY, CV22 7LL

Proposed First Floor and Single
Storey Side Extensions.

Delegated

8 Weeks PA Applications Applications Approved

281, LAWFORD ROAD, RUGBY,
CV21 2JU

R24/0067
8 Weeks PA
Approval
29/07/2024

Proposed new entrance canopy with access ramp, single storey rear extension, rear access ramp and internal refurbishment of the office building with new windows and doors and with additional external car parking, EV spaces, a new bicycle shelter and bin store.

R24/0364
8 Weeks PA
Approval
29/07/2024

MANOR FARM, COVENTRY
ROAD, PAILTON, RUGBY, CV23
0QA

Portal frame extension to existing agricultural building.

R24/0376
8 Weeks PA
Approval
30/07/2024

23, Lower Street, Rugby, CV21
4NP

Single storey rear extension and detached garage in rear garden.

R24/0482
8 Weeks PA
Approval
30/07/2024

36, LEAMINGTON ROAD,
RYTON-ON-DUNSMORE,
COVENTRY, CV8 3FN

Proposed single storey rear extension.

R24/0043
8 Weeks PA

70a OXFORD STREET, RUGBY,
CV21 3NE

Erection of 2 no. 2-bedroom semi-detached dwellings (C3)

Delegated

8 Weeks PA Applications Applications Approved

Approval
01/08/2024

R24/0154
8 Weeks PA
Approval
01/08/2024

33, BROWNSOVER LANE,
RUGBY, CV21 1HY

PROPOSED OUTLINE
PLANNING PERMISSION FOR
A 3 BEDROOM BUNGALOW

R24/0492
8 Weeks PA
Approval
01/08/2024

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

Proposed ground floor side
extensions

R24/0543
8 Weeks PA
Approval
01/08/2024

31, Hillmorton Road, Rugby,
CV22 5AB

Proposed single storey side and
rear extension to dwelling.

R24/0514
8 Weeks PA
Approval
02/08/2024

47A, Claremont Road, Rugby,
CV21 3NA

CONVERSION OF A 6
BEDROOM HMO (C4) INTO 7
BEDROOM HMO (SUI GENERIS)
RETROSPECTIVE.

R24/0386
8 Weeks PA
Approval
06/08/2024

SHELFORD FARM, HINCKLEY
ROAD, BURTON HASTINGS,
NUNEATON, CV11 6RD

Erection of detached garage

Delegated

8 Weeks PA Applications Applications Approved

6A, ROMAN WAY, RUGBY,
CV21 1DB

R24/0264
8 Weeks PA
Approval
07/08/2024

Retrospective - Biomass Boiler installed on the inside of the building, with flue exiting the roof and connected to external plant for recycling of sawdust. Purpose is for the combustion of by product (sawdust) to be used as a sustainable energy source to heat building.

R24/0609
8 Weeks PA
Approval
08/08/2024

NEWBOLD RIVERSIDE
PRIMARY SCHOOL, NEWBOLD
ROAD, RUGBY, CV21 1EH

Variation of condition 2 (Plans) of R23/0720 (Installation of an Air Source Heat Pump) to revise location of heat pump

R23/0869
8 Weeks PA
Approval
09/08/2024

GLEBE FARM INDUSTRIAL
ESTATE, TIBER WAY, RUGBY,
CV21 1ED

VEHICLE INSPECTION UNIT &
BOUNDARY FENCING
(RETROSPECTIVE)

R24/0218
8 Weeks PA
Approval
09/08/2024

ORCHARD BUNGALOW, MAIN
STREET, BROADWELL,
RUGBY, CV23 8HB

Rear extension, loft conversion with front and rear dormers. Front and side porches and rear oak framed canopy.

26, WHITTLE CLOSE, RUGBY,
CV22 6JR

Demolition of existing
Conservatory. Construction of

Delegated

8 Weeks PA Applications Applications Approved

R24/0531
8 Weeks PA
Approval
09/08/2024

extension to rear

R24/0613
8 Weeks PA
Approval
09/08/2024

HOME FARM, MAIN STREET,
BRANDON, COVENTRY, CV8
3HW

Variation of Condition 2 -
provision of a secure electronic
sliding gate - relating to R21/0794
(Appeal Ref:
APP/E3715/W/22/3290513 and
R23/0843) - Proposed new
dwelling and garage, detached
garage, and formation of a new
highway access.

R24/0134
8 Weeks PA
Approval
13/08/2024

ST OSWALDS CHURCH,
LAWFORD ROAD, RUGBY,
CV21 2HR

Proposed installation of air
source heat pumps and
replacement windows

R24/0553
8 Weeks PA
Approval
13/08/2024

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

Replacement of existing roof with
addition of side dormers a rear
gable roof enlargement.

R22/1160
8 Weeks PA
Approval

28, PERCIVAL ROAD, RUGBY,
CV22 5JT

first floor side extension

Delegated

8 Weeks PA Applications

Applications Approved

14/08/2024

R24/0652
8 Weeks PA
Approval
14/08/2024

Elliots Field Shopping Park,
LEICESTER ROAD, RUGBY

Variation of condition(s) 2 -
Plans, 4 - Landscaping and 12 -
Parking - attached to R22/0286 -
Erection of a drive-thru retail unit
(flexible Class E(b) / Sui Generis
Use) and associated alterations
to the car park

R24/0551
8 Weeks PA
Approval
15/08/2024

PERI LIMITED, MARKET
HARBOROUGH ROAD,
NEWTON, RUGBY, CV23 0AN

Erection of Two demountable
structures on existing
hardstanding.

R24/0539
8 Weeks PA
Approval
20/08/2024

THE COTTAGE, VICARAGE
LANE, DUNCHURCH, RUGBY,
CV22 6QP.

Change of materials to existing
detached garage.

R24/0463
8 Weeks PA
Approval
21/08/2024

355, AUTUMN FARM,
EASENHALL ROAD,
HARBOROUGH MAGNA,
RUGBY, CV23 0HX

Application to remove/vary
conditions 2- plan schedule, 3-
materials, 4- window and doors
specifications, 5- boundary
treatments, 6- bin and cycle
stores, 11-drainage & 17- land
contamination from application
R23/0211.

Delegated

8 Weeks PA Applications Applications Approved

LITTLE FOLD, CHURCH WALK,
RUGBY, CV22 7NA

R24/0493
8 Weeks PA
Approval
21/08/2024

PROPOSED FRONT AND SIDE
EXTENSIONS TO DWELLING.
INCREASE IN ROOF HEIGHT
TO CREATE A ROOM IN THE
ROOF WITH DORMER
WINDOWS. REMODELLING OF
EXISTING BUNGALOW WITH
NEW EXTERNAL FINISH.
INCREASE IN DROP KERB AND
ACCESS WIDTH FOR
PARKING.

R24/0554
8 Weeks PA
Approval
21/08/2024

24, SKIPWITH CLOSE,
BRINKLOW, RUGBY, CV23
0NW

Demolition of existing
conservatory and erection of
single storey kitchen extension,

R24/0640
8 Weeks PA
Approval
21/08/2024

42, LAWFORD ROAD, RUGBY,
CV21 2DY

Internal alterations to provide
living room for existing 5-bed
HMO

R24/0666
8 Weeks PA
Approval
21/08/2024

7, NAYLER CLOSE, RUGBY,
CV21 1XG

Retrospective application for
garden building to be used for
storage shed and garden office
whilst working from home

Delegated

Certificate of Lawfulness Applications

Applications Refused

R24/0536
Certificate of
Lawfulness
Refusal
01/08/2024

The Paddock, Newnham Lane,
Brinklow, Rugby, CV23 0ND

Certificate of Lawfulness for
proposed garage conversion and
rear extensions.

R24/0301
Certificate of
Lawfulness
Refusal
13/08/2024

LAND ADJACENT TO 11,
WATLING CRESCENT,
NEWTON

Certificate of Lawfulness
(Existing use) - Use for the
stationing of a caravan/mobile
home for residential purposes all
year round.

Applications Approved

R24/0237
Certificate of
Lawfulness
Approval
12/07/2024

PRINCETHORPE COLLEGE,
LEAMINGTON ROAD,
PRINCETHORPE, RUGBY,
CV23 9PX

Certificate of Lawfulness for the
existing use of part of the building
as residential accommodation
ancillary to the main use of the
school and chapel.

R24/0269
Certificate of
Lawfulness
Approval
17/07/2024

16, Rothley Drive, Rugby, CV21
1TS

Lawful Development Certificate
(Existing) - Single storey side
extension

R24/0314
Certificate of
Lawfulness

27, Birchwood Road, Binley
Woods, Coventry, CV3 2JH

Delegated

Certificate of Lawfulness Applications Applications Approved

Approval
17/07/2024

Loft conversion in line with requirements for Permitted Development. Porch in line with requirements for Permitted Development.

R24/0462
Certificate of
Lawfulness
Approval
05/08/2024

12, JUBILEE STREET, RUGBY,
RUGBY, CV21 2JJ

Lawful Development Certificate
(proposed) - change of use of
existing C3 dwellinghouse to a
maximum six occupant C4 house
in multiple occupation (HMO).

R24/0418
Certificate of
Lawfulness
Approval
06/08/2024

90, Winfield Street, Rugby,
Warwickshire, CV21 3SH

Lawful Development Certificate
(Proposed) - Change of use of
existing C3 dwellinghouse to a
maximum six occupant C4 HMO,
erection of a rear dormer and
other external alterations.

R24/0419
Certificate of
Lawfulness
Approval
06/08/2024

30, Rowland Street, Rugby,
Warwickshire, CV21 2BN

Lawful Development Certificate
(Proposed) - Change of use of
existing C3 dwellinghouse to a
maximum six occupant C4 HMO,
erection of a rear dormer and
other external alterations.

53, Lawford Road, Rugby,

Delegated

Certificate of Lawfulness Applications Applications Approved

Warwickshire, CV21 2EB

R24/0569
Certificate of
Lawfulness
Approval
06/08/2024

Lawful Development Certificate
(Proposed) - Change of use from
a Class C3 (dwellinghouse) to a
Class C4 (house in multiple
occupation)

R24/0590
Certificate of
Lawfulness
Approval
06/08/2024

41 , Lodge Road, Rugby,
Warwickshire, CV21 2TF

Lawful Development Certificate
(Proposed) - change of use from
a Class C3 (dwellinghouse) to a
Class C4 (house in multiple
occupation)

R24/0591
Certificate of
Lawfulness
Approval
06/08/2024

117, BATH STREET, RUGBY,
CV21 3JA

Lawful Development Certificate
(Proposed) - Change of use from
a Class C3 (dwellinghouse) to a
Class C4 (house in multiple
occupation)

R24/0567
Certificate of
Lawfulness
Approval
13/08/2024

223, Rugby Road, Binley Woods,
Warwickshire, CV3 2BB

Certificate of lawfulness for
erection of proposed single
storey rear extension.

Conditions

Delegated

Conditions

Applications Approved

R24/0607 Conditions Approval 02/07/2024	Rainsbrook Crematorium And Cemetery, ASHLAWN ROAD, RUGBY, CV22 5QQ	Approval of details: Condition 29 - Human health risk assessment. relating to application - R11/0330 - Creation of a Cemetery and Crematorium facility.
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R24/0619 Conditions Approval 04/07/2024	SCHOOL HOUSE, MAIN STREET, FRANKTON, RUGBY, CV23 9NY	Approval of details in relation to condition 8- Materials attached to R23/0695.
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R24/0225 Conditions Approval 05/07/2024	Units 1B2 and 1B3, Ansty Park, Coventry, Coombe Fields Road, CV8 9JU	Application for the approval of details reserved by Condition 23 (Travel Plan) of planning permission ref. R21/1165
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R24/0524 Conditions Approval 05/07/2024	UNITS 5, 6 & 7 (ZONE D), LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON	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 D (Units 5, 6 & 7) of site covered by R23/0877 (Units 5 & 6) and R23/0397 (Unit 7).
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MANOR COTTAGE, DRAYCOTE
ROAD, DRAYCOTE, RUGBY,

Delegated

Conditions Applications Approved

CV23 9RB

R24/0368
Conditions
Approval
08/07/2024

Approval of details in relation to conditions 3 (Materials) and 11 (Tree Report) attached to Planning Permission ref: R23/0415 for Replacement Dwelling

R24/0601
Conditions
Approval
09/07/2024

RUGBY RADIO STATION,
WATLING STREET, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0AS

Approval of details in relation to condition 11a attached to R17/0022 - Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary schools; public art; green infrastructure including

Delegated

Conditions Applications Approved

formal and informal open space and amenity space; retention of existing hedgerows, areas of ridge and furrow and grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, and diversions as necessary); sustainable drainage systems including ponds, lakes and water courses; a link road connecting the development to Butlers Leap, estate roads and connections to the surrounding highway, cycleway and pedestrian network; ground remodelling; any necessary demolition and any ground works associated with the removal of any residual copper matting, with all matters reserved for future determination except the three highway junctions on the A428, the two junctions on the A5 and the link road junctions at Butlers Leap and Hillmorton Lane Variation of condition 5 attached to outline planning permission R11/0699 dated 21/05/2014 to cover minor material changes to the approved Parameter Plans and

Delegated

Conditions Applications Approved

Development Specification and deletion and/or amendment of conditions already discharged to reflect approvals already granted pursuant to the outline planning permission

R24/0434
Conditions
Approval
15/07/2024

Wago, Rugby Radio Station,
Watling Street, Clifton on
Dunsmore , Rugby, CV23 0AS

Approval of Conditions D (Sustainability Compliance) and E (Glazing) of R22/0380 (Erection of a commercial unit, comprising of offices (Use Class B1), assembly areas associated with light industry (Use Class B1), storage and distribution facilities (Use Class B8), and other ancillary requirements and associated works, including supporting infrastructure and other operational requirements, landscaping, re-profiling works, temporary stockpiling of materials, and temporary haul routes for construction purposes, (application for reserved matters approval (outside of a key phase) of appearance, landscape, layout and scale against outline planning permission (R17/0022 dated 28th June 2017).

BILTON GRANGE, RUGBY

Delegated

Conditions

Applications Approved

ROAD, DUNCHURCH, RUGBY,
CV22 6QU

R24/0453
Conditions
Approval
17/07/2024

Approval of Condition 3
(Schedule of Works) in part for
Medical Centre, of R22/1145.
(Listed Building Consent for the
erection of a two, three and four
storey boarding house to provide,
bed spaces for eighty pupils,
accommodation for five family
residential units and associated
ancillary spaces including
landscape within the grounds of
Bilton Grange Preparatory
School. Minor demolitions and
reconfiguration of internal spaces
to Grade II and Grade II* listed
school buildings to provide
additional classrooms and
educational facilities.)

R24/0542
Conditions
Approval
18/07/2024

PARK FARM, SPRING ROAD,
BARNACLE, COVENTRY, CV7
9LG

Approval of details in relation to
conditions 4, 5 and 6 attached to
R23/1264 - Proposed Enclosed
Slurry Store and Silage Feed
Clamp

R24/0550
Conditions
Approval
22/07/2024

Houlton School, Signal Drive,
Houlton, Rugby, Warwickshire,
CV23 1ED

Approval of Condition 1
(Materials) of R19/0868
(Approval of reserved matters - A
ccess, Appearance, Landscaping,
Layout and Scale. Application for

Delegated

Conditions Applications Approved

reserved matters approval (outside of a key phase) for the construction of a six form entry secondary / sixth form school within the Rugby Radio Station development (R17/0022): including the conversion of the existing C Station building and Water Tower, construction of two teaching blocks and sports block, service yard, sports pitches and multi-use games area, extension of the secondary road connecting to the Central Primary Street including an access spur into school grounds, internal vehicular, pedestrian and cycle access, minibus, coach, car and cycle parking and drop off area, school grounds hard and soft landscaping, lighting, signage and boundary treatments, northern Civic Square landscaping, any necessary drainage and utilities works, groundworks, demolition, construction compounds and general construction areas, together with the approval of condition 20 (part) (detailed Conservation Plan for C Station).)

Houlton School, Signal Drive,

Delegated

Conditions Applications Approved

Houlton, Rugby, Warwickshire,
CV23 1ED

R24/0589
Conditions
Approval
22/07/2024

Approval of Conditions 3
(Materials) and 5 (Minor
variations) of R19/0861 (Listed
Building consent for the
conversion of the Grade II listed
C Station building and Water
Tower into a school building and
external teaching space including
internal and external alterations)

R23/0203
Conditions
Approval
25/07/2024

WOLSTON ALLOTMENTS,
STRETTON ROAD, WOLSTON

Approval of details in relation to
Condition 8- materials of road
surfacing, condition 14-
Construction Management Plan,
Condition 16- drainage
maintenance, Condition 17- tree
protection plan, Condition 19-
LEMP, Condition 21- materials,
Condition 22- remediation of
R19/1411 (Development of up to
48 dwellings with associated
public open space, landscaping
and infrastructure.)

R24/0599
Conditions
Approval
29/07/2024

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

Approval of details in relation to
conditions 6 (access & parking)
and 8 (landscape and ecological
plan) attached to R23/0065 -
Proposed change of use of
agricultural land to residential for

Delegated

Conditions Applications Approved

new access track to dwelling,
approved 9/3/2023

R24/0658
Conditions
Approval
29/07/2024

57, Bridget Street, Rugby,
Warwickshire, CV21 2BT

Approval of details in relation to
condition 5 (Air Quality) of
R24/0014 - Change of use of
existing C3 dwellinghouse to an 8
bedroom Sui Generis HMO,
erection of a rear dormer and a
single storey rear extension

R24/0523
Conditions
Approval
31/07/2024

UNITS 5, 6 & 7 (ZONE D), LAND
NORTH OF COVENTRY ROAD,
COVENTRY ROAD,
THURLASTON

Details for condition 45: Fire
fighting of R16/2569 (Outline
application for Use Class B8
buildings with associated
infrastructure) in relation to Zone
D (Units 5, 6 & 7) of site covered
by R23/0877 (Units 5 & 6) and
R23/0397 (Unit 7).

R24/0529
Conditions
Approval
01/08/2024

1, ACADEMY DRIVE, RUGBY,
RUGBY, CV21 3UG

Approval of details in relation to
condition 5 attached to R23/1265
- Remove the existing canopy to
the front facade and replace it
with a porch.

R24/0541
Conditions
Approval

62, Lawford Road, Rugby, CV21
2ED

Delegated

Conditions

Applications Approved

06/08/2024

Approval of details in relation to conditions 8 and 9 attached to R23/0794 - PROPOSED CONVERSION OF EXISTING SHOP AND DWELLING TO A 13 BED HOUSE OF MULTIPLE OCCUPATION, WITH ASSOCIATED BIN AND CYCLE STORE, REAR EXTENSIONS, NEW WALL TO THE FRONT BOUNDARY AND DORMER WINDOWS TO REAR ROOF SLOPE

R24/0464
Conditions
Approval
08/08/2024

FOXLEY FARM, SOUTHAM
ROAD, KITES HARDWICK,
RUGBY, CV23 8AA

Approval of details in relation to conditions 2, 3, 4, 5, 6 attached to R23/1158 - Erection of 7 Oak framed Holiday Lodges, Communal BBQ area, Parking facilities and Access track

R24/0592
Conditions
Approval
08/08/2024

263A, RUGBY ROAD, BINLEY
WOODS, COVENTRY, CV3 2BB

Approval of details in relation to condition 7 (Noise Assessment report) attached to R23/1075 - Change of use from hair salon to a restaurant/hot food take-away (Sui Generis).

Cloudesley Bush Pumping

Delegated

Conditions

Applications Approved

Station, Mere Lane, Copston
Magna

R24/0358
Conditions
Approval
09/08/2024

Approval of details in relation to conditions 5 (Fences), 6 (Contamination), 7 (Access & Parking Details), 10 (Construction Environmental Management Plan) attached to R23/0786 - Residential conversion of existing water reservoir to create new dwelling.

R24/0635
Conditions
Approval
09/08/2024

1B3 (STAIRCRAFT),
PROSPERO ANSTY
(FORMERLY ROLLS-ROYCE),
ANSTY AERODROME, COMBE
FIELDS ROAD, COOMBE
FIELDS, COVENTRY, CV7 9JR

Condition 3 - Cycle parking of R23/0813 (Change of use of existing ancillary office floorspace (Unit 1B3) from Use Class B2/B8 to Use Class E(g)(i) and associated works)

R24/0522
Conditions
Approval
13/08/2024

THE PENNIES, DRAYCOTE
ROAD, DRAYCOTE, RUGBY,
CV23 9RB

Approval of details in relation to conditions 3 materials, 11 boundary treatments, 12 FFL and 13 drainage, attached to approved application R23/0015.

R22/0489
Conditions
Approval
19/08/2024

PARCEL D (MULBERRY
HOMES), KEY PHASE 3,
RUGBY RADIO STATION,
WATLING STREET, CLIFTON
UPON DUNSMORE, RUGBY,

Application for approval of Condition 18 (external level details) of R21/0873 (Parcel D, Key Phase 3) for the erection of 147 dwellings.

Delegated

Conditions Applications Approved

CV23 0AS

R24/0253
Conditions
Approval
19/08/2024

ASFARE BUSINESS PARK,
HINCKLEY ROAD, WOLVEY,
HINCKLEY, LE10 3JG

Approval of details in relation to condition 4 (Landscape and Ecological Management Plan) attached to R22/0737 - Retrospective application for the clearance and mound re-grading works to parking and service area

R24/0602
Conditions
Approval
19/08/2024

WAGO, Rugby Radio Station,
Watling Street, Clifton Upon
Dunsmore CV23 0AS

Approval of Conditions H (EV charging points) and K (Drainage) of R22/0380 (Erection of a commercial unit, comprising of offices (Use Class B1), assembly areas associated with light industry (Use Class B1), storage and distribution facilities (Use Class B8), and other ancillary requirements and associated works, including supporting infrastructure and other operational requirements, landscaping, re-profiling works, temporary stockpiling of materials, and temporary haul routes for construction purposes, (application for reserved matters approval (outside of a key phase) of appearance, landscape, layout and scale against outline planning permission (R17/0022

Delegated

Conditions Applications Approved

dated 28th June 2017))

R24/0525
Conditions
Approval
20/08/2024

NAVIGATION FARM,
LONGDOWN LANE,
WILLOUGHBY, RUGBY, CV23
8AG

Approval of details in relation of
condition 4 (Landscape and
Ecological Management Plan) of
R23/0913. Construction of an
Agricultural Building.

R24/0527
Conditions
Approval
20/08/2024

NAVIGATION FARM,
LONGDOWN LANE,
WILLOUGHBY, RUGBY, CV23
8AG

Approval of details in relation of
condition 4 (Landscape and
Ecological Management Plan) of
R23/0914. Construction of an
Agricultural Building.

R22/0735
Conditions
Approval
21/08/2024

GALLIFORD UK LIMITED
BUILDING A, WOLVEY
CAMPUS, LEICESTER ROAD,
WOLVEY, HINCKLEY, LE10 3JF

Approval of details related to
Condition 26 - Contamination -
R20/0968 - Outline application
with all matters reserved except
access for the demolition of
existing buildings and the
erection of residential dwellings
(Use Class C3),including the
retention and amendment of the
existing vehicular access off
Leicester Road and associated
infrastructure,public open space
and landscaping.

Delegated

Discharge of Conditions

R24/0327 Site Of Former Inwoods House,
Ashlawn Road, Dunchurch

15/07/2024

Approval of details:
Condition 3 - Materials
Condition 4 - Broadband
Condition 5 – Water Limit 110
Litres
Condition 6 - Electric vehicle
charging point
Condition 7 - Written Scheme of
Investigation (WSI)
(archaeological)
Condition 9 - Construction
Management Plan (EH)
Condition 10 – Contaminated
Land (EH)
Condition 11 - Construction
Environmental Management Plan
(Ecology)
Condition 12 - Landscape and
Ecological Management Plan
(Ecology)
Condition 13 - Bats and lighting
(Ecology)
Condition 14 - Arboricultural
method statement and tree
protection plan (Tree Officer)
Condition 15 - Tree planting
(Tree Officer)
Condition 16 – Bin and Cycle
Store
Condition 26 - Construction
Management Plan (Highways)
Condition 28 – Highway works
Condition 29 – Cycle way
Condition 32 – Parking and Cycle

Delegated

Discharge of Conditions

Storage (Highways)
Condition 35 – Parking
Condition 36 – Fire Service
Access
Condition 37 – Phasing Plan
- relating to application -
R23/0491 - Proposed
construction of 25 no. residential
dwellings.

Listed Building Consent Applications

Applications Approved

R24/0372 Bridge No.97, near
Listed Building Consent Wolfhampcote Hall
Approval
08/07/2024

Listed Building Consent for
Installation of timber fender to the
wet abutment of bridge No.97

R24/0465 25, Crown Hotel Public House,
Listed Building Consent Market Place, Rugby, CV21 3DU
Approval
19/07/2024

Part-retrospective Listed Building
Consent for alterations to
backfitting, new doors and
screen, new floor finishes

Major Applications

Applications Approved

R23/1210

Delegated

Major Applications

Applications Approved

Major Application
Approval
22/07/2024

LAND WEST OF
GRANDBOROUGH ROAD,
GRANDBOROUGH, RUGBY,
CV23 8DB

Change of use of agricultural land
to secure dog walking field,
access track, parking area and
associated boundary fencing and
gates

R23/0047
Major Application
Approval
24/07/2024

LAND AT NORTH OF, HYDES
LANE, STRETTON
BASKERVILLE

Proposed development for
construction and operation of a
battery storage facility and
associated infrastructure on land
at Hydes Lane, Hinckley.

Prior Approval Applications

Prior Approval Applications

R24/0344
Prior Approval
Extension
Approval
08/07/2024

10, BARLEY CLOSE, RUGBY,
CV21 4HA

Prior Notification for Single storey
rear extension, replacing existing
conservatory.

R24/0435
Prior Approval change
of use
Required and Approved
09/07/2024

1 - 2 ST. MATTHEWS STREET,
RUGBY, CV21 3BY

Prior approval for change of use
of first and second floors from
offices to 2 No residential units
(Class MA).

Delegated

Prior Approval Applications

Prior Approval Applications

R24/0632 Agriculture Prior Approval Not Required 10/07/2024	NEW FARM, MARTON ROAD, BIRDINGBURY, RUGBY, CV23 8EJ	Agricultural Prior Approval for the erection of an agricultural storage building.
R24/0437 Prior Approval change of use Required and Approved 15/07/2024	22A, REGENT STREET, RUGBY, CV21 2PY	Prior approval change of use of first and second floors to 4no. flats.
R24/0469 Prior Approval change of use Required and Approved 19/07/2024	9, LAWFORD ROAD, RUGBY, CV21 2DZ	Prior Approval: Change of use – commercial/business/service to dwellinghouses under Schedule 2, Part 3, Class MA Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
R24/0633 Agriculture Prior Approval Not Required 19/07/2024	GROUNDS FARM, WOLSTON LANE, WOLSTON, COVENTRY, CV8 3FQ	Agricultural Prior Approval for the erection of an agricultural building - grain store.

Delegated

Prior Approval Applications

Prior Approval Applications

38 Benn Street, Rugby, CV22
5LR

R24/0548
Prior Approval
Extension
Not Required
25/07/2024

Prior approval for a single storey rear extension, measuring 6m to the rear, 3m high and 3m height to eaves.

R24/0603
Prior Approval
Extension
Not Required
25/07/2024

40, BENN STREET, RUGBY,
CV22 5LR

Prior Approval for single storey rear extension measuring 6m from rear, 3m in height and 3m height at the eaves.

R24/0300
Prior Approval change
of use
Required and Approved
30/07/2024

WALDINGS FARM,
BARBY LANE,
HILLMORTON,
RUGBY,
CV22 5QJ

Prior approval change of use of agricultural building and land within its curtilage to 3no. dwellinghouses and associated works.

R24/0500
Prior Approval
Extension
Not Required
02/08/2024

16, RICHMOND ROAD, RUGBY,
CV21 3AB

Prior Approval for single storey rear extension measuring rear depth 5m, maximum height 4m, height to eaves 3m.

18, SQUIRES ROAD,
STRETTON-ON-DUNSMORE,
RUGBY, CV23 9HF

Prior approval for a single storey rear extension measuring 3.49m in height, 2.5m height to the

Delegated

Prior Approval Applications

Prior Approval Applications

R24/0623
Prior Approval
Extension
Not Required
08/08/2024

eaves and 5.35m to rear.

R24/0587
Prior Approval change
of use
Required and Refused
16/08/2024

FIELD VIEW, BACK LANE,
HARBOROUGH MAGNA,
RUGBY, CV23 0HT

Prior Approval under Class Q (a)
and (c) change of use for
conversion of 2 No. Agricultural
Buildings to 3 No. Dwellings with
associated building operations

Withdrawn Applications

Applications Withdrawn

R23/1237
8 Weeks PA
Withdrawn by
Applicant/Agent
19/07/2024

69, CHURCH STREET, RUGBY,
CV21 3PT

Change of use from storage
facility to 3-bedroom HMO.