



2 November 2020

PLANNING COMMITTEE - 11 NOVEMBER 2020

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 11 November 2020 via Microsoft Teams.

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

Mannie Ketley
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 4 November 2020.
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. Planning Appeals Update.
7. Delegated Decisions – 24 September – 21 October 2020.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

Membership of the Committee:

Councillors Miss Lawrence (Chairman), Mrs Brown, Brown, Butlin, Cranham, Eccleson, Mrs Garcia, Gillias, Picker, Roodhouse, Sandison and Srivastava.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail claire.waleczek@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 November 2020

Report of the Head of Growth and Investment

Applications for Consideration

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

- Applications recommended for refusal with the reason(s) for refusal (pink pages on the printed version of the agenda)
- Applications recommended for approval with suggested conditions (yellow pages on the printed version of the agenda)

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R17/1767	Land at north of Squires Road, Squires Road, Stretton-on-Dunsmore, Outline application with all matters reserved, aside from access into the site, for residential development.	3
2	R20/0543	71 Temple Street, Rugby, CV21 3TB Change of use of existing building from a storage facility to provide office space (B1(a) use class) to include increased roof height, first floor side extension and various external alterations.	39

Reference: R17/1767

Site Address: LAND AT NORTH OF SQUIRES ROAD, SQUIRES ROAD, STRETTON-ON-DUNSMORE.

Description: Outline application with all matters reserved, aside from access into the site, for residential development

Case Officer Name & Number: Maxine Simmons, 01788 533697

Recommendation

1. Planning application R17/1767 be granted subject to:
 - a. The conditions and informatives set out in the draft decision notice appended to this report;
 - b. The completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.

2. The Head of Growth and Investment (in consultation with the Planning Committee Charmain) 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 head of terms within this report.

1.0 Background

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

2.0 Description of Proposals

- 2.1 This application seeks permission for residential development with all matters reserved apart from access. The proposal originally sought permission for up to 67 houses, with an indicative layout. It was subsequently amended to 60 houses with a revised indicative layout. The indicative layouts have now been withdrawn together with the overall number of dwellings. At present, the scheme is for outline with all matters reserved apart from access, with no units specified, with a Landscape Strategy Plan only.

3.0 Description of Site

- 3.1 The site is a 2.2-hectare site, situated on land to the north of Squires Road, within Stretton-on- Dunsmore which is around 9.7km from the centre of Rugby and 9.8km from the centre of Coventry (as the crow flies). Facilities within the village include a shop, primary school, village hall, doctors, two public houses and a church. The village is served by a bus service between to Coventry and Rugby with stops in School Lane and on Brookside.

4.0 Planning History

- 4.1 R13/0250 – planning permission was refused on the same plot of land for up to 47 houses on 22/5/2013 for two reasons: (i) site contrary to Green Belt policy; (ii) lack of a Great Crested Newt Survey.

5.0 Technical consultation responses

Environment Agency	No objection
Natural England	No objection
UHCW NHS Trust	No objection subject to S106 contribution
RBC Environmental Health	No objection subject to conditions
RBC Housing	No objection subject to S106 contribution
RBC Parks and Grounds	No objection subject to S106 contribution
RBC Trees and Landscaping	No objection subject to conditions and Tree survey
The Ramblers	No objection now site is out of Green Belt
Severn Trent	No comment
Warwickshire Fire & Rescue	No objection subject to conditions/informatives
Warwickshire Police	No objection subject to informatives
Warwickshire Wildlife Trust	No objection subject to conditions
WCC Archaeology	No objection subject to conditions
WCC Flood Risk Management	No objection subject to conditions
WCC Highways	No objection subject to conditions, informatives and financial contribution
WCC Infrastructure	No objection subject to financial contributions
WCC PROW	No objection subject to conditions

6.0 Third Party Consultation Responses (Original Plans and Reports):

Original Plans when Site was in Green Belt:

The Rt. Hon. Jeremy Wright MP – expressed concerns and asked to be kept informed.

The Parish Council objected most strongly as contrary to current policy as land (at the time) was identified as Green Belt

Other comments:

- 67 homes too many for village to sustain, significant drainage issues, road access under massive strain, rights of way permanently compromised, need to preserve size and nature of village, loss of character to village, thousands of homes in Rugby area, no need to develop on Green Belt land, precedent set.
- Proposal contrary to policy, rural land is important habitat for wildlife, gives village rural ambience, traffic concerns in Squires Road, which is a quiet residential area
- Doctors surgery and schools cannot keep up with demand, will be overwhelmed.
- Large development, too many houses with small gardens, in addition to The Orchard, increase village size by 20%, neither infrastructure nor facilities to cope with 300 residents,
- disruption, smaller villages would be devoid of cross mix of population of younger families, larger villages will become urban extensions with mainly family residents,
- destroy social mix, have over-subscribed school, overflowing doctors' surgery, centre of village impassable at times,
- emergency vehicle chaos, mains services such as sewage/excess water overstretched, flooding and waterlogging after rain regular occurrence (video footage available),
- water run off affected, village community affected,

- some use village as dormitory, large development destroy village life. Use A45 Fosse Way site with access to A45.
- Village amenities would be flooded, village centre cannot take more vehicles, no main access roads to village,
- Green Belt cannot be restored, traveller sites on Oxford Road foisted on us stretching local services,
- Site is still in Green Belt, should not be built on. Greenbelt there for a very good reason and should be respected.
- increase risk to children in road safety terms. Should have access from School Lane, not Squires Road, pedestrian access to Squires Road reasonable compromise. Infrastructure of village insufficient. Scout group full and cannot take more children.
- Narrow roads, not up to increase in traffic. Size of village great asset, will be lost.
- Proposal conflicts with NPPF, especially 17.
- Building adjacent to school will affect school life. Small village at full capacity. School should be extended, is there room or finance to do this?
- Noise pollution, danger to children.
- Roads narrow and in poor state of repair, will affect drainage, rubbish collection, parking.
- Against housing needs survey. Conflicts with Core Strategy policies.
- Will affect house value, one resident wants compensation.
- Will affect leisure opportunities in Stretton, harm biodiversity. Undeveloped sites should be used such as Crazy Daisy's.
- Conflicts with settlement hierarchy.
- No need for new housing.
- Premature. Road and pavement surfaces in Squires Road and Roberts Close reached end of useful life after 30-40 years, not good enough to support new development. Developer should upgrade existing roads and pavements.
- Squires Road is narrow, delivery lorries and vans struggle to pass, unsuitable for bearing more traffic.
- Plans show building over pond.
- Accidents with cars and animals on lanes.
- Should not use Squires Road.
- No special circumstances for inappropriate development.
- Inspector replaced 'up to' with 'about'. 67 houses is not 'about' 50, 34% above 50 and 42% above refusal in 2013.
- Approving up to 67 would remove ability to question over-development at detailed planning stage.
- Housing need not dealt with adequately at hearings, so need for housing at Stretton not justified. Should not give weight to 5 year housing supply.
- Affordable housing may be less than 30% at detailed stage.
- Development would not be indented.
- Not well located for village services. No room for public space.
- Traffic analysis ignores Plott Lane.
- Not all starter homes are 'affordable', they will be sold on at inflated prices.
- Stretton already a success story, does not need development to sustain it. Development does not meet needs of village (Parish Plan says only need 2 houses), designed to accommodate Coventry and Rugby overspill.
- TRICs data establishes trip rate based on suburban data, not applicable, bus service not frequent. Trip generation here would be higher. Comparison with previous 47 houses not appropriate. Ignores impacts on Plott Lane.
- Loss of fields on village outskirts, will spoil green space. Application is speculative. Concerns over scale.

- Congestion. Rat run problems. Residents will drive to centre. Access garage issues. No footpaths. 300 more vehicle movements.
- Does not accord with adopted plan as modified.
- Loss of public right of way.
- Concerns over landscape/structural work to facilitate access given gradient and need for banking.

Amendments:

The Parish Council objects strongly to the proposals. The principle has been established but there should be a substantial, defensible landscape buffer to the West and North of the site. In ecological terms any buffer less than 6m is poor habitat, substantial buffer should be greater, minimum of 10m, should be in boundaries of site, laurel hedge stretches the concept of squaring off village – 18m inclusion from existing Green Belt line. Practical difficulties straddling hedge – deliverability if site were to change hands, ecological value devalued by laurel hedge, but removing it encourages boundary creep. Keep hedge and put landscape buffer inside red line, maintains building line. Access to site a concern, amenity will diminish, upgrading of Roberts Close a concern, conflict over access, parking restrictions. Approving plans without agreeing total number of properties with no accurate modelling inappropriate. Condition requesting limiting number of homes or vehicle movement.

Other Comments

- Density of housing too high,
- not enough affordable homes,
- problems with surface water drainage and sewage, environmental provision is inadequate, flooding problems, waterlogging in existing gardens, will make it worse
- overdevelopment, transport/highway safety problems,
- biodiversity and landscape problems, limit the houses by planning condition, don't leave to detailed stage,
- will impact on layout and traffic, impact on junction not been investigated, short traffic survey, did not account for retired people or people with no young children.
- Development would attract young families, will increase safety risk, noise and pollution, blind corner,
- have a separate access in School Lane, impact on R20/0285 not assessed, suitability of access and servicing arrangements questioned,
- flood risk, should be rejected due to lack of units specified,
- Squires Road only suitable for existing traffic, parking issues, poor bus service,
- landscape suitable for urban area, not rural village, nature conservation of Green Belt site not addressed,
- Roberts Close would be altered, highway safety will affect primary school children, services in village affected (school and doctors),
- brownfield land or infill should be used (Crazy Daisy's or Fosse Way), not on outskirts of village, access and drainage issues,
- all landscaping should be within the boundaries of this site (should not push over boundary to gain more space), should not overhang, existing rights of way should be provisioned,
- environmental pollution, increased noise, air damage at junction with Plott Lane,
- too many houses crammed on site, plot size should reflect rural area, building access concerns, transport assessment does not take peak hour traffic into account,
- narrow lanes, too much traffic,
- A tenet of the proposal was to provide a substantial defensible landscape buffer to West and North of site. Any hedgerow of buffer less than 6m is poor in ecological terms, a

minimum buffer of 10 should be made by condition and should be completely within boundaries of site. Deliverability in straddling landscape buffer if ownership changes, new site owner may not deliver it.

- Non-native laurel hedge stretches concept of 'squaring off' village, requires an 18m western incursion from existing Green Belt line.
- Laurel hedge scant ecological value, will devalue other landscaping, removing it will encourage boundary creep and hedge at present is significant visual boundary feature.
- Keep hedge and 10m landscape buffer within site and building line not beyond western properties in Squires Road.
- Access will affect amenity of Squires Road, concerns about upgrading of Roberts Close, parking problems post development, condition unit numbers or vehicle movements, if numbers not specified,
- how can congestion and traffic flow be predicted, parking restrictions will affect ambulances accessing Squires Road, more concrete in site will worsen drainage in Roberts Close, restrict number (one resident suggests restrict to 45)
- residents want to see details of S106 amounts and comment on them
- number of cars having to exit village through the centre along Brookside to get to A45 excessive, roads reduced to single carriageway, Plott Lane has few passing places
- How will contractor break through Squires Road and manage construction vehicles

7.0 Development Plan and Material Considerations

7.1 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.

7.2 The Statutory Development Plan for the area relevant to this application site comprises the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below:

7.3 Rugby Borough Local Plan 2011-2031, June 2019

GP1:	Complies	Securing Sustainable Development
GP2:	Complies	Settlement Hierarchy
DS3:	Complies	Residential Allocations
DS6:	Complies	Rural Allocations
H1:	Complies	Informing Housing Mix
H2:	Complies	Affordable Housing Provision
HS1:	Complies	Healthy, Safe and Inclusive Communities
HS4:	Complies	Open Space, Sports and Recreation
HS5:	Complies	Traffic Generation and Air Quality, Noise and Vibration
NE1:	Complies	Protecting Designated Biodiversity and Geodiversity Assets
NE2:	Complies	Strategic Green and Blue Infrastructure
NE3:	Complies	Landscape Protection and Enhancement
SDC1:	Complies	Residential Amenity
SDC2:	Complies	Landscaping
SDC4:	Complies	Sustainable Buildings
SDC5:	Complies	Flood Risk Management
SDC6:	Complies	Sustainable Drainage
SDC9:	Complies	Broadband and Mobile Internet
D1:	Complies	Transport
D2:	Complies	Parking facilities
D4:	Complies	Planning Obligations

7.4 Material Considerations

National Planning Policy Framework, 2019 (NPPF)
National Planning Practice Guidance (NPPG)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)
National Design Guide (2019)

8.1 **Assessment of proposals**

8.1 Key Issues

Section 12	Design, Layout and Landscaping
Section 14	Transport
Section 15	Drainage and Flooding
Section 18	Biodiversity

8.2 This is an outline scheme with all matters reserved except for access. A Landscape Strategy Plan has been submitted which sets structural landscaping for the site, meaning that development is framed around the perimeter with landscaping, providing a 'structure'. The intention is that a detailed layout, set within the frame of the boundary landscaping, is submitted at reserved matters stage.

9.0 Principle of development

9.1 Policy DS3 sets out how sites within the Main Rural Settlements will contribute to the borough's overall housing need and Squires Road is allocated for around 50 dwellings as part of DS3.9. Development within 6 of the 9 Main rural settlements plays a supplementary role to Rugby Town in delivering strategic housing growth targets for the borough. The development of the site not only deals with the needs of the village therefore, but is partially contributing to housing delivery for the borough as a whole. The strategy for distributing housing development across the Borough is based on firstly, the need to maximise housing delivery at Rugby Town as the most sustainable location in the borough, and secondly, to provide an alternative housing market in selected Main Rural Settlements which are at the second tier of the settlement hierarchy in sustainability terms. In achieving this, smaller rural villages which are in less sustainable locations, are more protected from speculative development that would be harmful to their respective character and function, providing the Council's 5-year housing supply is maintained.

9.2 The scheme was originally submitted when the site was within the Green Belt and was advertised as a departure, prior to the hearings for the Examination in Public to the Local Plan. The Local Plan adoption in June 2019 took the site out of the Green Belt and set the site within the village boundary allocating it for *around* 50 dwellings. This established in principle the site's suitability for development. It should be noted that the draft version of the Local Plan indicated *up to* 50 units, but this was challenged at the hearings and was changed by the Inspector.

9.3 The number of dwellings at 67 represented a 34% increase upon the allocation of around 50 units. The indicative layout did not propose any on site amenity space and showed houses and their gardens tight up against the red line boundary. The 60 unit amended scheme was a 20% increase on the allocation and provided some amenity space but a layout that could not accommodate the required on-site landscaping. These elements were withdrawn and replaced with the Landscape Strategy Plan now under consideration.

9.4 The site is within a sustainable location within the village boundary and conforms with policy GP2 of the Local Plan which relates to the settlement hierarchy. As such the development is considered to be sustainable development.

10.0 Housing Mix

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

10.2 The table below shows the mix recommended in the current Strategic Housing Market Assessment:

Market	1-bed	2-bed	3-bed	4-bed
Policy H1	5-10%	25-30%	40-45%	20-25%

10.3 As layout is not being considered at this stage, the exact housing mix has not been established. However, condition 5 seeks to ensure that housing mix at the reserved matters stage complies with this policy.

11.0 Affordable Housing

11.1 Policy H2 relates to affordable housing which seeks to provide 30% on green field sites and the applicant has stated his intention to conform with this policy.

The Housing Officer has expressed a preference for affordable housing that has a discounted sales rate to run in perpetuity with the land, so that each successive owner has to pass on the discount and meet nomination conditions. The Parish Council has suggested that there is a need for smaller properties within the village. The local plan contains a recommended housing mix for social housing as follows:

Affordable	1-bed	2-bed	3-bed	4-bed
Policy H2	30-35%	30-35%	20-25%	5-10%

11.2 It is anticipated that suitable clauses can be inserted into a Section 106 agreement to fully comply with policy H2 and secure permanent social housing at 30%, as well as reference to the need to have regard to the housing mix for affordable housing within condition 5.

12.0 Design, Layout and Landscaping

12.1 Since all matters in relation to design and layout are to be determined at the reserved matters stage, the main issue to consider at this stage relates to structural landscaping, meaning the landscaping providing an overall design framework to the layout of the scheme.

12.2 Policies SDC2 and NE3 of the Local Plan relate to Landscape Protection and Enhancement, and seek to integrate landscape planning into the design of the development at an early stage, consider landscape context, enhance key landscape features, address the importance of habitat biodiversity features ensuring their long term management and maintenance, and expanding these features through means such as buffering. Policy SDC2 specifically refers to the need to provide sufficient planting around the perimeter of the site to minimise visual intrusion on neighbouring uses or the countryside. This is amplified given the proximity with the Green Belt.

- 12.3 During the Local Plan Examination the Inspector held a dedicated hearing session framed around to the following question for this and other sites being taken out of the green belt:
- “Whether the resulting Green Belt boundaries would be clearly defined using physical features that are readily recognisable”.
- 12.4 The NPPF emphasises the permanence of Green Belt boundaries and that ‘once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.’ LP30 was a background document to the Examination in Public which comprised of evidence of the Coventry and Warwickshire Joint Green Belt Review that defined how parcels of land could be identified to assist in the definition of the Green Belt boundary. The following physical features were considered the most appropriate and readily recognisable features delineating Green Belt boundaries (known as ‘first tier definitions’):
- Significant natural features – for example, substantial watercourses and water bodies.
 - Significant man-made features – for example motorways, A and B roads and railway lines, and established infrastructure and utilities such as sewage treatment works.”
- 12.5 This site has no such physical features defining the settlement edge and was a key issue considered by the Inspector in his deliberation as to whether or not to allow the site to be removed from the Green Belt. LP30 also included information about how to define less permanent boundaries when more permanent boundaries were absent (known as ‘second tier’ definitions):
- “woodland, hedgerows and tree lines were considered to be less recognisable but less permanent boundaries....however, where appropriate, both were used to define land parcel boundaries.”
- 12.6 This definition means that, when permanent physical features do not exist at the Green Belt edge (i.e. first tier definitions), woodland, hedgerows and tree lines are the next best way to show where the village and its built development ends and the Green Belt begins.
- 12.7 The Council sought Green Belt release subject to “a defensible boundary along the plot edge” as a ‘second tier’ Green Belt boundary definition which provides “a substantial landscape buffer of native trees and shrubs is planted along the western and northern edges and the that settlement edges are indented.” The landscaping required a net gain in biodiversity with native hedgerow trees being retained and supplemented. The landscaping therefore had to define the Green Belt edge, and incorporate biodiversity enhancements.
- 12.8 This was accepted by the Inspector and the site was removed on this basis. The width of the landscaping was not specified.
- 12.9 The indicative layouts did not demonstrate that 67 or 60 units could be provided whilst including a defensible second tier substantial landscape buffer of native trees and

shrubs along the western and northern boundaries, nor did they significantly indent the housing from the red line boundary. This was not considered acceptable.

- 12.10 The submitted Landscape Strategy Plan seeks to set the landscaping requirements at this stage, so that further work can be undertaken as to exactly how many units can be accommodated on site whilst fixing the landscaping requirements. The landscaping, which will not form part of residential gardens, will indent the built form from the edge of the Green Belt. A 7-metre landscaping width was negotiated based on planning judgement. Agreement could not be reached on a width greater than this, and the applicant has requested that the scheme be determined on its current merits.
- 12.11 The Landscape Strategy Plan shows a 7-metre-wide landscape buffer along the western and northern boundaries, a 6-metre landscape buffer along the southern boundary and a three-metre buffer along the eastern boundary. It should be noted that requirements for boundary landscaping on the southern and eastern boundaries were not a requirement of the Inspector but are welcomed given the need to provide habitat continuity around the site which can contribute towards ecological networks, as well as spacing the built form further away from existing buildings outside the site boundaries. The applicant will not agree to wider landscape boundaries as this is considered to compromise the internal developable area.
- 12.12 Together this landscaping forms a near continuous landscaped area around the perimeter of the site, forming the landscaping 'structure' inside of which development could take place, i.e. structural landscaping to the development.
- 12.13 On the western boundary, the 7-metre landscaping strip straddles the red line boundary. This means that 3 metres of the landscaping would be in the Green Belt, but this area would not contain any built development, only native landscaping that benefits biodiversity. This was arrived at through negotiation, as the agent argued that 3 metres of the landscaping can be provided beyond the red line as it is in the same ownership in order to accommodate sufficient developable area within the site. If specified in a Section 106 agreement, even if the site is sold on for development, it is entirely possible to specify and require 3 metres of land beyond the red line to provide landscaping, and planted and managed with a Landscape and Ecological Landscaping Plan, to provide a 7 metre wide landscaping strip in its entirety. If it does not, an added clause to the Section 106 can stipulate that the entire 7 metres has to be provided within the red line boundary of the site.
- 12.14 Numerous objections, including those of the Parish Council, object to the proposed 7 metre landscaping buffer along the western edge, and consider 10 metres set within the red line is more appropriate. They consider that this fulfils the 'indented' point in the hearings and the 'squaring off' of the village'. Whilst this would be commendable, it has simply not been possible to negotiate this level of landscaping buffer, particularly as the Inspector nor the Council defined the term 'substantial'. This is a matter of planning judgement.
- 12.15 Landscaping is not considered to be built form and as a result is not inappropriate development in the Green Belt. The phrase 'indented' in the hearings was in relation to built form being set in from the boundary of the site – not in relation to surrounding sites or the village as a whole. Similarly, the term 'squaring off' was a high level term, at the scale of a rectangular plot of land in the north west corner of the village – this term was

never intended to be interpreted at a level of fine detail determining where the built form begins within the site and where landscaping ends. Given that the built development would still be indented at least 4 metres from the red line, it is considered that this part of the proposal confirms with the requirements of the Inspector in removing this site from the Green Belt and provides a landscape buffer, at 7 metres wide, with built form inside the red line boundary. It is considered that this does represent an appropriate differentiation between the built form, and the start of the Green Belt boundary (currently defined by a laurel hedge).

- 12.16 A number of objections allege that the site has been made larger, and the laurel hedge is an incursion into the Green Belt beyond the village boundary further west from the existing Green Belt line. The boundary of this site has remained as such since both the previous planning application under reference R13/0250 (registered in February 2013), and the call for sites exercise which was at the start of the Local Plan review process in 2014. The adoption of the Local Plan fixed the boundary of the Green Belt in June 2019.
- 12.17 With the structural landscaping secured, which would run with the land, reserved matters can be submitted subsequently in the remaining portion of central developable land and it would then be up to the developer to design an acceptable layout. In order to ensure that reserved matters do not propose an excessive number of dwellings a condition capping the number to 55 units is suggested in condition 5. This is considered a reasonable approach, allowing both some flexibility in the subsequent layout, whilst also not constraining the level of development to an unacceptable degree given that a portion of land is to be reserved for landscaping, whilst also ensuring that the required landscaping is provided which was conditional upon Green Belt release.
- 12.18 As such it is considered that the proposal as it stands conforms with policies SD2 and NE3 of the Local Plan because it integrates landscape planning into the design and provides a context for the reserved matters, the Landscape and Ecological Management Plan will ensure key landscape biodiversity features are enhanced and managed, and the Section 106 agreement will ensure this structural landscaping runs with the land regardless of ownership, including the portion of the land currently west of the red line boundary.
- 13.0 Impact on amenity
- 13.1 Policy SDC1 states that new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded and should add to the overall quality of the areas in which they are situated.
- 13.2 As the application is in outline form and layout is not being considered at this stage, apart from structural landscaping, it is considered that a scheme within the developable area is capable of being provided with sufficient separation between properties in Squires Road and Roberts Close to ensure that the impact in relation to light, privacy and amenity would be acceptable, particularly given the structural landscaping of 6 metres to the south is proposed, and in addition, the need to accommodate the public footpath through the southern part of the site, together with additional landscaping at 3 metres in width from the school to the east.
- 13.3 Environmental Health recommend a noise assessment is undertaken to ensure noise is controlled from within properties from the A45 and the adjacent school which can be controlled as per condition 26.

- 13.4 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.
- 14.0 Transport
- 14.1 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 seeks to ensure adequate car parking can be achieved on site.
- 14.2 It should be noted that the previous planning application for 47 dwellings under reference R13/0250 did not include a highway reason for refusal, nor were highways impacts concluded to be a reason not to allocate the site for development during the Local Plan process, despite transport being debated extensively.
- 14.3 As this is an outline application layout of the housing is not being considered at this stage (other than the access). At the Reserved Matters Stage, it is considered that it would be possible to achieve a layout that has adequate car parking to conform with policy D2, particularly if garages are restricted to remain as such and not converted to living accommodation, as per condition 20..
- 14.4 Whilst indicative layouts showing the position of houses and internal roads and unit numbers have been withdrawn and replaced with the Landscape Strategy Plan, this did not occur for highways reasons, but for reasons associated with landscape, biodiversity and open space.
- 14.5 Many objectors raised objections associated with highways, parking problems, network issues, and existing highways issues. Some added that since the indicative plans were withdrawn, and the number of dwellings were removed from the description, it is not possible to assess the highway impacts of the scheme, or that analysis carried out was flawed or inadequate. This is not the case. Several modelling exercises has been undertaken assuming a build out of 67 dwellings, taking into account the proposed Plott Lane development, and applying factors to take into account future traffic growth generally. These remain relevant to the consideration of the scheme, and represent a precautionary approach compared with the actual numbers likely to be built.
- 14.6 WCC Highways initially objected to the proposals as they did not consider the trip rates contained in the initial Transport Assessment were realistic for a rural location (based on suburban locations selected from the TRICS database which has very limited rural examples). As a result, automatic traffic counts (known as ATCs) to accurately record vehicle movements along Squires Road were requested. These then formed the basis of new trip rates based on the actual vicinity of the site.
- 14.7 When localised trip rates were used to assess impact, the trip rates were again assessed assuming 67 houses were to be built. The local trip rate data from the ATC surveys show more vehicle movements in total during each of the peak hours compared with the TRICS data.
- 14.8 The trip rates from the local data indicated slightly fewer vehicles arriving at the site during the morning peak (8 movements) compared with 9 movements for the TRICS data, but indicated significantly more vehicles departing the site during this time period, (38 from local data as opposed to 24 from the TRICS database). For the afternoon peak

hour, the local data indicated 29 arrivals compared to 21 from the TRICS data, and 16 departures compared to the 9 from the TRICs data. This revised data was used to assess junction capacity.

- 14.9 As a result of concerns from local residents and the Parish Council, a sensitivity test was undertaken to ensure that the proposed traffic generation at Plott Lane and future growth, were taken into account. Even with the sensitivity test, the impact was not considered to be severe, and is below the threshold where the Highway Authority would raise concerns in terms of the impact on the highway network or highway safety.
- 14.10 In addition to adjusting the trip rates based on local surveys, a PICADY analysis was undertaken. This assessment models the anticipated impact of a development on the operation of the junction. This includes a measure of capacity as well as an indication of queues and delay time for vehicles using the junction. The PICADY assessment undertaken in the May 2019 Technical Note assessed the junction with or without the proposed development, both in the 'base year' of 2019 and in the 'design year' of 2024 which includes anticipated traffic growth on the highway network by applying the TEMPro Growth Rate for the local area.
- 14.11 Capacity is assessed by a calculation known as Ratio of Flow to Capacity (RFC). A RFC of 1 for an arm of a junction would indicate that the junction is at its 'theoretical capacity', and beyond that point queues would increase exponentially. Concern is usually raised at an RFC of 0.85 or over, where a junction would generally be seen to be at its 'practical capacity'. Junction improvements or other highway works to mitigate the impact of the development would be sought at this level of impact. The PICADY result in this instance indicated a maximum RFC during peak hours in the 'design year' of 0.11, including the development traffic. This means that the junction is not nearing capacity at all, even with increased development and taking into account Plott Lane.
- 14.12 The PICADY assessment indicated maximum delays of around 6 to 7 seconds for vehicles turning into Squires Road from Plott Lane and from Squires Road to Plott Lane. The results did not indicate that multiple vehicles are anticipated to queue on any arm of the junction during the peak hours.
- 14.13 The model is based on 'normal' traffic, and there will be variations from day to day. The results do not mean that no queuing or significant delay will *ever* occur at the junction. The results do however indicate that the impact of the proposal on the operation of the junction in terms of its capacity, queuing and delay is likely to be significantly below a level of impact at which the Highway Authority would usually be concerned.
- 14.14 Paragraph 109 of the Framework states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe'. Neither conditions apply in this case.
- 14.15 WCC Highways requested further information in relation to levels changes from Squires Road into the site which were provided via a long section drawing showing the gradient and access. Residents in the north of Squires Road expressed concerns about the access point and the impact upon their front landscaping, however, the additional information demonstrated that satisfactory access arrangements could be provided, the details of which would be secured via a Section 278 and 38 agreement.

- 14.16 WCC required formal junction arrangements between Squires Road and Roberts Close (which is approximately 30 metres south of the proposed access to the site), including dropped kerbs and tactile paving to allow pedestrians to cross Roberts Close at the junction. An additional drawing was prepared showing the requested junction markings, dropped kerbs and tactile paving together with adequate visibility splays to demonstrate that it is possible to design an acceptable scheme. This would also be delivered via S278/38 Agreement. Objections have been received from some residents and the Parish Council about how the contractor will break through the site, that the formation of the junction will change the character of the area and would result in one resident not being able to use on street parking close to their house in this area. However, other objections report fears about highway safety particularly in relation to local school children. Whilst it is indeed correct that the highway in this part of Roberts Close would change, the highway alterations are based upon a Road Safety Audit and as a result, the junction is required to incorporate appropriate highway safety measures, and would assist in protecting children going to school. Condition 22 seeks a more detailed set of plans associated with the site entrance, and Roberts Close, together with traffic calming information and visibility splays to seek to address these concerns.
- 14.17 WCC Highways also requested additional information about how pedestrians would cross the public right of way R154 (which runs through the southern part of the site) in relation to the proposed access into the site. An additional drawing was produced to show dropped kerbs and tactile paving across the public right of way. These details would be considered again in relation to the housing layout at the reserved matters stage and during the highway's approval process. Condition 22 also covers this aspect of the proposals.
- 14.18 Bus stops are located 165m east of the site via the public right of way, or 320 metres via Roberts Close. Part of the right of way between the school and School Lane has a tarmac surface, but other parts are unsurfaced. The 580 Coventry to Rugby Service serves the bus stops with a frequency of 6 buses per day from 7.42am to 18.29pm. WCC Highways have asked for a contribution to upgrade these bus stops to make public transport access more attractive as part of the development. They have also requested Sustainable Travel Packs to be made available for each new dwelling to promote more sustainable travel. Both of these elements can be secured as part of a S106 agreement.
- 14.19 Concerns have been expressed with regards to construction disruption from vehicles. Condition 11 incorporates the requirement for a construction management plan, which is in a considerable amount of detail as it also incorporates the need to manage issues relating to biodiversity, dust, hours, any temporary site compounds, vehicle operative parking, mud deposition, HGV vehicles, construction site access control, storage of plant and materials, ecologist checks and protected species mitigation.
- 14.20 Taking account the above points, whilst the scheme will result in a change in highway conditions of Squires Road and Roberts Close, they are to such a degree where the impacts are severe enough where a Highways objection can be sustained and as such the proposal is not in conflict with policy D1. The reserved matters stage would provide a suitable level of car parking, in accordance with the Parking Standards contained within Annex 5 of the Local Plan as well as minimum cycle parking in garages and rear gardens. The proposal is therefore considered compliant with policy D2 of the Local Plan.

15.0 Drainage and Flooding

- 15.1 The Framework seeks to steer new development to areas with the lowest risk of flooding. The site is in Flood Zone 1 which has the lowest probability of flooding. Policy SDC5 requires the submission of a Flood Risk Assessment for sites over 1 hectare in Flood Zone 1. Paragraph 165 of the Framework and Policy SDC6 require Sustainable Drainage Systems to be used in major developments, which should take account of advice from the Local Lead Flood Authority, have appropriate minimum operational standards, have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and provide multi-functional benefits where possible.
- 15.2 Many objections cited flooding as a reason to object to the scheme, and examples of flooding events in photographic and video footage were submitted, making reference to issues about the poor existing capacity of drainage systems. A lot of the concern relates to the increase in built form and its impact upon properties to the south, including Roberts Close, Squires Road and Plott lane as a result of the topography. Many doubt that the mitigation will control flows from the site, and waterlogging will increase in properties, particularly Roberts Close.
- 15.3 When determining planning applications, paragraph 163 of the Framework states that local planning authorities should ensure that flood risk is not increased elsewhere, which is why applications should be supported by a site-specific flood risk assessment.
- 15.4 The Framework states that surface water runoff should be disposed of according to a hierarchy of: infiltration; then to a surface water body; then to a surface water sewer; then to a highway drain or another drainage system to a combined sewer.
- 15.5 The application was accompanied by a preliminary Surface Water Drainage Strategy, and a Flood Risk Assessment. The Local Lead Flood Risk Authority (LLFA) objected to the scheme which then resulted in further information being submitted. The LLFA objected to the amended layout, concerned that the attenuation basin had reduced which would mean that there would be inadequate space to attenuate the required storage volume. The note of the 14 September provided an updated surface water drainage strategy based on the latest indicative Landscape Strategy Plan, which superseded all previous indicative layout plans and Flood Risk Assessments.
- 15.6 The Local Lead Flood Risk Authority reviewed the additional information and now raises no objection subject to conditions. This is partly due to the fact that the surface water drainage strategy will be affected by the detailed layout of the scheme, and they note that the number of dwellings has been removed from the description. In light of this, the updated surface water drainage information now contains sufficient information to conclude that a viable drainage strategy can be produced at the reserved matters stage, and that the latest information is sufficient for the outline planning stage. At the reserved matter stage where layout is to be agreed, they expect a detailed surface water drainage strategy and infiltration tests to be submitted for review, together with a management plan.
- 15.7 Condition 17 prevents development until a detailed surface water drainage scheme is produced on sustainable drainage principles with an assessment of the hydrological and hydrogeological context of the development, including ground investigation details and

infiltration testing, to test the feasibility of using infiltration as a way to manage surface water runoff. Details should demonstrate systems and discharges are designed to current standards. Detailed design also has to demonstrate attenuation and outfall arrangements, including calculations, exceedance flow and overland routing to reduce the impact of an exceedance event. Evidence from Severn Trent Water is also required to show agreement in connecting with the surface water network.

- 15.8 Condition 19 includes a requirement for a detailed maintenance plan relating to maintaining the surface water drainage systems for the lifetime of the development.
- 15.9 The Environment Agency raises no objection, noting that the site has 'low environmental risk. Severn Trent has not raised an objection. In the absence of an objection from the Local Lead Flood Authority, and subject to the imposition of conditions 17 and 18 it is considered that in the event of an approval, the conditions will control surface water drainage and mitigate the impacts of the proposal in terms of flooding.
- 16.0 Public Right of Way
- 16.1 Public footpath R154 passes along the southern boundary of the site and then heads south east towards School Lane, where two bus stops are located at opposite sides of the road. Whilst the Ramblers initially objected to the scheme, this was at a time when the site was within Green Belt. They no longer object to the scheme. Numerous rights of way traverse development sites, and as long as reserved matters preserve the right of way through the site, in line with the suggested conditions and informatives, the WCC Public Rights of Way team do not object. They do express concerns if the French Drain in the south east corner of the site is enhanced to create a seasonal pond, but as this is not being determined at this stage, this issue can be dealt with at reserved matters stage. There is no significant impact upon the public right of way. At no time did the indicative layouts suggest removing the right of way, and in addition the footpath would assist in helping residents access the bus network and recreation areas with the village. The applicant has also advised that they would carry out improvements to the surfacing of the existing footpath within the site. The WCC Public Rights of Way team request a contribution to improve rights of way in the vicinity. As the development is likely to increase the use of surrounding footpaths in order to access facilities within the village it is considered that this contribution is supported. The details of upgrading rights of way within the vicinity of the site, can be secured through the S106 agreement.
- 17.0 Open Space, Sport and Recreation and Play Provision
- 17.1 Policy HS4 of the Local Plan seeks to ensure that residential development above 10 dwellings contribute or provides 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 and the developer has agreed to pay the appropriate amount according to the Open Space Calculator in line with the policy. The development is within a reasonable walking distance of the playing fields and play area on Plott Lane, and also within walking distance of Fosse Park on the B4455. It is considered that the contribution could be used in various projects associated with these nearby facilities in Stretton-on-Dunsmore. In addition, The Landscape Strategy Plan provides structural landscaping to the site which could act as amenity space to the site in addition to the upgrading of nearby facilities. The open space contribution, together with the details of the relevant projects can be secured via a Section 106 contribution. Coupled with upgrades to public rights of way in the vicinity of the site, it is considered that the proposal conforms with policy HS4.

18.0 Biodiversity

- 18.1 Paragraph 170 of the Framework states that decisions should minimise impacts and provide a net gain for biodiversity including establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 states harm to biodiversity should be avoided, adequately mitigated, or as a last resort, compensated for. This is known as the mitigation hierarchy which is reflected in policy NE1 of the Local Plan.
- 18.2 The change from an arable field to housing would lead to a loss of biodiversity. The loss of biodiversity could easily be addressed through a combination of biodiversity offsetting and onsite measures that lead to a net gain. A baseline for the biodiversity loss needs to be established so that the requirement for offsetting can be set within a Section 106 agreement that sets a maximum capped payment arrived at via a Biodiversity Impact Assessment (BIA). At the reserved matters stage, when the layout is known, a revised BIA will be calculated and the payment may be reduced depending upon the amount of biodiversity net gain incorporated into the detailed design. The greater the amount of on-site mitigation, the lower the biodiversity offsetting payment will be, so this incentivises the developer provide net gain on site. The structural landscaping provided as part of the development of this site would provide an opportunity to contribute to biodiversity net gain, especially if measures set out in a Landscape and Ecological Management Plan (LEMP) secured by condition 7 and a Section 106 agreement are delivered. The relationship with the reserved matters and the structural landscaping is critical, for example ensuring that dwellings are not placed hard up against the landscaped boundary with intrusive lighting, as this will affect net gain.
- 18.2 A BIA calculation has been undertaken as a baseline assessment by WCC Ecology which can act as a basis for biodiversity offsetting as part of the scheme when further detailed plans are submitted at the reserved matters stage. The final biodiversity offsetting payment is normally spent within the immediate vicinity of the site. The Biodiversity offsetting payment could potentially include additional planting on the other side of the red line boundary to the west, thereby effectively increasing the landscaped buffer beyond its current 7 metre width. The measures are likely to require enhancing newt habitats, due to the existence of a meta-population of newts in the vicinity which move around the area using different ponds in the vicinity to breed in each year. If planted with native species, the structural landscaping could provide linear habitat for newts and form part of this mitigation. Suitable wording to ensure the provision of a LEMP, safeguarded landscaped areas where no development would occur, a detailed management scheme and a Biodiversity offsetting amount can be provided as part of a Section 106 agreement and condition 7. Supporting this approach are conditions 8 which relate to tree and hedgerow protection measures, and condition 9 which relates to a lighting strategy within the site, to ensure that light spillage does not significantly occur within the structural landscaping areas.
- 18.3 Hedgehogs are a priority species due to their continued decline and are listed on Schedule 41 of the NERC Act 2006 making them a material consideration in planning applications. The Wildlife Trust requested conditions associated with ensuring the reserved matters incorporate a 'Hedgehog Highway' scheme where a series of 13 square cm holes are incorporated into the layout where walls, gates and fences are located, thereby enabling the free movement of hedgehogs through the site. Records indicate that hedgehogs exist within 20m of the site. Condition 7 requires the creation of

a hedgehog highway scheme showing the location of hedgehog holes to be incorporated, and condition 10 requires the walls, fences and gates condition to be informed by the LEMP. Provision for hedgehogs and newts, together with other protected species is also included in the Construction Management Plan in condition 11. In order to preserve the benefits of the hedgehog highway, permitted development rights for gates wall and fences are restricted in condition 13 so that biodiversity net gains continue to be provided by controlling boundary details at the front of properties.

18.4 Subject to the above, it is considered that the proposal would have an acceptable impact on habitats and species and provide a biodiversity net gain. As a result, the proposal complies with the Framework and policy NE1.

19.0 Trees

19.1 Paragraph 170 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees and hedgerows into the proposed development.

19.2 The site has mature hedgerows along the northern and eastern boundaries of the site, which are worthy of retention as part of an overall Landscape Strategy which can be supplemented with native planting as part of the Landscape and Ecological Management Plan to assist in providing a net gain in biodiversity suggested in condition 7. A mature oak tree has been identified on the Topographical Survey along the eastern boundary of the site which will need to be accommodated within the layout of the reserved matters which will need to incorporate a root protection area. This tree and the hedgerows can be protected during construction by condition 8 which relates to a Tree and Hedgerow protection plan. This condition does not relate to the laurel hedge along the western boundary as this is a non-native hedge and is less valuable in biodiversity terms.

19.3 A tree survey was not submitted with the application, and whilst there are no trees within the centre of the site, condition 7 requires a tree survey to be submitted for boundary trees that have grown out of the hedgerow to be incorporated into the landscaped areas around the perimeter. This will ensure trees and hedgerows capable of retention are identified and managed in line with the LEMP. As a result of these safeguards the proposal is not considered to be in conflict with policies NE3 or SDC2 of the Local Plan or the Framework.

20.0 Air Quality

20.1 The applicant has agreed to a condition requiring the reserved matters to incorporate measures to improve air quality to control on-site emissions. This includes measures such as the installation of ultra-low emission boilers, electric heating/photo voltaics or ground source heat pumps, cycle parking, electric vehicle charging, landscaping, and/or green walls and roofs. The structural landscaping would contribute to this policy in addition. Stretton-on-Dunsmore is unlikely to be close enough to the Rugby Gyrotory to warrant a strategic transport contribution to mitigate its impact, nor are the transport trips significant enough to warrant such as requirement. The site is also not close to sources of exceedances in air quality terms to justify an air quality assessment. As a result, subject to a suitably worded condition, Environmental Health raise no objection to the scheme subject to condition 28 and informative 6 which relate to air quality matters. As a result, it is considered that the scheme is therefore policy compliant with HS5.

21.0 Healthy Safe and Inclusive Communities

- 21.1 Policy HS1 relates to the need to create healthy, safe and inclusive communities when considering development proposals and HS2 relates to Health Impact assessments. The provision of structural landscaping to the site, secured by Section 106 agreement and the submitted Landscape Strategy plan, together with conditions associated with maintaining and enhancing the public right of way through the site, would make a contribution towards a high quality, attractive and convenient walking route. The level of housing proposed does not trigger the need for a Health Impact Assessment, however, the NHS Clinical commissioning group has asked for a pro-rata contribution towards health services which would include mitigating the impact of the proposal upon doctors surgeries and accident and emergency admissions. This complies with the need to secure improved health services and facilities. The financial contribution can be secured via a Section 106 agreement and as a result it is considered that the proposal is compliant with policies HS1 and HS2.
22. Archaeology
- 22.1 Archaeological reports were submitted with the application and a geophysical report was undertaken. Condition 25 requires a written scheme of investigation, including trial trenching and mitigation in relation to archaeological matters. The County Archaeologist raises no objection to the development subject to the imposition of condition 25 as a result.
- 23.0 Sustainable Buildings
- 23.1 Policy SDC4 refers to the need to ensure that all new dwellings should meet the Building Regulations requirement of 110 litres of water per person a day unless it can be demonstrated that it is financially unviable. It is considered that this can be suitably be controlled by condition as per condition 16. Condition 31 also relates to the need for an energy statement in line with this policy.
- 24.0 Broadband
- 24.1 Policy SDC 9 relates to the need to ensure new development facilitates and contributes to the provision of broadband infrastructure. Condition 30 ensures the development at the detailed matters stage complies with policy SDC9.
- 25.0 Fire and Rescue
- 25.1 Warwickshire Fire and Rescue have requested a condition relating to the provision of fire hydrants, which is suggested in condition 29 and informatives associated with compliance with Building Regulations which is suggested in informative 5. Both of these are considered necessary for Fire and Rescue safety reasons.
- 26.0 Parish Plan
- 26.1 Policy GP5 states that Parish Plans will be a material consideration in determining decisions on planning applications, although they have less status compared with a Neighbourhood Plan which is subject to an Examination. The Parish Plan recommended development within village boundaries to which the application now belongs. In addition, it predates the adoption of the Local Plan by some years and as such can only be afforded limited weight in relation to the Local Plan designation and the presumption in favour of development.
- 27.0 Planning Conditions and Obligations
- 27.1 Policy D4 relates to planning obligations which reflects paragraphs 54, 56 and 57 of the Framework, which collectively set out the need to consider whether financial

contributions and planning obligations could be sought to mitigate the impact of development and make otherwise unacceptable development acceptable.

- 27.2 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) clarifies that obligations should only be sought when they are: (a) necessary to make the development acceptable in planning terms;(b) directly related to the development; (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 require it. It is within this context that the Council has made and received a number of requests for planning obligations as detailed below. It is considered that these requests meet the necessary tests and are therefore CIL compliant:

Contribution	Requirement	Trigger
Affordable Housing	30% of the total number of dwellings. 25% discount from the sales of the affordable units plus normal nomination rights. Affordable housing not to be starter homes but 25% discount from market rate runs with the land in perpetuity	Not Applicable
NHS Trust	Meet patient demand for access to health care services	Upon first occupation of development
Warwickshire County Council (Education)	To ensure the development provides the required school places	Upon first occupation of development
Warwickshire County Council (Libraries)	To ensure the development provides for infrastructure for libraries	Upon first occupation of development
Warwickshire County Council (Highways)	Sustainable Welcome Packs for each dwelling, promoting sustainable living and to deliver road safety education in the area created	Prior to commencement
Warwickshire County Council (Highways)	Accessibility improvements to the pair of bus stops: -in School Road near Hill Crescent & -Brookside (near Oak and Black Dog PH)	Prior to commencement
Warwickshire County Council (PROW)	Upgrades to public rights of way in vicinity of site and to School Lane	Prior to commencement
Open Space, Sports & Recreation/Play Space	To assist in upgrading of surrounding facilities to promote sport, recreation, play space or activities/facilities associated with open space	Upon occupation of 50% of the dwellings
Biodiversity Offsetting	A biodiversity offsetting payment to mitigate the impact of biodiversity that cannot be delivered on-site Submission of BIA followed by biodiversity offsetting which may include a payment to mitigate biodiversity	Prior to commencement
Landscape and Ecological Management Plan	To manage the structural landscaping of the site to ensure biodiversity net gain	Prior to commencement
Landscaping in accordance with the Landscape Strategy Plan including additional 3 metres of	To ensure the additional landscaping runs with the land to provide a substantial landscape buffer	Prior to commencement

<p>landscaping provided west of the red line along the western boundary</p> <p>Safeguarding of the entire landscaped area until the location of the 7-metre buffer has been determined.</p>		
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27.3 One objector wanted to know exact monetary amounts for each category of the S106. At this stage only the Heads of Terms as set out above have been finalised. The final details of the financial contributions would be set out in the subsequent Section 106 agreement. It is considered that the suggested conditions and Section 106 package as above would comply with the relevant tests and with policy D4.

28.0 Planning Balance and Conclusion

28.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) outlines that this means “approving development proposals that accord with an up-to-date development plan without delay”. The Local Plan was adopted in June 2019 and is up to date. The principle of development was established as a result of the allocation of the site and removal of the site from the Green Belt due to the adoption of the Local Plan and the allocation of the site via policy DS3.9. The allocation was subject to the requirement to provide landscaping to the western and northern boundaries and is situated within a sustainable location.

Planning Balance

28.2 To determine whether the development accords with the Local Plan it is necessary to undertake a planning balance exercise having regard to economic, social and environmental objectives.

Economic

28.3 The development represents an economic investment in the village at a time of economic uncertainty. Investment benefits are likely to arise from money being invested in construction in terms of jobs, materials and new household economic spending which may increase the viability of existing local retail uses, services and businesses. This would have a positive impact on the local economy and weigh in favour of the proposal.

Social

28.4 From a social perspective, there is a significant need for new housing within the Borough. The proposal would contribute ensuring the Council’s current five-year housing land supply position is maintained, particularly as this was identified as an allocated site. It also is consistent with the Government’s objective of significantly boosting the supply

of homes. The weighs significantly in favour of the proposal. The provision of affordable housing at 30%, secured via legal agreement also weighs in favour of the proposal.

Environmental

- 28.5 The potential adverse impacts in relation to amenity, highway safety, traffic, parking, air quality, noise, landscape and biodiversity, flood risk, drainage, trees, archaeology, health, carbon emissions, water consumption, construction disruption and broadband have all been considered. Where potential impacts are identified, these can be mitigated through conditions and a Section 106 agreement. This includes Open Space, Education school places, bus stop and public right of way enhancements, together with health contributions and biodiversity offsetting, all of which weigh in favour of the proposal as these matters are capable of being mitigated.
- 28.6 It is acknowledged that numerous objections relate to landscaping and biodiversity and the change from an agricultural field to housing, particularly in view of its position next to the Green Belt. This principle was considered at the Local Plan state. The incorporation of structural landscaping by means of the Landscape Strategy Plan, secured by legal agreement and the details of planting controlled by a Landscaping and Ecological Management Plan (condition 7) to produce a biodiversity net gain, coupled with a biodiversity offsetting payment, balances the negative aspects of the loss of the field and mitigates the impact of the development at the Green Belt edge, as well as mitigating landscape and biodiversity issues. These mitigation factors neutralise the weight against the loss of the field.
- 28.7 A substantial level of objections related to transport impacts and the change in highway circumstances from the status quo could be interpreted as weighing against the development. However, Transport modelling established that the impact of the proposal on the highway network, even if 67 houses were built, is not severe, and the Squires Road junction is significantly below capacity even taking into account 25 homes at Plott Lane, and future traffic growth rates. There is also significant spare capacity at the junctions. There is no evidence to substantiate severe transport impact in line with paragraph 109 of the NPPF or conflict with policies D1 or D2 of the Local Plan, nor is there an objection from the Highway Authority. Traffic calming in relation to the vicinity of the site access and Roberts Close can be controlled via condition 22. This therefore neutralises the weight to be given to transport impacts.
- 28.8 Considerable anxiety has been expressed by objectors, local residents and the Parish Council in relation to flooding. The response to flooding is highly dependent upon the agreed layout, and therefore at the outline stage, especially as no layout is proposed, whilst it is appreciated that this is a significant local concern, there are a number of ways in which this issue can be mitigated. Enough evidence has been submitted to demonstrate that a solution to surface water drainage issues to prevent flooding is entirely possible. The lack of an objection from the Local Lead Flood Authority suggests that the Local Planning Authority would not be minded use flooding as a reason for refusal at this stage. This is therefore neutral in terms of weight in the planning balance.

Conclusion

- 28.9 On balance, it is concluded that the benefits of the proposed development are sufficient to clearly and demonstrably outweigh the harm that could be interpreted from transport, flooding and landscape/biodiversity concerns. Overall, it is considered that the proposal

would be a sustainable form of development and consequently accords with policy GP1 of the Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved without delay in accordance with paragraph 11 (c) of the Framework.

Recommendation

1. Planning application R17/1767 be granted subject to:
 - a. The conditions and informatives set out in the draft decision notice appended to this report; and
 - b. The completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.
2. The Head of Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within the report.

Approval subject to a Section 106 agreement, conditions and informatives.

DRAFT DECISION

REFERENCE NO:
R17/1767

DATE APPLICATION VALID:
12-Dec-2018

APPLICANT:
Mr Chalcraft, CC Town Planning c/o Agent

AGENT:
Mr Ross Middleton, CC Town Planning Newton House Northampton Science Park
Northampton NN3 6LG

ADDRESS OF DEVELOPMENT:
LAND AT NORTH OF SQUIRES ROAD, SQUIRES ROAD, STRETTON-ON-DUNSMORE,

APPLICATION DESCRIPTION:
Outline application with all matters reserved, aside from access into the site, for residential development

CONDITIONS, REASONS AND INFORMATIVES:
CONDITION 1:
The development hereby permitted must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

CONDITION 2:
Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

CONDITION 3:
Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout
- b - Appearance
- c - Scale
- d - Landscaping

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

CONDITION 4:

Unless non-material variations are agreed in writing with the Local Planning Authority, the reserved matters submitted under condition 3 shall be in accordance with the principles and parameters described and detailed in the plans and documents detailed below:

1. Landscape Strategy Plan - reference: 9138L.LSP.001 Rev A - received: 11/09/20
2. Topographical Survey - reference: STRET-01-18-A - received: 12/12/18
3. Site Location Plan

The Landscape Strategy Plan reference 9138L.LSP001 Rev A sets out the structural landscaping to be provided as part of the development, distinguishing between areas of landscape/biodiversity and developable areas. The structural landscaping shall not include development, access roads, footways, residential gardens or any buildings within it and shall act as a permanent buffer to both the Green Belt, residential properties in Squires Road and to Knightlow School and shall be maintained as such in perpetuity.

REASON:

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

CONDITION 5:

Unless non-material variations are agreed in writing by the Local Planning Authority, the development shall consist of no more than 55 dwellings with a housing mix in accordance with the Council's most recently adopted Strategic Housing Market Assessment (SHMA) and policy H1 and H2 of the Local Plan. The mix as at the date of this permission is set out in Informative 2 to this permission.

REASON:

To prevent over-development of the site, taking into account site constraints to comply with policy DS3.9 of The Local Plan and to deliver a wide choice of high quality market housing in line with policy H1 of The Local Plan.

CONDITION 6:

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

REASON:

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

CONDITION 7:

Unless non-material variations are otherwise agreed in writing, no above ground work shall commence until a Landscape and Ecological Management Plan (LEMP), informed by:

- a Biodiversity Impact Assessment (BIA);
- a full Tree survey in accordance with BS5837:2012

has been submitted to and approved in writing by the Local Planning Authority (with advice from WCC Ecological Services). The LEMP shall set out detailed scaled plans showing:

-planting plans for the site, including the landscaped areas 3 metres west of the western boundary of the site with accompanying written specifications and details of: the quantity, size, species and position of all new planting including trees, hedgerows and shrubs; maintenance of all new planting; how all new planting will integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance; habitat enhancement/creation measures and management (such as native species planting, wildflower grassland creation, woodland and hedgerow enhancement and maintenance); provision of habitat for protected and notable species (including location, number and type of bat, bird and swift boxes/bricks and newt mitigation).

Details shall also include:

- dark corridors for biodiversity protection to work in combination with an approved lighting strategy as part of condition 9;
- measures to allow hedgehogs to be able to pass freely through all boundary treatments, including the number and location of 13 square centimetre holes or gaps in walls and fences, in accordance with a hedgehog highway scheme and condition 10;
- amphibian-friendly kerbs/drainage scheme;
- a timetable for the implementation of all of the planting, works and ecological and landscape enhancement/creation measures; and a scheme securing future maintenance, management, maintenance and retention (including the body or individual responsible for such matters).

The approved LEMP and the future maintenance and management scheme and associated measures shall be implemented and maintained in full and in perpetuity and shall be implemented no later than the first planting season following first occupation of the development. If within a period of 10 years from the date of planting, any planting/tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow/planting 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 non-material variations.

REASON: To protect and enhance landscape and biodiversity, to ensure that protected species are not harmed by the development and in the interest of visual amenity.

CONDITION 8:

Prior to the commencement of development a Tree and Hedgerow Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved plan and method statement. With the exception of the Laurel hedge along the western boundary of the site, no retained tree, including the mature Oak on the eastern boundary of the site (identified on the Topographical Survey STRET-01-18-A), or hedgerow 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, and/or in line with the Landscape and Ecological Management Plan (LEMP) and/or the LEMP's future maintenance and management scheme without the prior written approval of the Local Planning Authority.

REASON:

In the interest of visual amenity and to protect trees and hedgerows worthy of retention in the scheme.

CONDITION 9:

No above ground work shall commence until full details of all external lighting, other than that lighting required for construction, has been submitted to and approved in writing by the Local Planning Authority. The details shall include the full specification of the type, design, location, angle, fall, spread and intensity of the lighting together with a lighting assessment which sets out a strategy and measures to minimise the impact of lighting, informed by the Landscape and Ecological Management Plan and scheme, to minimise the impact of lighting to sensitive receptors and measures to prevent light spillage within the defined landscaping areas as shown on the Landscape Strategy Plan reference 9138L.LSP.001 Rev A received by the Council on 11 September 2020. The approved scheme shall be implemented and maintained in perpetuity in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance, in the interests of the visual amenities of the locality, and to protect biodiversity of the defined landscaping areas.

CONDITION 10:

No above ground development shall commence unless and until details of all proposed walls, fences railings and gates, have been submitted to and approved in writing by the Local Planning Authority. The details shall be informed by the Landscape and Ecological Management Plan and include elevation plans, position, materials, appearance and height. No dwelling shall be occupied until the approved boundary treatments have first been provided in accordance with the approved details.

REASON:

In the interest of visual amenity and biodiversity with particular emphasis upon hedgehogs and the need to allow them to move freely through the site.

CONDITION 11:

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

- (1) Days and hours of construction and deliveries;
- (2) The control of noise and vibration from construction activities including groundworks, plant/generators and the formation of infrastructure as well as arrangements to monitor noise emissions from the development site during the construction phase;
- (3) The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;
- (4) Any temporary site compound, including buildings/structures, lighting, fencing and storage provision;
- (5) The parking of vehicles of site operatives, contractors and visitors during the construction phase;
- (6) Measures to prevent deleterious material being carried onto the highway network including mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase and wheel washing facilities;
- (7) Timing of heavy goods vehicle movements during the construction phase and a routing plan (including details of any temporary signage);
- (8) A point of contact for site management and their contact details (including out of hours);
- (9) Construction Site Access Control;
- (10) Storage of Plant and materials used in constructing the development;

(11) Pre-commencement checks by a suitably qualified ecologist for protected species, including nesting birds, badger, reptiles, hedgehogs and appropriate working practices and safeguards for wildlife to be employed whilst works are taking place on site.

(12) A detailed schedule of great crested newt mitigation measures (to include timing of works, protection measures, monitoring and further survey if deemed necessary); and

(13) Measures to protect hedgehogs.

Development shall not be carried out other than in accordance with the approved construction management plan unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

In the interests of health and safety, the amenities of the area and to ensure protected species are not harmed by the development.

CONDITION 12:

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

REASON:

In the interest of residential amenity and to control outbuildings in relation to the boundary landscaped areas.

CONDITION 13:

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

REASON:

In the interest of visual amenity.

CONDITION 14:

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

REASON:

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

CONDITION 15:

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 the development hereby approved.

REASON:

In the interest of visual and residential amenity.

CONDITION 16:

The dwellings approved as part of the reserved matters 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 17:

Unless non-material variations are otherwise agreed in writing with the Local Planning Authority no development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Lead Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Provide Ground Investigation details and infiltration testing in accordance with the BRE 365 guidance to establish the feasibility of using infiltration to manage the surface water runoff from the site. Where infiltration is feasible this should be used as a primary means of outfall from the development site.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow onto third party land. Overland flow routing should look to reduce the impact of an exceedance event.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network (if applicable).

REASON:

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

CONDITION 18:

Unless non-material variations are agreed in writing by the Local Planning Authority, no occupation and subsequent use of the development shall take place unless and until a detailed maintenance plan, in accordance with CIRIA C753, giving details of how surface water drainage systems shall be maintained and managed for the lifetime of the development, which includes

the name of the party responsible for surface water maintenance, shall be submitted to and approved by the Local Planning Authority. The scheme hereby permitted shall be implemented in accordance with the approved details.

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 19:

No above ground development of the car parking areas and garages 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 than in accordance with the approved details. No dwelling shall be occupied until the associated electrical vehicle charging points have first been provided and made available for use 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 ensure the proper development of the site, to reduce air pollution, to lower carbon emissions and in the interests of visual amenity.

CONDITION 20:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, the garages provided as part of the reserved matters shall not be converted to living accommodation.

REASON:

In the interest of highway safety and to ensure adequate car parking remains part of the development.

CONDITION 21:

The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

REASON:

In the interest of highway safety.

CONDITION 22:

Unless non-material variations are agreed in writing by the Local Planning Authority, the development shall not be occupied until a plan/scheme showing the detailed design of the site access, including traffic calming measures to reduce vehicle speeds and/or improve achievable junction visibility, together with details of the approaches to the junction of Squires Road with Roberts Close, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Such plan/scheme shall include a timetable for the plan/scheme's implementation and the approved plan/scheme will be implemented in accordance with the approved timetable.

REASON:

In the interests of Highway Safety

CONDITION 23:

The construction of the estate roads serving the development including footways, verges and footpaths shall not be other than in accordance with the standard specification of the Highway Authority

REASON:

In the interests of highway safety

CONDITION 24:

No dwelling shall be occupied until the estate roads including footways serving it, have been laid out and substantially constructed unless non-material variations are otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interests of Highway Safety

CONDITION 25:

No development shall commence unless and until:

a) A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.

b) The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to and approved by the Local Planning Authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

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

REASON:

In the interest of archaeology.

CONDITION 26:

Prior to commencement of the Development a noise assessment shall be undertaken by a suitably qualified person to assess the noise impact of the proposed development, primarily with regard to road impact on the proposed development, in particular, road traffic noise from the A45 to the north of the site but also with regard to the school and nursery adjacent, to be submitted to and approved by the Local Planning Authority. The report should also include details of existing background noise levels to be used as rating limit levels for any ground source heat pumps or similar equipment to be fitted to properties (with regard to BS4147:2014+A1:2019). The report should include if necessary, recommendations for acoustic insulation works to protect the occupants both inside the dwellings and the external amenity areas. Any recommended works shall be completed in accordance with the approved details prior to the first occupation of the development.

REASON:

In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority; and to ensure the avoidance of significant adverse effects of noise on the occupants of the proposed development.

CONDITION 27:

No development other than that required to carry out as part of an approved scheme of remediation shall commence (in any phase of the development) until conditions (a) to (d) below have been complied with (for that phase). If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition (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 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 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 Defra and the Environment Agency's Model Procedures for the Management of Land Contamination CLR 11.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment 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 previously unidentified contamination is found at any time when carrying out the approved 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 in writing of 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 28:

Unless non-material variations are otherwise agreed in writing with the Local Planning Authority, 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 29:

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

REASON:

In the interest of fire safety.

CONDITION 30:

Unless non-material variations are agreed in writing with the Local Planning Authority, no dwelling shall be occupied until broadband infrastructure at a minimum standard of superfast speed has first been installed and made available for use by the occupants of the dwellings on site.

REASON:

To ensure an up-to-date communication system fit for the digital ages is in place for residents in accordance with policy SCC9 of the Local Plan.

CONDITION 31:

No above ground development shall commence until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The Energy Statement shall include full details, supported by calculations, demonstrating what measures will be incorporated into the design of the buildings to reduce carbon emissions and deliver sustainable design. No dwelling shall be occupied until the measures have been provided in accordance with the approved details.

REASON:

To reduce carbon emissions.

INFORMATIVE 1:

This development is subject to a s106 legal agreement.

INFORMATIVE 2:

The adopted Local Plan 2019 contains the current SMHA housing mix for both market housing and affordable housing. These are:

MARKET HOUSING:

1-bed: 5-10%
2-bed: 25-30%
3-bed: 40-45%
4/4+ bed: 20-25%

AFFORDABLE HOUSING:

1-bed: 30-35%
2-bed: 30-35%
3-bed: 20-25%
4/4+ bed: 5-10%

INFORMATIVE 3:

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 4:

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 5:

Warwickshire Fire and Rescue Authority draws your attention to the need for the development 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. Further information can be found at:

www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning

Where compliance cannot be met, please provide details of alternative measures to put in place directly to them. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles. Warwickshire Fire and Rescue Authority fully endorse and support the fitting of sprinkler installations, in accordance with the relevant clauses of BS EN 12845: 2004, associated Technical Bulletins, and/or to the relevant clauses of British Standard 9251:2014, for residential premises. Warwickshire Fire and Rescue Authority requests that access to the site during construction and upon completion is maintained free from obstructions such as parked vehicles, to allow emergency service vehicle access.

INFORMATIVE 6:

Condition 28 requires mitigation measures in order to comply with policy HS5 of the Local Plan. Measures to assist in reducing the development's impact upon Air Quality Management include the installation of an ultra-low emission boilers (<40mg/kWh), ground source heat pumps or all electric water and heating systems, increased tree planting/landscaping, solar thermal panels, green walls and roofs, and the incorporation of electric vehicle charging points within garages and car parking areas. 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 following requirements apply in relation to the public right of way which traverses the site:

- Public footpath R154 must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.
- The applicant must make good any damage to the surface of public footpath R154 caused during works and the existing levels restored post development.
- If it is proposed to temporarily close public footpath R154 during works then an application for a Traffic Regulation Order must be made to Warwickshire County Council's Rights of Way team well in advance.
- the agreed landscaping scheme at the reserved matters stage should ensure that planting occurs at least two metres away from the edge of the public right of way to help ensure that mature growth will not encroach onto the public right of way.
- Any disturbance or alteration to the surface of public footpath R154 requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public footpath.
- The developer must contact the Rights of way team well in advance of works to construction the section of access road crossing the public footpath to discuss necessary arrangements, specifications and provisions in detail.
- The safety of public footpath users crossing the proposed access road should be considered at the detailed stage, ensuring good visibility, specifications for the new surface and any street furniture or safety features which should be submitted to the WCC Rights of Way team for approval as Highway Authority.
- The developer should surface the route to the same standard as other estate footways with tarmac and included in any Section 38 Agreement for the development.

INFORMATIVE 8:

Any external lighting shall be designed in such a manner that it will not cause light nuisance to nearby residential properties.

INFORMATIVE 9:

Suitable drainage provision and method of foul sewage disposal should be applied during the design and construction phase. The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition)-Drainage and Waste Disposal.

INFORMATIVE 10:

Condition number 22 requires work to be carried out within the limits of the public highway. The applicant/developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant/development should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

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

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

Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV25 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting more than 10 days, three months' notice will be required.

INFORMATIVE 11:

Conditions 23 and 24 require that the estate roads including footways, verges and paths are designed and laid out and constructed in accordance with the Highway Authority's standard specification. The applicant/development is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads.

The approval of plans for the purposes of planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980.

An application to enter into a Section 38 Highways Works Agreement should be made to the Planning & Development Group, Communities, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting longer than 10 days, three months' notice will be required.

Before preparing detailed plans of the estate roads for the purposes of adoption under Section 38 of the Highways Act 1980, the applicants/developers should contact the Street Lighting Group, Warwickshire County Council, Communities, Shire Hall, Warwick, CV34 4SX.

Unless the applicants/developer have entered into an agreement under Section 104 of the Water Industry Act 1991 with the appropriate water supply and sewerage treatment company for the adoption of all sewers contains or passing within the limits of a highway, the Highway Authority may not be prepared to complete a Highway Works Agreement under section 38 of the Highways Act 1980 to adopt the highway.

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

Reference: R20/0543

Site Address: 71 Temple Street, Rugby, CV21 3TB

Description: Change of use of existing building from a storage facility to provide office space (B1(a) use class) to include increased roof height, first floor side extension and various external alterations.

Case Officer Name & Number: Chris Bates, 01788 533633

Recommendation: Approval subject to conditions and informatives.

This application is being reported to Planning Committee for determination due to the officer recommendation being contrary to local policy.

Description of site

The application site is situated within the Rugby urban area residing on the very edge of the Clifton Road, Hillmorton Road and Whitehall Road Conservation Area. The site is outside of the Town Centre and is considered to be on the outskirts of this designation.

The Conservation Area is essentially made up of late Victorian and Edwardian houses which front Hillmorton Road which includes a variety of uses such as community, commercial, education and recreation. The frontages are formal and designed to an extremely high standard in the Vernacular or Mock Tudor style. The backs are plainer but are dominated by long narrow gardens with ancillary, small scale buildings on the rear boundary. The wall lining Temple Street is also an important feature providing historic interest and enclosure to the streetscene. There are no Listed Buildings within the immediate vicinity of the application site.

The existing building dates from C.1900 and forms one of a number of rear garden buildings which are typical of the area. Historically, it appears to have been a retail unit or workshop from a late Victorian period and contributes to the area's historical interest.

The building currently sits as a somewhat dilapidated structure, most recently used as a storage facility encompassing a gross internal floorspace of circa 120 sqm. Presented in a multi red brick with a corrugated sheet pitched roof, the structure measures a width of 5.30m and a depth of 13.30m with an eaves height of 4.50m and a ridge height of 6.40m. From Temple Street, the building has simple fenestration with a loading door with brick arch feature at first floor level and an old worn down retail frontage at ground floor level in which paraphernalia consisting of an entrance door, window and fascia board can be made out.

Description of proposals

This application seeks full planning permission for the change of use of the existing building from a storage facility to a Class B1(a) use class incorporating office accommodation with storage space retained on the ground floor alongside a reception area and toilet facilities. The storage space will only be used as a backup facility as typically materials and equipment are usually taken off site to projects. As stated in the design, access and heritage statement, the applicant is an interior fit-out contractor specialising in ceiling and partition systems and operate nationwide of whom are looking to establish an operations base in Rugby.

The proposals in terms of visual amenity is to encompass an increased roof height, a first floor side extension and various external alterations to enable the building to be fit for purpose. Amended plans have been submitted following officer concerns regarding the original scheme in which the level of external alterations proposed in comparison to the existing building fenestration clearly detracted from its existing appearance and context within the conservation area. Additional, this coincided with reducing the size of the glazing at first floor level and reducing the depth of the decking area to alleviate any overlooking concerns onto properties on the opposite side of Temple Street.

The final plans as submitted intend to increase the existing building by approximately 0.70m in height whereby it will reach an eaves height of 5.30m and a ridge height of 7.10m. The roof form will match that of the existing in terms of design and slope. With regards to the elevation facing Temple Street, the fenestration is to be simple like the existing with the first floor loading door style windows refashioned to now act as window shutters alongside a standard window in which the retained window arch and blue brick offer more architectural detail. To the base of the building, a new entrance is to be fashioned imitating similar dimensions to the existing commercial paraphernalia. With regards to the south elevation which faces Hillmorton Road, the existing window and door openings are to be bricked up; and three matching windows are to be installed at first floor level replicating the existing in size, detail and design. Additionally, two rooflights are to be installed on each roof slope. To the north elevation, a large window is to be installed on ground level.

The first floor side extension intends to make use of a cantilever design so as not to restrict access to the right of way running adjacent to the building and serving the rear of Hillmorton Road properties with a headroom clearance of 2.70m above natural ground level which retains vehicular access to the right of way. The extension will extend a total width of 3.50m for a depth of 10.50m and will provide an external balcony/decking area facing Temple Street which runs for a total depth of 1.80m. The side extension and balcony elements are to be set back within the building envelope as to act subservient with distances of 0.9m and 2.70m respectively. The extension will contain the office accommodation for an anticipated four persons (2 full time & 2 part-time persons) along with meeting and welfare facilities. To incorporate a useable amount of headroom to the first floor accommodation the extension will run off the raised eaves level of the existing building with the extension ridge height (6.48m) being subservient to the existing building's adjusted roof line and matching the roof form.

The scheme intends to emphasis the commercial / storage nature of the buildings by utilising an industrial character to the extension and fenestration treatment to the existing building. The existing brick structure will have an increased eaves height and adjusted first floor openings using brickwork to match the existing along with repointing where necessary, with new doors and windows using Crittal metal frames. The extension will be in a dark timber to contrast against the red brickwork. The extension and new roof over the existing building will use a dark zinc roofing. Openings within the existing structure will be framed in exposed steel, all contributing to the industrial aesthetic. A mood board was provided to illustrate the external and internal character proposed.

Access for to the development is unaffected by the proposals utilising existing doorways on the front and side elevations. Likewise, access to the adjacent attached lean-to garage will be unaffected which is attached to the application site but is not within the ownership. Likewise, notice was served on the other properties who currently use the access point to access the detached garages to the rear.

The applicant has stated that due to the nature of their business the proposed office seeks to allow space for the two directors and an operations manager a place to work for 2/3 days a week, with the remainder of their time being spent away from the office at various project sites throughout the country. As such, existing on street parking arrangements will be used where required and being in a sustainable location near the town centre means walking, cycling or public transport can be used.

Planning History

No relevant history.

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

Policy GP2: Settlement Hierarchy.

Policy HS5: Traffic Generation and Air Quality.

Policy SDC1: Sustainable Design.

Policy SDC3: Protecting and Enhancing the Historic Environment.

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets.

Policy TC2: Rugby Town Centre – New Retail and Town Centre Uses.
Policy D2: Parking Facilities

Other Documents

Sustainable Design and Construction – SPD Residential Design Guide
Clifton Road, Hillmorton Road and Whitehall Road Conservation Area Appraisal
Managing Significance in Decision Taking in the Historic Environment (HEGPAP 2), Historic England 2015
The Setting of Heritage Assets (HEGPAP 3), Historic England 2015

Listed Building and Conservation Areas Act 1990

Section 16 (2)
Section 66 (1)
Section 72

National Planning Policy Framework, 2019 (NPPF)

Section 7: Ensuring the Vitality of Town Centres.
Section 12: Achieving well-designed places.
Section 16: Conserving and Enhancing the Historic Environment.

Planning Practice Guidance

Technical consultation responses

RBC Development Strategy	Objection as no sequential test submitted which is contrary to policy.
RBC Environmental Health	No objection subject to relevant informative.
RBC Work Services	No objection.
WCC Ecology	Content with findings of updated ecological report and raised no objection subject to relevant informatives.
WCC Highways Authority	No objection.
WCC Fire and Rescue Service	No objection subject to relevant informative.

Third party comments

Neighbours – Three Objection representations received raising the following concerns:

- 1. I welcome the proposal to improve the existing building. However, I have two concerns: 1) I have grave concerns over the first floor side extension. This strikes me as an intrusion on the shared access and rights of the other residents. 2) In any event, the clearance of 2.7m is too low. This would prevent the access of taller vehicles which may from time to time need access.*
- 2. Restriction on height in lane will mean that the fire service will not be able to get a fire engine down the lane or the residents that have vehicle accesses to their properties will not be able to get a vehicle over 2m height which they are entitled to and have been doing for a 100 years. There is no parking space in front of the building and no space for one and no vehicle access right down the lane for that building it is pedestrian access from the lane. There is no land associated with the building so there is no space for construction unless they use the street and lane blocking access to all the residents; and there is no*

ownership of then lane by that property by title deed or any legal claim on it or the building the planned extension over the lane is attached to.

3. *The application is for works to a structure attached to ours. There is a covenant on the deeds regarding the attachment to our property. The windows will overlook our garden and rear windows, including the bathrooms, thus compromising our privacy. It is a residential area and parking is already an issue. In addition, the proposed development is over-bearing to our property. It will become out of scale and as it overlooks our garden will become incredible intrusive to our privacy leaving no aspect of our garden private. It will have full view into the rear elevation of our property and again will impact on the privacy into our bathroom, landing and rear bedroom. Furthermore any proposed work would have to take place on our property as the right hand wall of the property is a shared wall to our garage and there is a covenant on any abutment to the above mentioned property which is included in the deeds and land registry. This proposal would cause unnecessary upset and stress to us as a family.*

Councillors – No responses.

Assessment of proposals

The main considerations in respect of this application are the principle for the change of use and whether this is acceptable. The character and design of the proposals and its overall impact upon the conservation area, impacts upon the amenities of neighbouring properties, impact on protected species, highway safety and parking facilities and impact on air quality.

1. Principle of Development

- 1.1 Policy GP2 of the Local Plan states that the Rugby Town Centre is the main focus for all development in the Borough and whilst the application site is located within the Rugby urban area, it is considered outside of the town centre boundary.
- 1.2 Whilst this is considered a sustainable location for development in which the proposals seek to restore and utilise an unoccupied, dilapidated building. It does however look to incorporate office space which is a main town centre use. Subsequently, a sequential test assessing potentially suitable town centre units would apply.
- 1.3 Policy TC2 states that National guidance requires Local planning authorities to apply the sequential approach to planning applications for main town centre uses that are not in an existing centre and not in accordance with an up to date Local Plan. The policy also sets out the order of sequentially preferential locations for new investment working from the core of the town centre outwards.
- 1.4 The NPPF gives further clarity on this situation. Paragraph 86 states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Further to this, paragraph 88 confirms that this sequential approach should not be applied to applications for small scale rural offices or other small-scale rural development.
- 1.5 Planning Practice Guidance confirms “It is for the applicant to demonstrate compliance with the sequential test (and failure to undertake a sequential assessment could in itself constitute a reason for refusing permission).” Paragraph: 011 Reference ID: 2b-011-20190722 PPG). RBC Development Strategy have previously suggested a basic sequential test could be acceptable.

- 1.6 The agent has argued the case that producing a sequential test is unwarranted in this case as the cost in doing so is prohibitive considering the matter of fact that the proposals are simply reusing an existing commercial building which is of a very small nature and presents no impact to the town centre whatsoever.
- 1.7 Nevertheless, without a sequential test the proposal falls short of the requirements set out in policy TC2 of the Local Plan and the relevant parts of the NPPF in which the justification for locating the proposal outside of the town centre cannot be properly assessed. It also would not fall under the exemptions listed in paragraph 88 of the NPPF. Therefore, on this basis the application is contrary to both national and local policy which seeks to locate a main town centre use in such designation and no exceptional circumstances can prove otherwise. The above therefore carries weight against the proposals.

2. Character and Design and Impact upon the Conservation Area

- 2.1 Policy SDC1 states that all developments should aim to add to the overall quality of the areas in which they are situated; whereas Policy SDC3 confirms development will be supported that sustains and enhances the significance of the Borough's heritage assets including Listed Buildings and Conservations Areas. In this respect paragraph 189 of the NPPF sets out that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 2.2 Section 72 provides further evidence with which to assess upon with respect to any building or other land in a Conservation Area. Special attention must be paid to the desirability or preserving or enhancing the character or appearance of that area. The House of Lords in the South Lakeland District Council v Secretary of State for the Environment (1992) 1 ALL ER 573 decided that the "statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.": a 'do no harm' principle.
- 2.3 The NPPF also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. It also considers that where a proposed development will lead to substantial harm to the significance of a heritage asset it should be refused and where a proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal securing its optimum use. Historic England's guidance on decision taking makes reference to understanding the significance of the heritage asset and its sensitivity to change can then unlock viable uses for the asset and secure its long term future. It acknowledges change to heritage assets is inevitable but is only harmful when significance is damaged.
- 2.4 The overall historic character and quality of the Conservation Area remains high with the traditional buildings prevailing and architectural details in the older buildings being preserved with the main specifics of this particular context being cited within the introduction. It is given, that by utilising an existing building and keeping it for a non-residential use, in such a location, is a sustainable approach and would subsequently meet the criteria set out within paragraph 192 criterion a of the NPPF which sets out the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- 2.5 It is also appropriate to retain the building's existing characteristics as much as is reasonably possible and the officer is content that the amended plans help maintain this consensus particularly from the frontage as seen along Temple Street. By way of reducing the glazing at ground and first floor levels coupled with retaining the loading door feature it enables a much simple fenestration which reinforces the brick detailing as emphasis and relaxes its context within the street scene.

- 2.6 Whilst, the side extension is a complete contrast to the red brick appearance by way of the dark timber cladding, zinc roofing and other industrial features due to its subservient nature this element is hidden from most vantage points and on balance is not seen to harm the existing building and its setting within the conservation area. It is considered that this continues to build on the criteria set out within paragraph 192 of the NPPF whereby with the increased floor space the building is being put into a more viable use without compromising its conservation.
- 2.7 It is noted that the existing building by way of its upgrade is to incorporate materials such as a zinc roof finish and Critall metal frames which goes against the grain of its nature. However, these materials are a vast improvement on those existing which include corrugated sheet roofing and a steel shop frontage; and on balance are acceptable due to their context moving forward and also their high quality nature which preserves the building on many fronts.
- 2.8 Overall, based on the justification given the proposals are considered to accord with the Development Plan, The Listed Building & Conservation Area Act, the NPPF and Historic England guidance. The proposals on balance clearly present a positive contribution by way of the reuse of a small industrial building that sits on the edge of a conservation area which will not detract from the wider conservation area nor has no impact upon adjacent heritage assets. The design appears to respond well to historical precedents in terms of scale, massing, style, siting and materials.

3. Impact on Residential Amenity

- 3.1 In terms of residential amenity in relation to the planning application, Policy SDC1 ensures that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 3.2 Whilst an objection has been raised by No.51 Hillmorton Road which backs onto the application site to the south citing privacy issues there is to be a circa 36-37m separating distance between the building and the rear elevation of this property. This is a sufficient distance to warrant any impacts upon their amenities when discussing potential overlooking or privacy issues. Now whilst new windows and rooflights are to be installed along this southern elevation, the proposals seek to reinstall similar windows to what is already existing, albeit at a higher level to coincide with the increased building height. This also applies for the rooflights in the roof slope which will allow more natural light into the building and not be used as a means to look out of. On this basis, the fenestration as proposed would not provide clear overlooking opportunities due to the proximity to this neighbouring property with any views being indirect, partially screened by the boundary treatment, with any potential overlooking to neighbouring properties not significantly beyond that normally associated with those in an urban area. Therefore, on this basis, the objector comments are dismissed as they carry very little weight in which the application could be refused.
- 3.3 When discussing other aspects of the proposals, the potential privacy and overlooking issues to the properties directly across the road along Temple Street were an immediate concern in which there is circa 12-13m separating the building frontage and the residential gardens opposite; and circa 16m to the nearest habitable windows by way of dormer bedroom windows. Albeit these windows face the site at a 45-degree angle and limit any direct vantage points. However, following the receipt of amended plans which reduces the glazing at first floor level on the existing building; and sees the depth of the decking reduced as part of the side extension. These issues on balance have been overcome as there is no clear intrusive vantage points into the adjacent residential garden areas, or those more intrusive than those commonly associated within the urban area. Also, they follow the pattern of the separating distances seen along Temple Street. When discussing the external decking area, it is important to note that this will now fall within the reveal of the building (0.9m behind the existing building line) and will provide additional privacy for the adjacent properties.

3.4 With regards to properties to the rear of the application site, one slim rear facing window is proposed as per the side extension. This will offer views of the outbuildings to the rear and an industrial yard area beyond this to the rear with the only direct vantage points to residential properties being those on the eastern side of Caldecott Road approximately 80m away.

3.5 Of note, the proposals due to its nature in which it will work on an existing footprint will not impact any other properties within the immediate vicinity and those most notably along Temple Street and Hillmorton Road where there are clear separating distances coupled with opaque vantage points. Also, due to the low number of individuals to be on site at any one time there is to be no clear intensification on site which has been backed up by WCC Highway Authority comments.

3.6 RBC Environmental Health also confirmed that as there is no indication of plant or machinery in terms of air handling equipment, air conditioning etc. that a relevant noise condition is not necessary in this instance.

3.7 Overall, it is considered that proposed change of use and the external alterations would not have any undue detrimental impacts on the amenities of the neighbouring properties aforementioned by way of intensification, a loss of light/overshadowing concerns, a loss of outlook, privacy/overlooking issues, or by having an overbearing impact. The application therefore complies with the relevant part of Policy SDC1 of the Local Plan.

4. Impact on Protected Species

4.1 Policy NE1 looks at delivering a net gain in biodiversity. WCC Ecology initially requested that a Preliminary Ecological Appraisal (PEA) for bats and nesting birds was undertaken by a suitably qualified ecologist prior to determination due to the potential for crevice dwelling bats to use any gaps in brickwork or timber and also with the WBRC holding records nearby for such protected species.

4.2 Upon receipt of the ecological report submitted, WCC Ecology expressed concerns with the content of the report which concluded the structure had negligible potential to support roosting bats as there appeared to be critical information missing. This included an evaluation of the timber roof supports with photographs; a hibernation assessment; photographs of feeding remains; an assessment and photographs of the ground floor level; and amendments to section 0.2 of the report.

4.3 A revised ecological report was then submitted responding to WCC Ecology comments and whilst the report does not provide any further information about beams, the assessment of hibernation potential has been addressed by adding a sentence saying there is no hibernation potential. Additional photographs have been included of which show that the joists meet the wall with no gaps. The building was assessed as having negligible potential to support roosting bats and overall WCC Ecology are in agreement with this following on from the additional evidence provided.

4.4 Due to the lack of evidence of any bats or bat activity we would agree with the conclusion of the report that the proposed works are unlikely to have an effect on bats in the short term. However, as they can still be subsequently found roosting in buildings where survey work has failed to find any evidence, and where access for bats does not appear apparent, it is recommended that a bat note is attached to any permissions granted.

4.5 Although the WBRC does not hold specific records for birds within the site, or evidence found during the survey the proposals have the potential to impact nesting birds through the removal of vegetation and through any pruning or lopping which may take place and through roof works. Therefore, timing of works should be scheduled to avoid the nesting bird season.

- 4.6 Another consideration put forward by WCC Ecology is that the applicant uses the development as an opportunity to enhance the site for biodiversity in line with NPPF and ODPM Circular 2005/06. Some suggestions are made in the biodiversity enhancement note.
- 4.7 Subject to this the impact on protected species is considered acceptable in accordance with Policy NE1 of the Local Plan.
5. Highway Safety and Parking Facilities
- 5.1 WCC Highways Authority were also consulted as part of the process and no objection has been raised in respect to impact upon highway safety and parking facilities. As the development is situated in a sustainable area with public transport available this offers weight in favour of the proposals.
- 5.2 The agent has noted in the supporting documents that the existing building can operate as commercial floor space with no on-site parking which could generate more traffic than the proposal itself.
- 5.3 Objections were raised on the lack of parking in the vicinity and the side extension which would limit access for higher vehicles. With regards to parking, the development is within a highly accessible area with T.R.O's restricting illegal parking. The Highway Authority do not envisage a significant increase in vehicle movements to make the proposed development detrimental to the adjoining highway.
- 5.4 The side extension is not over adopted land it would therefore be a civil matter and would not involve the Highway Authority. WCC Fire and Rescue Service were consulted and they raised no objection, deeming that the existing access to the premises and structures to the rear of the new development would remain available for Fire Service personnel to attend these premises and structures on foot.
- 5.5 Based on the above, the proposals are to comply with the various parking requirements set out within Policy D2 and appendix 5 of the Local Plan whereby due to the sustainable location of the development there is to be no detriment to highway safety.
6. Air Quality
- 6.1 To further safeguard and minimise pollution to reduce carbon footprint, Policy HS5 applies to any development proposal that generates new floorspace within the Air Quality Management Zone. For developments in this location, proposals must achieve or exceed air quality neutral standards, or address the impacts of air quality which include using appropriate abatement technologies.
- 6.2 RBC Environmental Health were consulted as part of the proposals and have noted the air quality mitigation measures in section 6.0 of the design, access and heritage statement and have not recommended any further air quality conditions and/or informatives based on these measures being implemented. These measures include: Increased performance of building thermal envelope and air tightness thus reducing the energy input required; where possible electric powered heating and hot water will be utilised; installation of ultra-low emission boiler; and secure cycle parking for staff provided within the storage area.
- 6.3 The proposal is considered to provide no additional impacts on the air quality management zone, based on the provisions cited above and as a result is considered air quality neutral. Therefore, it is deemed unnecessary to impose any mitigation methods on the proposed development. This application is therefore considered to be in accordance with Policy HS5 of the Local Plan.

7. Planning Balance and Conclusion

7.1 On planning balance, whilst the proposals are contrary to local policy and more precisely Policy TC2 whereby the building seeks to propose a town centre use (office space) outside of the town centre. This offers limited weight in conjunction with the rest of the proposals which seeks to reuse an existing dilapidated building and the need to undertake a sequential test seems somewhat excessive given its small nature. On the other hand, the proposal is bringing back to life a distinctive building within the local environment which takes into account preserving its character as much as possible whilst providing the necessary floor space by way of increase roof height and the side extension. Whilst the side extension is a contrast in terms of materials and visual appearance to the existing building, due to its overall scale and nature in which it is set back within the building reveal it is not noticeable from the majority of vantage points and lends itself well to complementing the building through its high quality and contemporary nature. Moreover, the proposals appropriately addresses all other planning matters such as impact on residential amenity, impact on protected species, highway safety and parking facilities and air quality.

8. Recommendation

8.1 Planning application R20/0543 is recommended to be granted approval subject to the conditions and informatives set out in the draft decision notice appended to this report.

DRAFT DECISION

REFERENCE NO:

R20/0543

DATE APPLICATION VALID:

30-Jul-2020

APPLICANT:

Mr Craig Buglass, Gridlocked Ltd Gridlocked Ltd, Flat 2, 61 Temple Street, Rugby, CV21 3TB

AGENT:

Richard Palmer, HB Architects HB Architects, The Old Telephone Exchange, Albert Street, Rugby, CV21 2SA

ADDRESS OF DEVELOPMENT:

71, TEMPLE STREET, RUGBY, CV21 3TB

APPLICATION DESCRIPTION:

Change of use of existing building from a storage facility to provide office space (B1(a) use class) to include increased roof height, first floor side extension and various external alterations.

CONDITIONS, REASONS AND INFORMATIVES:**CONDITION 1:**

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

REASON:

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

CONDITION 2:

Unless non-material variations are agreed in writing with the Local Planning Authority the development shall not be carried out other than in accordance with the following plans and documents:

-Application forms received by the Council on 30th July 2020

-Site location plan at a scale of 1:1250 and block plan at a scale of 1:500 (Dwg No. 41-20-05) received by the Council on 30th July 2020

-Design, access and heritage statement (HB Architects - Project No. 41-20 - Dated 06/07/2020) received by the Council on 30th July 2020

-Existing survey plans (Dwg No. 41-20-01) received by the Council on 30th July 2020

-Theme board plans (Dwg No. 41-20-04) received by the Council on 30th July 2020

-Amended proposed scheme plans (Dwg No. 41-20-02 Rev. C) received by the Council on 22nd September 2020

-Amended proposed alterations plans (Dwg No. 41-20-03 Rev. B) received by the Council on 22nd September 2020

-Preliminary roost assessment version 2 (Elite Ecology - Dated October 2020) received by the Council on 28th October 2020

REASON:

For the avoidance of doubt.

CONDITION 3:

Prior to installation 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, timber cladding, roof tiles, loading doors and external

decking area including handrails have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 4:

Notwithstanding any indication given on the approved drawings, full details of the design, materials and finishes of all windows, including the reveal depths, as well as the type and size of the proposed rooflights, and external doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Development shall not be carried out other than in accordance with the approved details and the approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior written permission of the Local Planning Authority.

REASON:

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

INFORMATIVE 1:

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE 2:

Bats can be found in many buildings, even those that initially appear to be unsuitable or have been subject to a bat survey and found no evidence. Therefore, if any evidence of bats is found on site, work should stop while a bat survey is carried out by an experienced bat worker, and any recommendations made following the survey are undertaken. It should also be noted that as bats are a mobile species and can move into a property with potential access at any time. A further survey may be required if the works are not undertaken within two years. Bats and roosts are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and are also deemed a European Protected Species.

INFORMATIVE 3:

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

INFORMATIVE 4:

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

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the NPPF.

AGENDA MANAGEMENT SHEET

Report Title: Planning Appeals Update

Name of Committee: Planning Committee

Date of Meeting: 11 November 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance:

Prior Consultation:

Contact Officer: Richard Holt

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):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

Statutory/Policy Background:	The Planning Appeals procedure which came into effect on 6th April 2009
Summary:	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/07/2020 to 30/09/2020.
Financial Implications:	Increases the scope for related costs claims within the Planning Appeals process.
Risk Management Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to Cost Claims and any subsequent Costs awards.
Equality and Diversity:	Equality and Diversity: No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

Planning Committee - 11 November 2020

Planning Appeals Update

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

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

1.1 Appeals determined

During the last quarter from 1st of July 2020 to 30th of September 2020 a total of 6 planning appeal was determined, of which 3 was allowed, 2 was dismissed and 1 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

1.2 Appeals outstanding/in progress

As at 30th September 2020 there were 7 planning appeals and 1 enforcement appeal still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date of Meeting: 19 August 2020
Subject Matter: Planning Appeals Update
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

APPENDIX A

PLANNING APPEALS DETERMINED FOR THE PERIOD: 1st July 2020 – 30th September 2020

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Featherstone Farm Leamington Road Ryton On Dunsmore CV8 3EL	Retrospective application for external swimming pool in garden	Lucy Davison R19/1236 APP/E3715/D/20/3247703	Refusal 04/12/2019	Allowed 31/07/2020 Award of costs refused 31/07/2020
9 Hayes Close Rugby CV21 1JG	Erection of first floor level front extension, erection of single storey front extension and various external alterations	Chris Bates R19/1400 APP/E3715/D/20/3247434	Refusal 24/12/2019	Dismissed 06/08/2020
The Chalet Hinckley Road Hinckley LE10 3HQ	Construction of new stables and stores	Nathan Lowde R19/1148 APP/E3715/W/20/3249732	Refusal 27/09/2019	Dismissed 20/08/2020
Pool House Rugby Road Brandon CV8 3GJ	Removal of condition 4 under planning permission R16/1724 to allow for the reinstatement of permitted development rights to all plots	Jo Orton R20/0062 APP/E3715/W/20/3248123	Refusal 19/02/2020	Allowed 21/08/2020
Parkfield off Main Street Brandon CV8 3FW	Removal of condition 2 of R06/1171/PLN – (Retention of a general purpose agricultural building)	Frances Keenan R19/1504 APP/E3715/W/20/3248126	Refusal 03/02/2020	Allowed 21/08/2020
11 Ashlawn Road Hillmorton Rugby CV22 5ET	Erection of dormer bungalow to rear of 11 Ashlawn Road	Thomas Leech R19/1341 APP/E3715/W/20/3253905	Refusal 13/12/2019	Withdrawn 14/09/2020

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.09.2020

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Tree Tops Shilton Lane Shilton CV7 9LH	Provision of 4no. traveller pitches and amenity block	Chris Bates R18/1941 APP/E3715/W/19/3243785	Committee Refusal 19/07/2019	Written Reps
The Old Pastures Moor Lane Willoughby Rugby CV23 8BT	Demolition of existing garage and erection of a new dwelling	Jo Orton R19/0758 APP/E3715/W/20/3250957	Delegated Refusal 29/01/2020	Written Reps
Masters Barn Masters Yard Birdingbury CV23 8EU	Erection of three new dwellings with associated access	Jo Orton R19/1406 APP/E3715/W/20/3251142	Delegated Refusal 24/02/2020	Written Reps
The Barn Field House Farm Broadwell Rugby CV23 8HP	Prior approval for change of use of Agricultural building to 1no. dwellinghouse (Class Q)	Frances Keenan R19/1308 APP/E3715/W/20/3252144	Delegated Required and Refused 19/11/2019	Written Reps
Field House Farm Broadwell Rugby CV23 8HP	Prior approval for change of use of Agricultural building to 1no. dwellinghouse (Class Q)	Frances Keenan R19/1307 APP/E3715/W/20/3252142	Delegated Required and Refused 19/11/2019	Written Reps
5 Smeaton Lane Stretton Under Fosse Rugby CV23 0PS	Erection of single storey rear/side extension (Resubmission of previously refused scheme R19/1273)	Chris Bates R20/0170 APP/E3715/D/20/3253570	Delegated Refusal 27/04/2020	Householder Appeals Service (HAS)
Yardley's Meadow Stretton Road Wolston CV8 3HX	Proposed siting of stud manager's temporary dwelling (resubmission of R18/1041)	Chris Davies R19/0952 APP/E3715/W/20/3257180	Committee Refusal 06/02/2020	Written Reps

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Trickle Brook Smeaton Lane Coombe Fields CV23 0PS	Shipping container retained on site without planning permission	Chris Davies ENF/2019/0503 APP/E3715/C/20/3255505		Written Reps

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 24th September 2020 to 21st October 2020

Name of Committee: Planning Committee

Date of Meeting: 11 November 2020

Report Director: Head of Growth and Investment

Portfolio: Please select

Ward Relevance: All

Prior Consultation: None

Contact Officer: Dan McGahey 3774

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):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)

Statutory/Policy Background:	Planning and Local Government Legislation
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
Financial Implications:	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 November 2020

Delegated Decisions - 24th September 2020 to 21st October 2020

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 11 November 2020

Subject Matter: Delegated Decisions - 24th September 2020 to 21st October 2020

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 24/09/2020 To 21/10/2020

APPENDIX 1

Delegated

8 Weeks PA Applications

Applications Refused

R20/0561 8 Weeks PA Refusal 01/10/2020	TRELANMEX LIMITED, COALPIT LANE, WOLVEY, HINCKLEY, LE10 3HD	DEMOLITION OF EXISTING DETACHED STRUCTURES TO BE REPLACED WITH FIVE NEW DETACHED DWELLINGS AND ASSOCIATED PARKING
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R20/0567 8 Weeks PA Refusal 13/10/2020	2, COLLINGWOOD AVENUE, RUGBY, CV22 7EX	Erection of a single storey front, side and alteration to existing rear extension
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R20/0292 8 Weeks PA Refusal 14/10/2020	HEATHCOTE FARM, MILL LANE, WOLVEY, HINCKLEY, LE10 3HR	Alteration and replacement of existing roof to extend first floor together with various extensions and external changes to dwelling.
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Applications Approved

R20/0391 8 Weeks PA Approval 24/09/2020	CLIFTON LAKES, WATLING STREET, CLIFTON UPON DUNSMORE	Completion of landscaping at Clifton Fishing Lakes and Wildlife Reserve.
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27 , South Road, Clifton Upon

Delegated

8 Weeks PA Applications Applications Approved

Dunsmore, CV23 0BY

R20/0624
8 Weeks PA
Approval
24/09/2020

Demolition of existing conservatory & W/C and erection of a single storey rear and side extension and first floor alterations

R20/0079
8 Weeks PA
Approval
25/09/2020

PAILTON PASTURES,
MONTILO LANE, PAILTON,
RUGBY, CV23 0QN

Extension to existing grainstore

R20/0563
8 Weeks PA
Approval
25/09/2020

18, DAVID ROAD, RUGBY,
CV22 7PX

Demolition of existing dwelling and construction of replacement dwelling (Resubmission of previously approved scheme R19/1371 dated 18/02/2020 for proposed alterations and extensions).

R20/0488
8 Weeks PA
Approval
28/09/2020

30, SCHOOL LANE, STRETTON-
ON-DUNSMORE, RUGBY, CV23
9ND

Erection of a two storey rear extension and a single storey side/rear extension.

R20/0615
8 Weeks PA
Approval
28/09/2020

22, ADAMS STREET, RUGBY,
CV21 2HT

Retrospective planning application for alterations to previously approved application R16/0125 (Erection of detached

Delegated

8 Weeks PA Applications Applications Approved

dwelling) approved 13th July
2019.

R20/0691
8 Weeks PA
Approval
28/09/2020

2, BROCKHURST LANE,
MONKS KIRBY, RUGBY, CV23
0RA

Erection of a single storey rear
and side extension to porch.

R20/0220
8 Weeks PA
Approval
29/09/2020

104-106 Railway Terrace, Rugby,
CV21 3HE

Retrospective subdivision of
existing retail unit to create 2no.
units, and erection of a front
extension to the additional unit.
Erection of a plant room to the
front of the building.

R19/0002
8 Weeks PA
Approval
30/09/2020

BARN OFF, FRANKTON LANE,
HIGHFIELD, FRANKTON, CV23
9PP

Proposed reconstruction of Barn
Approved under R13/2275 for
conversion to a dwelling.

R20/0010
8 Weeks PA
Approval
30/09/2020

NEW LODGE, VICARAGE
LANE, DUNCHURCH, RUGBY,
CV22 6QP

Erection of a detached garage
and erection of a boundary wall
to dwelling house within the
historic grounds of a Grade II
Listed Parks and Garden

R20/0502
8 Weeks PA

43, HOLBROOK ROAD, LONG
LAWFORD, RUGBY, CV23 9AH

Porch on front of house, size:
2.6m x 1.6m with apex roof.

Delegated

8 Weeks PA Applications Applications Approved

Approval
30/09/2020

R20/0633
8 Weeks PA
Approval
30/09/2020

12, COTON PARK DRIVE,
RUGBY, CV23 0WN

Demolition of existing sun room
and erection of a single storey
rear extension

R20/0227
8 Weeks PA
Approval
01/10/2020

CHERRY TREE FARM,
NETHERCOTE ROAD,
WOLFHAMPCOTE, RUGBY,
CV23 8AS

Proposed demolition of existing
dwelling and construction of a
replacement dwelling together
with a carport

R20/0564
8 Weeks PA
Approval
01/10/2020

LOW MEADOW, KINGS
NEWNHAM VIEW, CHURCH
LAWFORD, RUGBY, CV23 9FA

Proposed balcony to north
elevation

R20/0575
8 Weeks PA
Approval
01/10/2020

126, DUNCHURCH ROAD,
RUGBY, CV22 6DR

Demolition of single storey side
and rear attached structures and
porch and the erection of a two-
storey side and single storey rear
extension and a replacement
porch and raised decking

R20/0579
8 Weeks PA
Approval

OAKLEIGH, MAIN ROAD,
COVENTRY, CV7 9JA

Erection of a single storey rear,
side and front extension together
with a front porch

Delegated

8 Weeks PA Applications

Applications Approved

01/10/2020

R20/0405
8 Weeks PA
Approval
02/10/2020

50, LONG FURLONG, RUGBY,
CV22 5QT

Erection of a two storey front and rear extension together with alterations to existing dwelling (amendment to planning permission reference R17/0551)

R20/0597
8 Weeks PA
Approval
02/10/2020

31 STANLEY ROAD, RUGBY,
CV21 3UE

Retention and completion of a single storey outbuilding for use as a home office and gym.

R20/0648
8 Weeks PA
Approval of Reserved
Matters
02/10/2020

BRAMBLES, PUDDING BAG
LANE, THURLASTON, RUGBY,
CV23 9JZ

Proposed new dormer bungalow (reserved matters application for layout, scale, appearance and landscaping following outline planning approval under R19/1044 granted 29th October 2019)

R20/0630
8 Weeks PA
Approval
05/10/2020

46 , Portland Road, Rugby, CV21
3RX

Erection of a single storey rear extension

R20/0687
8 Weeks PA

Erection of new detached garage.

Delegated

8 Weeks PA Applications Applications Approved

Approval

05/10/2020

THE BARN, TUCKEYS FARM,
CATHIRON LANE,
HARBOROUGH MAGNA,
RUGBY, CV23 0JH

R20/0614
8 Weeks PA
Approval
06/10/2020

AVALON, MAIN STREET,
BOURTON-ON-DUNSMORE,
RUGBY, CV23 9QZ

Erection of a first floor side extension, single storey rear extension, balcony over and new gates to front garden entrance and front porch cover.

R20/0647
8 Weeks PA
Approval
06/10/2020

6, CHARLES LAKIN CLOSE,
SHILTON, COVENTRY, CV7
9LB

Provision of new roofing to existing single storey wrap around extension together with installation of new windows and external insulation.

R20/0651
8 Weeks PA
Approval
08/10/2020

BAYTON VIEWS, 2,
WITHYBROOK ROAD,
WOLVEY, BEDWORTH, CV12
9JW

Substitution of house type for Plot 2 of approved planning permission R18/0688 dated 22 June 2018.

R20/0676
8 Weeks PA
Approval
08/10/2020

19, COURT LEET, BINLEY
WOODS, COVENTRY, CV3 2JQ

Erection of single storey side extension, demolition of existing garage and construction of replacement garage (Part Retrospective).

Delegated

8 Weeks PA Applications Applications Approved

R20/0580 8 Weeks PA Approval 09/10/2020	3 , Meadow Road, Wolston, CV8 3HL	Proposed single storey rear Conservatory
R20/0616 8 Weeks PA Approval 09/10/2020	22, CHAMBERLAIN ROAD, RUGBY, RUGBY, CV21 4EU	Single storey front extension and two storey side extension
R20/0634 8 Weeks PA Approval 09/10/2020	YORK HOUSE, BILTON LANE, DUNCHURCH, RUGBY, CV22 6PT	Erection of detached outbuilding and erection of wall & fence to side boundary.
R20/0553 8 Weeks PA Approval 12/10/2020	THE DOVECOTE, KINGS NEWNHAM ROAD, KINGS NEWNHAM, RUGBY, CV23 0JT	Proposed new double garage adjacent to The Dovecote.
R20/0622 8 Weeks PA Approval 12/10/2020	West Winds, Brookside Close, Rugby, CV22 6AH	Two Storey Side Extension including new raised patio and refurbishment of existing dwelling
	29, ALWYN ROAD, RUGBY,	

Delegated

8 Weeks PA Applications Applications Approved

CV22 7QU

R20/0623
8 Weeks PA
Approval
13/10/2020

Erection of a two storey side extension, single storey rear extension and garage extension

R20/0671
8 Weeks PA
Approval
13/10/2020

NORTH LODGE, 12, RUGBY ROAD, DUNCHURCH, RUGBY, CV22 6PL

Various roof works and alterations to Grade II Listed Building.

R20/0784
8 Weeks PA
Approval
13/10/2020

50, BROOKSIDE, STRETTON-ON-DUNSMORE, RUGBY, CV23 9NH

Erection of a detached dwelling house (variation of condition 2 of planning permission R18/2165 dated 13/05/2019 to amend the location of the dwelling house)

R20/0649
8 Weeks PA
Approval
14/10/2020

26 ASHLAWN ROAD, RUGBY, CV22 5ES

Erection of a rear single storey extension

R20/0275
8 Weeks PA
Approval
15/10/2020

HOME FARM, HILLMORTON LANE, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BL

Construction of a side extension to existing steel-portal frame building to create a unit suitable to rear piglets in to the highest welfare standards and to a minimum of the RSPCAs freedom foods standards in deep

Delegated

8 Weeks PA Applications Applications Approved

littered straw yards.

R20/0310
8 Weeks PA
Approval
15/10/2020

HAYLOFT HOUSE, FLECKNOE
VILLAGE ROAD, FLECKNOE,
RUGBY, CV23 8AT

Replace existing wooden doors
and window with new wooden
doors and windows

R20/0646
8 Weeks PA
Approval
15/10/2020

94, CARLTON ROAD, RUGBY,
RUGBY, CV22 7PE

Erection of a first floor side
extension including 2no. dormer
windows, and new dormer
window to east elevation

R20/0701
8 Weeks PA
Approval
15/10/2020

THE COTTAGE, 5, THE GREEN,
BROADWELL, RUGBY, CV23
8HD

Erection of single storey rear
extension (alterations to
previously approved application
R18/1966)

R20/0154
8 Weeks PA
Approval
16/10/2020

BARN MEADOW FARM,
CALCUTT LANE, STOCKTON,
RUGBY, CV23 8HY

Erection of first-floor side
extension and a two-storey rear
extension

R20/0521
8 Weeks PA
Approval
16/10/2020

The Village Hall, Silver Street,
Newton, Rugby, CV23 0DU

Erection of a porch

Delegated

8 Weeks PA Applications Applications Approved

R20/0595
8 Weeks PA
Approval
16/10/2020

AVONDALE, STATION ROAD,
CLIFTON UPON DUNSMORE,
RUGBY, CV23 0BU

Erection of a two storey side
extension.

R20/0641
8 Weeks PA
Approval
16/10/2020

14 , Vernon Avenue, Rugby,
CV22 5HL

Single-storey rear extension

R20/0642
8 Weeks PA
Approval
16/10/2020

Oakland House, Hinckley Road,
Burton Hastings, Nuneaton,
CV11 6RG

Erection of external balcony.

R20/0663
8 Weeks PA
Approval
16/10/2020

15, BILTON LANE,
DUNCHURCH, RUGBY, CV22
6PY

Construction of a new wall with
vehicle and personnel access
gates.

R20/0673
8 Weeks PA
Approval
16/10/2020

11, FOXWOOD DRIVE,
COVENTRY, CV3 2SP

First floor conversion of the
garage to a kitchen area

15, NORTH STREET, MARTON,

Delegated

8 Weeks PA Applications Applications Approved

RUGBY, CV23 9RJ

R20/0683
8 Weeks PA
Approval
16/10/2020

Remove existing one story flat-roof garage. Replace with new pitched roof garage at same location.

R20/0493
8 Weeks PA
Approval
19/10/2020

SCHOOL HOUSE, MAIN STREET, BOURTON-ON-DUNSMORE, RUGBY, CV23 9QY

Proposed first floor side windows

R20/0509
8 Weeks PA
Approval
19/10/2020

16 , Hibbert Close, Rugby, CV22 6DS

Erection of a two storey side and single storey rear extension.

R20/0657
8 Weeks PA
Approval
19/10/2020

6, BRONZE ROAD, RUGBY, CV22 7XN

Erection of a single storey front extension.

R20/0442
8 Weeks PA
Approval
20/10/2020

ASH VIEW, COVENTRY ROAD, WOLVEY, HINCKLEY, LE10 3HF

Demolition of existing single storey detached dwelling and ancillary structures to be replaced with two storey detached dwelling with detached garage and associated access, parking and landscaping.

Delegated

8 Weeks PA Applications Applications Approved

UNIT 1, MIDLAND TRADING
ESTATE, CONSUL ROAD,
RUGBY, CV21 1PB

R20/0667
8 Weeks PA
Approval
20/10/2020

Alterations to existing warehouse premises in the form of cladding of the building and alterations to the loading bay doors in the eastern elevation; remodelling of car parking and vehicle circulation areas to provide an increase in car parking from 5 to 15 spaces and provision of cycle parking rack.

R20/0670
8 Weeks PA
Approval
20/10/2020

THE BUNGALOW, OXFORD
ROAD, PRINCETHORPE,
RUGBY, CV23 9PT

Single storey rear extension

R20/0674
8 Weeks PA
Approval
20/10/2020

BLACKTHORN HOUSE, THE
OLD ORCHARD, 2, BACK LANE,
BIRDINGBURY, RUGBY, CV23
8FX

Erection of a garden room

R20/0421
8 Weeks PA
Approval
21/10/2020

42, MAIN STREET, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BH

Change of use of ground floor from within Use Class B1(a) on-line estate agents office and residential to Use Class E

Delegated

8 Weeks PA Applications Applications Approved

R20/0474 8 Weeks PA Approval 21/10/2020	Tree Tops, Oxford Road, Princethorpe, CV23 9QE	Change of use from a caravan and camping park to a residential holiday home park.
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R20/0679 8 Weeks PA Approval 21/10/2020	51, HILLMORTON ROAD, RUGBY, CV22 5AE	Erection of a single storey extension (for use as an annex) and conservatory and other alterations.
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Certificate of Lawfulness Applications Applications Approved

R20/0555 Certificate of Lawfulness Approval 16/10/2020	64, Linnell Road, Rugby, CV21 4AW	The provision of a twin mobile home (not operational development) within the garden of the residential property for use as additional family accommodation (not a material change of use) ancillary to the use of the main house
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Discharge of Conditions Applications Approved

Delegated

Discharge of Conditions Applications Approved

R19/1421	LAND ADJACENT TO 90 CLIFTON ROAD RUGBY CV21 3QX	Erection of two storey detached dwelling with associated parking.
24/09/2020		
R19/1484	Land At Rear Of The White House, Main Road, Ansty, Coventry, CV7 9HZ	Demolition of existing buildings and erection of a dwellinghouse, along with the change of use of land to associated residential garden.
30/09/2020		
R20/0528	5, SILVERDALE GARDENS, RUGBY, CV22 5BU	Erection of outbuildings and structures, and provision of hard surfacing in the rear garden (partially retrospective).
05/10/2020		
R20/0341	SHOULDER OF MUTTON INN, BROOKSIDE, STRETTON-ON- DUNSMORE, RUGBY, CV23 9LY	Proposed conversion of former public house and coach house into 2no. dwellings and all other associated works including minor demolition and extensions
12/10/2020		
R19/1302	55, AVONDALE ROAD, BRANDON, COVENTRY, CV8 3HS	Conversion and extension of existing garage to form a detached dormer bungalow
13/10/2020		

Delegated

Discharge of Conditions Applications Approved

R19/1302 55, AVONDALE ROAD,
BRANDON, COVENTRY, CV8
3HS

16/10/2020

Conversion and extension of
existing garage to form a
detached dormer bungalow

Listed Building Consent Applications Applications Approved

R20/0449 10 BILTON ROAD, BILTON,
Listed Building Consent RUGBY, CV22 7AB
Approval
06/10/2020

Listed Building Consent for
alterations to the single storey
side extension involving bricking
up openings to external walls,
installing new windows & doors to
modified existing openings,
adding coursed stucco render to
external facing brickwork walls,
replacing glazed roof of rear
conservatory with insulated slate
covering of dwellinghouse

R20/0672 NORTH LODGE, 12, RUGBY
Listed Building Consent ROAD, DUNCHURCH, RUGBY,
Approval CV22 6PL
13/10/2020

Listed Building Consent for
various roof works and alterations
to Grade II Listed Building.

PRINCETHORPE COLLEGE,

Delegated

Listed Building Consent Applications

Applications Approved

LEAMINGTON ROAD,
PRINCETHORPE, RUGBY,
CV23 9PX

R20/0680
Listed Building Consent
Approval
16/10/2020

Replacement of existing
1960/70's era Stippolyte
obscured glazing in two windows
in Room G42 with new clear
glazing

R20/0494
Listed Building Consent
Approval
19/10/2020

SCHOOL HOUSE, MAIN
STREET, BOURTON-ON-
DUNSMORE, RUGBY, CV23
9QY

Listed Building Consent for
internal and external alterations

Major Applications

Applications Approved

R19/0902
Major Application
Approval
13/10/2020

117, NEWBOLD ROAD, RUGBY,
RUGBY, CV21 2NZ

VARIATION OF CONDITION 2
OF PLANNING APPLICATION
R17/2113 (APPROVED PLANS)
- RESIDENTIAL
DEVELOPMENT COMPRISING
PART-3/PART-4 AND PART-5
STOREY BUILDING
INCORPORATING 98 NO.
APARTMENTS,
RECONFIGURATION OF
EXISTING ACCESS,
PROVISION OF 61 PARKING
SPACES, CYCLE AND REFUSE

Delegated

Major Applications Applications Approved

PROVISION PLANTING AND
LANDSCAPING.

Prior Approval Applications

Prior Approval Applications

R20/0777 FLECKNOE FIELDS FARM,
Agriculture Prior FLECKNOE STATION ROAD,
Approval FLECKNOE, RUGBY, CV23 8AZ
Not Required
28/09/2020

Prior approval for the erection of
an extension of an agricultural
building for the purpose of storing
grain, wheat and straw.

R20/0766 LAND SOUTH OF MOOR LANE,
Agriculture Prior SAWBRIDGE, RUGBY
Approval
Not Required
07/10/2020

An enclosed steel portal frame
building for general purpose
agricultural use and storage

R20/0722 117, TENNYSON AVENUE,
Prior Approval RUGBY, CV22 6JB
Extension
Not Required
13/10/2020

Replace existing conservatory
with a single storey garden room
extension to the rear of the
property.

R20/0780 GROVE FARM, WOLDS LANE,
Agriculture Prior WOLVEY, HINCKLEY, LE10 3LL
Approval

Prior approval for the erection of
an extension to an existing
agricultural building.

Delegated

Prior Approval Applications

Prior Approval Applications

Not Required
14/10/2020

R20/0795
Agriculture Prior
Approval
Not Required
14/10/2020

STREETFIELDS FARM,
WATLING STREET,
CHURCHOVER,
LUTTERWORTH, LE17 4HU

Prior approval for extension to
existing agricultural building.

R20/0732
Prior Approval
Extension
Not Required
19/10/2020

7, MOSEDALE, RUGBY, CV21
1SE

Prior approval for 4m pitched
extension comprising brick, tile
and white u-pvc

R20/0587
Prior Approval change
of use
Required and Refused
21/10/2020

MERLIN FIELD FARM,
GIBRALTAR LANE,
LEAMINGTON HASTINGS

Prior Approval for change of use
of an agricultural building to
create a total of 5no.
dwellinghouses.
