

25 February 2022

PLANNING COMMITTEE - 9 MARCH 2022

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 9 March 2022 in the Council Chamber at the Town Hall, Rugby.

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

Mannie Ketley
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 meetings held on 9 February 2022.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Delegated Decisions – 20 January 2022 to 16 February 2022.
7. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“Under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of information defined in paragraph 2 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

1. Planning Enforcement Update – July to December 2021.

Membership of the Committee:

Councillors Picker (Chairman), Mrs Brown, Daly, Eccleson, Gillias, Lewis, McQueen, Rabin, Sandison, Srivastava, Ms Watson-Merret and Willis.

If you have any general queries with regard to this agenda please contact Veronika Beckova, Democratic Services Officer (01788 533591 or e-mail veronika.beckova@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 – 9 March 2022

Report of the Chief Officer for 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

Item	Application Ref Number	Location site and description	Page number
1	R20/0259	Land Rear of Cross In Hand Farm, Lutterworth Road, Monks Kirby Redevelopment of the site to a HGV Facility including the of an agricultural buildings. Formation of 378 HGV parking spaces, fuel station, vehicle inspection station with associated supporting facilities including a petrol filling station, electric charging points, convenience store (A1), coffee shop (A3/A5), creche (D1), ancillary car parking, biomass plant with associated works. (Outline - Principle and Access Only).	4

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	R21/0713	25 Barby Lane, Rugby CV22 5QJ Outline planning application for erection of five detached dwellings with all matters reserved except for access which includes alterations to existing highway access.	48
3	R21/0845	Land North of Airfield Drive, Coombe Fields Temporary planning permission for a period of three years, for two Proof of Concept Research Vehicle, comprising the erection of a temporary structure and one sample easel, together with associated access infrastructure and landscape improvements.	71
4	R21/0756	19 York Street, Rugby CV21 2BL Change of use of an existing 4-bedroom house (C3) into a 7 person HMO (sue generis) along with alterations to the existing property in order to accommodate this proposed change. The external alterations to the roof are assessed retrospectively.	87
5	R21/1193	Noonhill Cottage, Grove Road, Ansty, Coventry CV7 9JE Substantial alterations to the existing property at Noonhill Cottage to form a new larger dwelling.	97
6	R21/0954	Museum and Art Gallery, Little Elborow Street, Rugby CV21 3BZ Extension of the existing short lattice mast on the Rugby	108

		Art Gallery and Museum to allow services to be transferred from Royal Court, Rounds Gardens, that is shortly to be demolished. The services include Capital FM (107.1FM), NHS, Radio Paging (including MoD and NHS), Rugby First (Shopwatch and BID/Rugby Rangers), Rugby Town Centre CCTV.	
7	R21/1165	Rolls-Royce, Ansty Aerodrome, Combe Fields Road, Ansty, Coventry CV7 9JR Erection of three commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) with ancillary uses, and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1.	116

Reference: R20/0259

Site Address: LAND REAR OF CROSS IN HAND FARM, LUTTERWORTH ROAD, MONKS KIRBY

Description: Redevelopment of the site to a HGV Facility including the demolition of an agricultural buildings. Formation of 378 HGV parking spaces, fuel station, vehicle inspection station with associated supporting facilities including a petrol filling station, electric charging points, convenience store (A1), coffee shop (A3/A5), creche (D1), ancillary car parking, biomass plant with associated works. (Outline - Principle and Access Only).

Recommendation

Refuse due to the impact on the landscape character of the area.

Introduction

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the application constitutes major development.

The development proposed is considered to be an Environmental Impact Assessment (EIA) development and as such, in accordance with the relevant regulations is accompanied by an Environmental Statement (ES). The ES provides an overview of the environmental impact of the proposals with a summary of mitigation measures proposed and contains a methodology for assessing the significance of the environmental effects and the cumulative impact. A series of technical papers consider the range of environmental factors which are available on the public planning record.

Application Proposal

This application seeks outline planning permission for the redevelopment of the Cross in Hands Farm, Watling Street, Lutterworth for the provision of an HGV Facility including the demolition of the existing residential dwelling and associated agricultural buildings. The works within this application include:

378 HGV Parking Spaces

Located across the southern to central portion of the application site with the capacity to serve 378 HGV. The HGV provision is being accommodated as an entirely separate and dedicated parking area which would also contain fencing and lighting masts up to 10 metres in height. A landscaping buffer is proposed consisting of a 33 metre drainage pond and landscaping to filter views from the east; 22 metre landscape buffer filtering views from the south; with linear tree features and landscape buffer filtering views from the west which would vary dependent upon the location.

HGV Fuel Station; Electric Charging Points and Kiosk

This section of development would be located to the west of the application site and within close proximity to the site access. The development within this location would have a maximum height of 8 metres and would be screened by linear tree features and landscape buffer filtering views from the west which would vary dependent upon the location.

Site Security; Crèche; Coffee Shop; Supermarket; Service Station with E-Charging and Ancillary Parking

Location to the north of the application site, this element of the proposal, would be sighted in close proximity to the Cross in Hands Farm. Development within this location would have a maximum height of 8 metres with the proposed units having floor areas of:

- Site Security – 373.76 square metres;
- Crèche – 350 square metres;
- Coffee Shop – 230 square metres;
- Supermarket – 400 square metres; and
- Service Station – 287 square metres.

The proposal would be screened by 13 metre landscape buffer to the boundary with Cross in Hand Farm; a landscape buffer to filter views from the west with varying widths dependant on location; and an area of habitat enhancement.

Vehicle Inspection Station

This element of the proposal would be sited to the east of the application site, would have a maximum height of 13 metres, and a floor area of 3750 square metres. The proposal would be screened through the provision of a 33 metre drainage pond and landscaping with the addition of a 4 metre wide landscaping strip to filter views from the east.

Truck Stop Accommodation

The truck stop accommodation and parking would be sited to the north of the application site, the truck stop would be two storeys, and would have a maximum height of up to 10 metres, with a floor area of 875.08 square metres. The truck stop accommodation with associated parking facilities would be screened by a 4 metre wide landscaping strip to filter views from the east.

The main considerations in the application are the principle of development and access. Layout; scale and appearance along with landscaping are being considered in detail at reserved matters stage.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 under Part 1 and the Communities and Local Government Guidance on Information Requirements and Validation; March 2010 details information which needs to be submitted to allow for the determination of an outline planning application.

During the course of the application amended plans were received, which attempted to overcome objections received from colleagues within Warwickshire County Council (Landscaping). A re-consultation was carried out and will be addressed within Section 8 of the Report.

Key changes made to these plans include:

- The southern boundary buffer has increased from 22 metres to 26.5 metres in width;
- The western boundary buffer has been significantly increased, from a minimum of 4 metres to 26 metres at its narrowest point, with areas of the buffer extending to 44 metres' depth;
- The minimum buffer to the northern boundary has been increased from 4 metres to 13 metres;
- To the east, the 33-metre buffer accommodating a drainage pond and landscaping has been increased to a minimum of 39.5 metres (with some areas achieving a depth of 48.5 metres);
- The vehicle inspection station/maintenance unit has been amended to incorporate a green roof, thus helping its appearance to blend within the wider landscape; and
- Ancillary development that was accommodated within separate elements of built form in the north and west of the site, has been amalgamated into a single facility building in a position that aligns with existing farm buildings.

Site and Surrounding Area

The application site is located between the A5 and Lutterworth Road, and within close proximity to the Cross in Hands roundabout. The site currently consists of agricultural fields used for the grazing of cattle, along with the Cross in Hands farmhouse and associated agricultural buildings. The area comprises of an undulating topography within a rural setting, there is a gentle slope from the north of the site down towards the south. There is a row of mature trees and hedgerows along the north-eastern boundary.

To the east of the application site, on the opposite side of the A5, is Magna Park, Lutterworth consisting of industrial warehouses and distribution centre. Magna Park recently obtained planning for the expansion of the existing nine million square feet of floor space to sixteen million square feet with work commencing on three logistics and distribution units totalling 525,400 square feet.

Relevant Planning History

There is no relevant planning history on this site however the following site history relating to Magna Park, with the jurisdiction of Harborough District Council, is considered relevant in this instance:

<u>Application Form</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
12/00851/FUL	Change of use of land to provide HGV and car parking; formation of hardstanding; erection of vehicle maintenance unit building, administration building, fuel island and vehicle washing facility,	Approved	13 th November 2012

	associated landscaping (revised scheme of 11/01757/FUL).		
12/01531/OUT	<p>Outline application for the demolition of Lodge, Emmanuel and Bittesby Cottages and erection of up to 419,800 sq m Storage and Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1) with associated playing field, up to 9,000 sq m small business space (B1a, B1b), change of use of Bittesby House barns to exhibition centre (D1), the creation of a Country Park, other open space and landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities and associated infrastructure and landscaping works (siting, extent and use of the defined parcels, the maximum quanta and height of buildings, the restriction on the siting of yards, demolitions and means of access to be considered only); and</p> <p>Detailed application for the creation of a 137 space HGV parking facility, associated gatehouse and HGV Driver Training Centre, vehicle wash and fuelling facilities, and a rail freight shuttle terminal, with associated hardstanding, landscaping works and SUDS facilities on land adjacent to Asda George Headquarters, A4303.</p>	Approved	Appeal Allowed 18 th April 2019
15/00865/OUT	<p>Outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered).</p>	Approved	5 th July 2018

15/00919/FUL	Erection of 100,844 sqm Storage and Distribution centre (B8) with ancillary B1(a) offices on land adjoining and linked to Magna Park, including formation of access road from Magna Park, erection of gatehouse, creation of roundabouts, partial realignment of Mere Lane and upgrading of A5 to dual carriageway, creation of SuDS facilities and associated infrastructure and landscaping works.	Approved	25 th October 2016
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Technical Responses

Warwickshire County Council (Landscape Architect) has objected to the application due to the fundamental change to the local landscape character. This will be addressed in further detail within Section 8 of the Officer Report.

No objections have been received from:

Warwickshire County Council (Flood Risk Management)
Warwickshire Country Council (Infrastructure)
Warwickshire County Council (Archaeology)
Warwickshire County Council (Highways)
Warwickshire County Council (Ecology)
Leicestershire County Council (Highways)
Rugby Borough Council (Environmental Services)
Rugby Borough Council (Development Strategy)
Rugby Borough Council (Arboriculture Officer)
Rugby Borough Council (Work Services)
Warwickshire Fire and Rescue
Warwickshire Wildlife Trust
Agricultural Consultant
Environment Agency
Warwickshire Police
Seven Trent Water
Highways England
Historic England
Natural England

Third Party Responses

Councillor Gillias has commented on the application due to the entrance coming off the Lutterworth Road and not the A5, which will encourage HGV and other vehicles to drive through the villages and lanes.

Leicestershire County Council Councillor Page has commented on the application and raised the following concerns:

1. The traffic on the A5 is increasing and road up-grades are required with potential for queues on the A4303 and impacts on the A426 up to the Gibbet roundabout;
2. The development will intensify traffic in all directions and add to the air pollution which is already substantial along the A5;
3. With all the development carried out at Magna Park and surrounding areas the cumulative impact needs to be considered within this application;
4. Wider traffic impacts along with light and air pollution need to be considered further should the Local Authority be minded to approve the application; and
5. Additional information on the wider surface run off should be looked at due to the impact on the Lutterworth Lowlands.

Baroness Vere of Norbiton, Minister for Roads, Buses and Places, has commented on the application advising of the following:

1. It is recognised that hauliers make an important contribution to the nation's economy and are aware of concerns expressed by many drivers and operators about the provision, quality and value of lorry parking in the UK.
2. Measures, including the announcement of £32.5 million in new funding to improve lorry park facilities.
3. A review of HGV parking and facilities has been launched this includes working with partners to identify and deliver a number of temporary sites where short-term modular facilities can be installed.
4. National Highways are being encouraged to consider how their land holdings can be used to provide additional parking spaces nationwide and help Local Councils to identify areas where HGV parking is needed.

Harborough District Council have objected to the application on the following grounds:

1. Both consents recently approved at Magna Park contain a significant volume of lorry parking as part of the proposals, which provide not only for the new facilities, but also for the existing park (as part of 15/01531/OUT), the facility granted under 15/01531/OUT having already been commenced;
2. Whilst there may be a need for these facilities along the A5 there is no justification that they are needed in this location;
3. It is unclear what the justification is for a convenience store and crèche on this site, provision which would be more suitably located in the town centre of Lutterworth, or as part of the Lutterworth East SDA;
4. Proposals before you at the moment appear to provide very little in the way of screening of the proposals from the A5;
5. Highways implications along the A5 need to be adequately addressed; and
6. The cumulative impact of these proposals needs to be addressed given the expansions of Magna Park.

Churchover Parish Council have objected to the application on the following grounds:

1. The proposal is contrary to Local Plan Policy NE3 and SDC1 given the south west of the site is entirely rural;
2. No further development should be permitted within close proximity of the Churchover Conservation Area due to further erosion of the countryside;
3. It will introduce a large volume of heavy goods traffic to this country road. It is entirely possible that lorries leaving the park will inadvertently turn left instead of right, either because of Satnav or human error; and
4. The Transport Assessment does not make reference to the M6 J1 services which is 6KM away and offers a full range of services including HGV parking.

Claybrooke Parva Parish Council have objected to the application on the following grounds:

1. This application if approved would exacerbate the current situation around the Gibbet roundabout, which already creates delays, especially at peak times; and
2. This is a tight roundabout which has resulted in many accidents.

Pailton Parish Council have objected to the application on the following grounds:

1. There is no allocation for such sites within the Local Plan;
2. It will create a huge Health & Environmental impact to all of the neighbouring villages;
3. There is insufficient information on the biomass proposal;
4. Pailton already suffers from heavy traffic damages, this will increase this dramatically;
5. The capacity of existing sites are not fulfilled, therefore this site is not needed; and
6. Should this application be approved a number of conditions should be included within any permission;
 - a. Entrance and exit should be relocated to the A5;
 - b. No HGV traffic on the rural roads permitted;
 - c. A traffic safety audit carried out before any decision is made; and
 - d. We would need to see the potential effects to the flood plain.

Brinklow Parish Council have objected to the application on the following grounds:

1. Allowing the application will attract even more HGV's to this area; too many vehicles use the local roads; either by accident or design before moving to the motorway;
2. This will only result in even more traffic being brought through the area and the local villages;
3. The proposal will result in an increase in air pollution;
4. Risk to damage to the foundations of the buildings along the route from Brinklow to the proposed Truck Stop on Lutterworth Road;
5. Increased traffic generated through Brinklow;
6. Should permission be granted then a HGV traffic plan should be conditioned; and
7. We must not encourage any further development built to such a size or volume.

Monks Kirby Parish Council have objected to the application on the following grounds:

1. The application is contrary to the Local Plan 2011 – 2031;
2. The proposal is adjacent to the A5 and in Warwickshire, the A5 acts as a natural boundary between the developed land in Leicestershire adjacent the proposal;
3. The proposed site already floods with no mention of the proposals to alleviate or reduce this risk;
4. There would be a significant impact on the local road network due to increases in traffic;
5. Monks Kirby are supportive of an application through Harborough for a similar project as this is a more appropriate location for development; and
6. Due to similar developments within close proximity to the application site is there a need for this proposal.

Claybrooke Magna Parish Council have objected to the application on the following grounds:

1. Need to manage the cumulative impact of developments on infrastructure, landscape and the environment;
2. The application contravenes the HDC Local Plan Policies GD3 and BE1 relating to the provision of new development which duplicates provisioning already made;
3. Local residents are currently witnessing the over-provision of warehousing and associated development in the area and the roads simply cannot cope with further increases in traffic; and
4. The local landscape and environment is already paying a high price for the growth of the Logistics sector and again the overall cumulative impacts must be fully taken into account.

Harborough Magna Parish Council have objected to the application on the following grounds:

1. The application is contrary to the Rugby Borough Local Plan 2011-31;
2. The supporting documentation is, perhaps intentionally, misleading and does not take into account the context of existing committed developments;
3. Attempts to justify the development by saying there is a cogent and pressing need for HGV facilities is misleading as they do not take into consideration the HGV parking facilities provided by the committed development within the Borough for an MSA at New Ash Tree Farm (R17/0011), as well as the neighbouring developments for the expansion of Magna Park within Harborough District (15/01531/OUT and 15/00865/OUT);
4. No justification is given for the inclusion of a Class A1 convenience store or Class A3/A5 coffee shop with an admission that the crèche is aimed at Magna Park employees;
5. It is questionable why a crèche would be required operational between 22:00 and 06:00 as would be the necessity for the employees of Magna Park;
6. The proposal would be contrary to the aims and objectives of the NPPF and the guidance provided within the document;
7. The increase in traffic flows on the Lutterworth Road are described as minor which demonstrates a complete lack of understanding the nature of the road or properties which front it;
8. Can such need for the development be proven to exist for the surrounding area;

9. The application ignores the impact of the development on the Parish of Harborough Magna in terms of HGV movements and additional traffic generated by commuters with no measures to prevent the B4112 being used as a shortcut; and
10. The application makes no attempt to mitigate the significant adverse impact on the neighbouring settlements of Harborough Magna and Pailton.

Stretton Under Fosse Parish Council have objected to the application on the following grounds:

1. There is no identified need for the development within the stated area with a planning proposal submitted within closer locality to Magna Park;
2. The location of this truck stop development will cause an increase in traffic using the one single B road through Stretton Under Fosse;
3. Most development has taken place on the other side of the A5 and creeping development towards smaller villages should not take place on open green space or green belt land;
4. The proposed development does not address the identified Climate emergency it encourages road transport and will generate additional greenhouse gas emissions; and
5. This development will degrade the local environment and is not in keeping with the visual amenity of the local surrounding area.

Willey Parish Council have objected to the application on the following grounds:

1. There would be significant traffic implications, particularly at the Cross in Hands Roundabout when getting from Coalpit Lane; these get very jammed where there are issues on the A5 and at rush hour;
2. The A426 is jammed most rush hours in and out of Rugby at the Gibbet roundabout and due to motorway network problems the A5 at Gibbets Cross and the Cross in Hands can come to a standstill;
3. Magna Park is already overdeveloped with plans for future expansion and initial plans for a HGV park at Magna Park;
4. Allowing the development would result in Leicestershire and Warwickshire effectively becoming the same place;
5. There are currently no plans to upgrade the A5 which is dangerous; and would not be able to cope with the additional traffic;
6. There is already a new service station, with HGV parking, along the A426 on the junction with the M6 with a large lorry park further down the A5 towards Crick;
7. A significant amount of fly tipping and rubbish being dumped is already bad and will only increase;
8. Even though unsuitable for HGV traffic the development would likely result in traffic through the village;
9. There is a high pressure gas line which crosses the land on the proposed site;
10. There is no shortage of the facilities being proposed within the surrounding areas including Rugby, Lutterworth and Hinckley;
11. Market Harborough District Council is considering an application for 100 HGV facilities along with the planned Rail Freight Interchange in Hinckley; and
12. A lot of agricultural land will be lost, affecting wildlife and generating more light pollution already suffered thanks to Magna Park.

Neighbours notified and a site and press notice has been displayed with three letters of support being received raising the following:

1. The need for lorry parking facilities across the UK is well established with National Highways Lorry Parking Demand Assessment 2019 confirming the demand for more and better facilities;
2. Government has committed £32.5 million towards upgrading and improving existing facilities;
3. Covid along with the Government have confirmed the critical importance of maintaining driver availability and their importance to the economy;
4. There are regulations which limit the time lorry drivers can drive and mandatory rest periods;
5. There is a shortage of lorry drivers, part caused by a lack of safe, secure and cost-effective parking;
6. Lack of good quality facilities creates stress for drivers and sometimes results in drivers parking in inappropriate and inadequate places as a result;
7. The proposal is well designed, located and developed lorry parking which has a low impact on neighbours;
8. Located opposite Magna Park, directly adjacent to the A5, is ideal for drivers and lorry operators;
9. Access is good, on good quality roads for lorries and low impact on traffic in the local area;
10. The full-time on-site security is place with a manned security office is welcomed, along with appropriate fencing and other security measure to prevent crime;
11. The police are also interested resulting in a fast response in operation on the site;
12. Noise pollution for neighbours will be very low, and will be kept low;
13. Long-term lorry parking facilities will be an essential part of the charging of electric lorries and the part they play in local and national climate change targets;
14. This facility should be replicated Nationally;
15. It is welcomed that the applicants have the support of National Highways and almost all other relevant stakeholders for this development;
16. There is no parking for HGV's at Magna Park with the exception of laybys, with the rise in fuel prices and the fuel being stolen from vehicles it will provide added security for HGVs;
17. The increase in size of Magna Park it will only help to provide facilities for people working there and passing trade whilst also bringing more jobs.

Neighbours notified and a site and press notice has been displayed and seventy-two letters of objection has been received raising the following:

1. The proposal will have a negative impact on the village of Pailton;
2. Allowing this would open the flood gates for more urban development within the countryside;
3. The village has issues with traffic and road infrastructure which cannot support Heavy Goods Vehicles (HGV);
4. The application fails to demonstrate how the application land is better suited to meet needs of road users, than the alternative plots (owned by our clients the Coventry Diocese) around the A5/A4303/ Coal Pit Lane /B4027 roundabout;
5. All this development is ruining the countryside with Churchover Conservation Area being surrounded by Green Belt Land and a Grade II Listed Church;

6. Magna Park and other industrial sites along this stretch of the A5 are big enough for this type of facility;
7. There is a cumulative impact from Magna Park and this would also serve as a precedent opening Warwickshire up to development;
8. There is an impact on Listed Buildings of Street Field Farmhouse as well as other Listed Buildings within the surrounding area;
9. It is a single lane winding road, with frequent slow moving agricultural traffic, horses and cyclists and sometimes pedestrians with no pavement for most of the Lutterworth Road to avoid heavy and fast moving traffic;
10. There is insufficient infrastructure on Lutterworth Road to support this development
11. The agricultural land has the ability to absorb 36,000 lbs of CO₂ per acre if corn is grown as a crop;
12. HGV's make up 26.2% CO₂ emissions encouraging this type of transportation is unsustainable for the environment;
13. The proposal will result in an increase in litter within the surrounding area which no amount of bins will prevent;
14. If this proposal is required it would be better located at either Magna Park or DIRFT;
15. There is no detail as to how the development would replace the ongoing absorption of CO₂ which would have taken place should the land remained as agriculture;
16. There is no pedestrian crossing within Pailton and therefore safety concerns for the disabled, elderly and parents with young children having to cross roads;
17. The proposal will negatively impact local business and is unnecessary addition of another convenience store;
18. Another truck stop is planned at Magna Park less than a mile away including Bio Fuel facilities it would be silly to have two truck stops so close together;
19. The application is very similar to that previously approved at Magna Park in the recent years therefore why is another site needed;
20. Light pollution will disturb nocturnal animals such as bats with the proposal further damaging wildlife and hedgerow loss;
21. Magna Park was "nearly objectionable" therefore this additional development would make the cumulative impact objectionable in totality;
22. This is an opportunistic development rather than due to a demonstrated need within this location;
23. It's not sustainable as it does not allow Magna Park employees to easily access the site - there's not footpath or clear route to and from the park so employees will not be encouraged to walk there;
24. Increase in antisocial and or criminal behaviour around the site;
25. Churchover has at present a large service station/truckstop being built within one mile of the village centre, possibly three solar farms in close to the village and a temporary quarry opening soon. These, together with the proposed waste recycling and processing plant in Shawell Lane and this proposed HGV facility, mean Churchover will be surrounded by industrial developments and their infrastructure and so lose its rural character;
26. Proposal would result in a significant impact in pollution and light pollution already occurring from the A5 and Magna Park developments;
27. There is very little landscaping proposed which would result in an eyesore within the countryside;
28. Resultant works would have a detrimental impact on environmental and ecological matters with wildlife being displaced;

29. There is a similar facility up for Planning Permission on the Magna Park side of the A5 surely two facilities are not required in such close proximity to each other;
30. The provision of electric charging points in context with 378 HGV lorries is irrelevant;
31. The loss of a significant amount of agricultural land will be detrimental to the country;
32. The proposal will see an increase in pollution for the surrounding area;
33. This area of the A5 is an accident blackspot with increased traffic adding to the risk;
34. The roads at present are over crowded and not suitable for the amount of traffic using the road network;
35. Noise will have a significant adverse effect on the residents surrounding the application site;
36. If this area is to continue to industrialise it would make sense for one to become a hospital for the surrounding area;
37. Any development via Rugby Borough Council must adhere to the transport agreements with Magna Park and logistic companies;
38. The A5 acts as a boundary between the developed Leicestershire and rural Warwickshire;
39. Traffic will be mainly coming to this proposed development from the M69 Hinckley or M1 Lutterworth & A4303;
40. There is no mention of flood risk associated with the development in an area which already floods;
41. There is already a new HGV facility at DIRFT only a few miles away;
42. There is no landscaping or bunding within this application;
43. Access for the development seems to be onto a small Class B road to Pailton this would be unsafe;
44. The application is outside of the Rugby Borough and Harborough District Local Plan;
45. The trading/shop facilities suggested would be better situated elsewhere such as within Lutterworth;
46. Increased traffic generated through Brinklow;
47. Should permission be granted then a HGV traffic plan should be conditioned;
48. Why do we need another truck stop when one is located further down the A5 towards Rugby along with the Motorway Services currently under construction; and
49. The biomass facility will add to issues already created by additional vehicles and smell;
50. The ES has failed to address the principle of extending to the west of the A5 extending the urban edge beyond its existing well-defined edge on the plateau;
51. The ES relies heavily on the presence of Magna Park and its effect on local views notwithstanding this there us a marked change in Landscape grounds over the A5;
52. While there may be some visual relationship between the site and Magna Park, again, this does not address the stark change in landscape of visual character either side of the A5;
53. The proposals do not provide sufficient evidence to justify a departure from the Rugby Borough Local Plan;
54. The proposal does not meet the requirements of Policy ED3 of the Local Plan and do not fall within the exceptions of Policy ED4;
55. The proposal would not integrate within the existing landscape character;
56. The proposal would provide more HGV parking than what is required for the West and East Midlands regions combined;

57. There is an empty warehouse next to the M1 which would be an ideal location for such a proposal as opposed to farmland.

No comments have been received from:

Lutterworth Town Council
Bitteswell Parish Council
Cotesbach Parish Council
Ullesthorpe Parish Council
Gilmorton Parish Council

Relevant Planning Policies and Guidance

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

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

Rugby Borough Local Plan 2011 – 2031

Policy GP1: Securing Sustainable Development
Policy GP2: Settlement Hierarchy
Policy DS1: Overall Development Needs
Policy TC1: Development in Rugby Town Centre
Policy TC2: Rugby Town Centre – New Retail and Town Centre Uses
Policy HS1: Healthy, Safe and Inclusive Communities
Policy HS2: Health Impact Assessments
Policy HS5: Traffic Generation, Air Quality, Noise and Vibration
Policy ED1: Protection of Rugby's Employment Land
Policy ED3: Employment Development outside Rugby Urban Area
Policy ED4: The Wider Urban and Rural Economy
Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets
Policy NE3: Landscape Protection and Enhancement
Policy SDC1: Sustainable Design
Policy SDC2: Landscaping
Policy SDC3: Protecting and Enhancing the Historic Environment
Policy SDC4: Sustainable Buildings
Policy SDC5: Flood Risk Management
Policy SDC6: Sustainable Drainage
Policy SDC7: Protection of the Water Environment and Water Supply
Policy SDC9 Broadband and Mobile Internet
Policy D1: Transport
Policy D2: Parking Facilities
Policy D3: Infrastructure and Implementation
Policy D4: Planning Obligations

Supplementary Planning Documents

Planning Obligations – 2012
Sustainable Design and Construction – 2012
Air Quality – 2021

National Planning Policy Framework – 2021

Section 2: Achieving Sustainable Development
Section 6: Building a Strong, Competitive Economy
Section 7: Ensuring the Vitality of Town Centres
Section 8: Promoting a Healthy and Safe Communities
Section 9: Promoting Sustainable Transport
Section 11: Making Effective Use of Land
Section 12: Achieving Well Designed Places
Section 15: Conserving and Enhancing the Natural Environment
Section 16: Conserving and Enhancing the Historic Environment

Department for Transport Circular 02/2013: The Strategic Road Network and Delivery of Sustainable Development

Determining Considerations

The main considerations in respect of this application are as follows:

1. Principle of Development;
2. Land Designation and Use;
3. Character and Design;
4. Impact on Residential Amenity;
5. Highway Safety;
6. Flooding;
7. Trees and Hedgerows
8. Landscape and Visual Impact;
9. Ecology;
10. Archaeology;
11. Heritage;
12. Developer Contributions;
13. Heads of Terms;
14. Planning Balance; and
15. Conclusion.

1. Principle of Development

- 1.1 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy whereas Policy GP1 of the Local Plan states that the Council will take a positive approach that reflects the presumption in favour of sustainable development.
- 1.2 The application site is located within the countryside location which adjoins the Rugby Town. Within countryside locations, as defined within Policy GP2 of the Local Plan; new

development will be restricted and only where National Policy on countryside locations permits will development be permitted.

- 1.3 Supporting text within Policy GP2 states that there are locations by the Borough boundary specifically excluded from this hierarchy which could be considered accessible locations for development. This can include development that relate to Magna Park (amongst others) however the proposal is intended for a region-wide need, and the supporting text to Policy GP2 notes that such developments would remain contrary to the spatial strategy.
- 1.4 The provision of a HGV parking facility is not a type of use that contributes to the overall employment development needs of the Borough as detailed in Policy DS1. In addition it would not be supported under the provision of the Policy ED3 or be considered a form of development supported under Policy ED4. As such it is necessary to examine the merits of the proposal against the NPPF and whether national policy allows the development to be permitted within a countryside location.
- 1.5 Section 2 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This results in the balancing of material considerations within each individual case at the same time being mindful of the presumption in favour of sustainable development as defined by Section 2 of the NPPF.
- 1.6 Whilst the proposal is contrary to Policy GP2 of the Local Plan there is a requirement to consider whether a presumption in favour of sustainable development exists. This shall be carried out as part of the overall Planning Balance (Section 14).

National Government Policy

- 1.7 The National Government policy relating to the strategic road network is contained within the Department for Transport (DFT) Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'. This guidance removed the minimum distance stipulated within the former Circular 02/2007: Planning and The Strategic Road Network Circular 01/2008: Policy on service areas and other roadside facilities on motorways and all-purpose trunk roads in England.
- 1.8 Section 6 of the NPPF seeks to provide the right conditions to support economic growth and identifies that some sectors may have specific locational requirements. With Section 9 of the NPPF highlighting the importance of providing adequate overnight lorry parking facilities and taking into account any shortages to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.
- 1.9 The Traffic and Transport Assessment along with the Alternative Site Assessment, submitted by the applicant, both details the case for the Truck Stop at Rugby based upon Government Policy contained within Circular 02/2013 and specific provision of the Truck Stop at the Cross in Hands Farm.
- 1.10 Annex B of the circular sets out policy on the provision of standards for road facilities (including truck stops) on the strategic road network. The circular (Paragraph B4) emphasises that truck stops perform an important road safety function by providing opportunities for the travelling public to stop and take a break. Drivers of many commercial and public service vehicles are subject to a regime of statutory breaks and other working time restrictions and these facilities assist in compliance with such requirements. This links

to the NPPF (Paragraph 31) which states that the primary function of roadside facilities should be to support the safety and welfare of the road user.

- 1.11 The applicant's submission refers to the National Survey of Lorry Parking (NSLP 2017) which states that there is a need for 216 HGV spaces in the West Midlands and 87 in the East Midlands. The proposal of 378 HGV spaces would therefore be 75 spaces in excess of the need detailed within the NSLP 2017 for both the West and East Midlands regions combined and would be delivered within a singular location.
- 1.12 Information submitted with the application states that since the NSLP 2017 was published the development of the Motorway Service Area at J1 provides an additional 98 HGV spaces, however there has also been a loss of spaces in the Borough due to the closure of 'PJM Parking' which provided 160 spaces. It is unknown from available information however if there have been openings or closures of other HGV parks outside of the Borough within the West and East Midlands regions, or if permissions are already in place elsewhere, which may further affect the need as stated in the NSLP 2017.
- 1.13 It is noted from the NSLP 2017 that the facility understood to be the 'Stobart Truck Stop' further to the South on the A5 is shown as operating at an 'acceptable' capacity (<69% utilised). In addition, although the Planning Statement submitted states the nearby permission at Magna Park would only be for occupiers of Magna Park only the same appeal decision referred to (Ref APP/F2415/W/18/3206289) confirms that "whilst the spaces would only be available to a single occupier, it would be likely to reduce the pressure for parking in lay-bys". It is clear through permissions granted by Harborough District Council that need is being address through the various permissions it has granted in recent years at Magna Park.
- 1.14 In addition to this need as noted above there is currently a large volume of parking in lay bys that can have knock-on implications for the highway network. In the East Midlands the average excess off-site HGV parking figure is 865. The proposal would cater for some of this demand and allow for some future expansion as warehousing and distribution is an importance factor in the local economy.
- 1.15 Furthermore, since the survey permissions have been granted for extension of DIRFT, Magna Park and the new Tritax scheme near Dunchurch. These warehousing schemes will create extra demand for lorry movements. The Covid pandemic has also seen a growth in home deliveries and it is unlikely that the Covid generated demand will completely disappear once the worst of the Covid pandemic has passed.

Consideration of Alternative Sites

- 1.16 There is no formal requirement for a sequential assessment for considering the location of a truck stop. However, as the proposals are EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Schedule 4, Part 5 does require an alternative study for inclusion in the Environmental Statement.
- 1.17 The applicant's submission outlines that the developer has given no consideration to alternative sites and states that there is no legislative requirement to consider alternative sites. The design development therefore focused on the design parameters within the site to ensure that any adverse environmental effects were minimised.

- 1.18 A summary of the applicants alternatives assessment indicates that in the do nothing scenarios, the site would remain as greenfield agricultural land, the potential for adverse impacts in respect of Landscape and Visual, Ecology and Archaeology receptors would not be realised. In addition Traffic and Transport, Air and Noise impacts are predicted to be similar to the with-development scenario, given that the proposal would provide a facility for drivers that are already on the road network.
- 1.19 The 'do nothing' scenario will not deliver the socio-economic benefits and drainage improvements that will be realised by the proposed development. Overall it can be seen that the potential for adverse impacts in this scenario are related to the physical change in the nature of the site from greenfield to an HGV facility with associated development, which cannot be avoided however can be mitigated through landscaping and archaeological investigation.
- 1.20 Whilst no formal requirement for alternative sites was required for this application, information was requested and received from the agent. Information has been received which confirmed that four potential sites had been previously considered, including the application site, with colleagues within Highways England. The aerial photograph below indicates the locations of the sites considered prior to submission.



- 1.21 Location 1 was not favoured by Highways England due to safety concerns regarding the entry and existing from the site, along with the speed of vehicles travelling along the dual carriageway, HGV's travelling east would have needed to cross the road to enter the site, in addition to those HGV's existing the site to go east.

- 1.22 Whilst locations 3 and 4 are located within close proximity to Magna Park, there were also not favoured, this was due to the potential impacts on housing development either committed or underway within close proximity. Consequently Highways England were not supportive of a truck stop within these locations.
- 1.23 Location 2 (the application site) was favoured by Highways England in terms of access that they would be supportive in principle of a HGV facility in this location subject to the formal consultation process on any planning application submitted to the Local Authority. It is stated that the application should be looked at positively as it would assist in reducing ad-hoc parking in Lay-Bys or on Highways England verges.

Main Town Centre Uses

- 1.24 The NPPF Paragraph 89 identifies the considerations when assessing an impact test:
- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 1.25 The Planning Statement states: “Similarly, the Class A3/A5 coffee shop unit will not generate a level of turnover that is sufficient to warrant any meaningful assessment of trade diversion from the food and beverage offer found within defined centres.” The proposed coffee shop is identified as a main town centre use by the NPPF, it should therefore be considered in the impact test as it is part of the floor space threshold over 500sqm.
- 1.26 In consideration of the two tests as defined by the NPPF in relation to the information submitted, firstly there is no known committed investment which this proposal would impact. Secondly, an impact test has been provided which identifies impacts of 12.9% in Zone 8 and 4.6% in Zone 9 (identified in Appendix 1 – Retail Impact Assessment). The impact on Rugby Town Centre is forecast to be -0.8%. There is no evidence to suggest that this impact could be considered “significantly adverse”.
- 1.27 The proposals are largely Sui Generis uses with some ancillary non-B use classes including the shop, café, crèche and hotel. The small amount of Class E, C1 and D1 development would be located there to serve the drivers travelling along the A5 rather than diverting trade from an established Town Centre. It is therefore considered that the inclusion of these uses would not be sufficient to warrant the refusal of the application on these grounds.

Destination in its Own Right

- 1.28 Circular 02/2013 Paragraph B11 of Annex B states: “In circumstances where there is potential for these (roadside service areas) to become destinations in their own right, the Highways Agency will only support proposals for or within service areas and other roadside facilities if it can be shown that there would be no overall increase in trip mileage, and always provided that there would be no significantly adverse impact on the safety and operation of the strategic road network.”

- 1.29 As referred to above the range of facilities that the truck stop would be providing are similar to others up and down the country, designed to be attractive to truck drivers and employees of Magna Park, as opposed to a shopping or leisure destination in its own right. The proposed hotel is aimed at truck drivers to provide overnight accommodation. By placing them within the Truck Stop negates the needs for utilising laybys thereby removing pressure from the local road network.
- 1.30 There is limited potential for the hotel to become a destination in its own right used by local people who are not truck drivers in the same way the proposed retail units are targeting to the travelling public and it is unlikely that someone would travel to the Truck Stop solely to fulfil a retail purchase.
- 1.31 In terms of a place of employment, the Truck Stop will be a destination in its own right. This is inevitable as the Truck Stop will be the place of work for the staff required to operate the facility.
- 1.32 Highways England, having reviewed the relevant information submitted pertaining to this issue are of the opinion that the proposed MSA would not become a destination in its own right, in accordance with Circular 02/2013, Annex B paragraph B11.

Employment

- 1.33 The proposed Truck Stop would result in £1m investment during construction through the creation of 89 Full Time Employee construction jobs per year during the construction phase. Latest data indicates that the construction industry has an indirect and induced employment multiplier of 2.17. When applying this to the 89 direct FTE construction jobs indicates an addition 105 indirect job supported per year of construction.
- 1.33 Once operational the proposed development will create new jobs across a range of use classes. In particular, employment will be supported by the fuel kiosk, supermarket, coffee shop, crèche, vehicle inspection unit and truck stop accommodation, as well as site security for the secure HGV Park itself.
- 1.34 Given the specialised nature of certain elements of the development, estimates of the jobs supported by various elements of the scheme during operation have been provided by the client based on experience of job creation in similar schemes.

<u>Use</u>	<u>Floor Space</u>	<u>Jobs Supported</u>	<u>FTE Jobs Supported</u>
Fuel/Charging Kiosk and Truck Washing Facility	84 (x2)	12	9
Vehicle Inspection Unit	4,000	30	28
Truck Stop Accommodation	875 (32 rooms)	7	7
Site Security	373	6	5
Creche	350	12	7
	<u>Total</u>	<u>67</u>	<u>56</u>

1.35 The remaining elements of the development fall more within typical use classes and this has been estimated that the level of direct employment generation by applying average employment densities to the proposed floor space.

<u>Use</u>	<u>Floor Space (SQM GEA)</u>	<u>Employment Density (SQM GEA per Job)</u>	<u>Workforce Jobs Supported</u>	<u>Employment Density (SQM GEA per FTE Job)</u>	<u>FTE Jobs Supported</u>
Supermarket (A1)	400	15	27	22	18
Café/Coffee Shop (A3)	230	16	14	22	10
Total			41		28
Total (All Uses)			108		84

Conclusion

1.35 When taking the above matters into consideration whilst the proposal is located within the countryside, there are mitigating factors that mean refusal of the application would be an unreasonable stance in policy terms in this instance due to the strategic need for roadside services facilities which is evident in both the NPPF and the relevant circular.

1.36 This application is therefore considered to be in accordance with Policies GP1; GP2; ED3 and ED4 of the Local Plan along with Section 2 of the NPPF.

2. Land Designation and Use

2.1 The application site is currently utilised as agricultural land. Paragraph 170 (b) of the NPPF and Reference ID: 8-001-20190721 of the NPPG are therefore relevant and outline the need to consider the economic and other benefits of the best and most versatile agricultural land. Paragraph 170 (a) putting an emphasis on protection of sites of geological value and soils with the NPPG highlighting the importance of soil as an essential natural capital asset that provides important ecosystem services such a growing medium for food, timber and other crops.

2.2 This higher quality land represents that which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass, fibres and pharmaceuticals. In this respect agricultural land is graded on a scale of 1 to 5 where the grades are: 1 (excellent); 2 (very good); 3a (good); 3b (moderate); 4 (poor); and 5 (very poor). The best and most versatile land are classified as being grades 1 (excellent), 2 (very good) and 3a (good).

Approach to Agricultural Land

2.3 The above policy implies that a sequential approach should be considered where poorer graded land is potentially considered in advance of higher quality land. Although no sequential assessment has been undertaken by the applicant's with regard to agricultural land, the NPPF indicates that it is for Local Planning Authorities to judge the economic and other benefits of the best and most versatile agricultural land. This is consistent with

the technical note produced by Natural England entitled 'Agricultural Land Classification: Protecting the Best and Most Versatile Agricultural Land' (2012). This note emphasises the importance of such land as a natural resource which is vital to sustainable development. However, it does note that decisions rest with planning authorities and that the agricultural land classification is not the sole consideration.

Agricultural Land Classification with Warwickshire and Rugby

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

Land Designation and Use Conclusions

- 2.5 The application site comprises of 11.91 hectares of land to the west of the A5. Following consultation with the Local Authority's Agricultural Consultant has confirmed that the land which is proposed to be developed is classified as Grade 3, Sub Grade (b) and has been identified as having poor draining fine loam over clay soils.
- 2.6 Land classified as grade 3 sub grade (b) is midway between grade 1 and grade 5, and is suitable for growing good crops of cereals, pulses, oilseeds and grassland for grazing and/or conservation as hay/silage. The suitability of this type of land for cropping is improved and enhanced if it has been under drained which will extend the period of time when the land can be worked or grazed. It is therefore considered that the irreversible loss of the land as a result of the proposed development would be significant to agriculture in general.

3. Character and Design

- 3.1 Local Plan Policy SDC1 seeks to ensure that development is of a high quality and will only be allowed where proposals are of a scale, density and design that responds to the character and amenity of the areas in which they are situated.
- 3.2 Section 12 of the NPPF states that the creation of high quality buildings and place is fundamental to what the planning and development process should achieve. Likewise, paragraph 127 (a) states that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 3.3 Whilst the main consideration under this application is the principle of development and access only, the initial indicative layout submitted with the proposal is considered to be acceptable in this instance and is capable of accommodating the HGV Facility with associated development.
- 3.4 Whilst it is acknowledged that layout is not a matter for consideration given the levels differences within the application site it is considered important that any finalised layout takes the levels into consideration in order to limit any impact on the character and appearance of the surrounding area.

4. Impact on Residential Amenity

- 4.1 Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 4.2 Likewise Section 12 of the NPPF states that development will provide a high standard of amenity for existing and future users.
- 4.3 As previously identified the main considerations under this application for the for principle of development and access only, as such design, scale and massing details would be reserved for full consideration at a later date.
- 4.4 It is important to note that whilst outline, with the exception of the farmhouse, the distance of the site to the neighbouring properties is such that this would not give rise to significant and detrimental impacts on light, aspect and privacy.

5. Highway Safety

- 5.1 Local Plan Policy D1 states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. Whereas Appendix 5 expands on this and further sets out the need for transport assessments to be submitted with planning applications to assess the impact and acceptability of development proposals.
- 5.2 Local Plan Policy D2 also state that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD and Appendix 5 of the Local Plan.
- 5.3 The table below provides a breakdown of the use classes proposed within the application site, along with the total requirements for parking provision for the use classes, as set out within the Planning Obligations SPD and Appendix 5 of the Local Plan.

<u>Ancillary Use</u>	<u>Use Class</u>	<u>SPD Requirements</u>	<u>Parking Provided</u>	<u>Complies Yes/No</u>
Coffee Shop	A3/A5	46	50	Yes
Creche	D1	12	15	Yes
Truck Stop Accommodation	C1	60	60	No
Vehicle Inspection Station	B2	83	11	No
Supermarket	A1	20	20	Yes
Fuel Station and Electric Charging Points	Sui	6	25	Yes
HGV Fuel Station	Sui	6	6	Yes
Total Parking Provided		245	259	Yes

- 5.4 It has been confirmed by the applicant that 11 spaces are provided for the Vehicle Inspection Unit with the additional spaces, if required, being provide within the overspill parking. This would provide additional space, totally 83 and thereby in compliance with the Local Authorities parking requirements. The Vehicle Inspection Unit would be a low

intensity use in employment terms. It is envisaged that 25 FTE jobs would be created by this use, and provision has been made within the Vehicle Inspection Unit and across the wider site for the required spaces.

- 5.5 In relation to the Truck Stop Accommodation whilst the use of these facilities would not explicitly exclude passing trade, the accommodation is closely associated with the main HGV parking element of the application. It is envisaged that the C1 use would primarily provide HGV drivers with suitable accommodation during their overnight stays within the facility, and as such, parking provision is made within the main HGV parking area for these instances. The 60 parking spaces would, therefore, serve the C1 uses FTE jobs, along with any passing non-HGV trade.
- 5.6 The proposed development would make provision for 259 spaces across the site. From an operational perspective, the additional 14 spaces represent almost 24% of the C1 parking standard. Given the vast majority of the accommodation's users will be HGV drivers, this is considered more than sufficient to meet the needs of any passing motorists.

Analysis

The Highway Authority for both Warwickshire County Council and Leicestershire County Council have undertaken a full assessment of the development proposals in accordance with National and Local Planning and Transport Policy. This assessment includes:

5.6 (a) *Trip Generation*

Leicestershire County Council have confirmed that the TRICS database does not have a specific category for truck stops due to the limited availability of relevant surveys. The data base included a site within Cumbria which provides a reasonable comparison to the proposals given its location just off a Class A road next to the strategic road network (M6). The trip generation for this use, based on 362 HGV spaces, is shown in the table below, extracted from submitted comments.

	TRICS Site CB-16-A-01		Proposed Site (362 Spaces)	
	Arrive	Depart	Arrive	Depart
AM Peak 07:00 – 08:00	71	120	86	145
PM Peak 16:00 – 17:00	101	90	122	109

In regards to the HGV Fuelling, Maintenance Facilities and Accommodation which are ancillary uses for the truck stop and therefore will not generate additional traffic to that calculation for the truck stop detailed above.

The fuelling station with associated convenience store is typical for this type of facility. The Highways Authority for Leicestershire are satisfied with the TRICS criteria for comparator site including a convenience store have been used to reflect the proposals. The summary of this information is included below with confirmation that the 12 bays are considered suitable.

	<u>Trip Rates (Per Bay)</u>		<u>Proposed Site (12 Bays)</u>	
	Arrive	Depart	Arrive	Depart
AM Peak 07:00 – 08:00	8.096	7.3885	97	95
PM Peak 16:00 – 17:00	9.173	9.077	110	109

A limited number of electric charge points will be provided within the development from the outset and therefore the Fuel Station rates provide a maximum flow, as throughput per bay will decrease once the fuel types of vehicles change to electric, due to an increased dwell time at fuelling stations.

The coffee shop within the application site is to be used as a standalone facility, with many roadside coffee shops being constructed, as drive-thru facilities. Currently Warwickshire only benefits from one such site survey for a weekday. This facility has a gross floor area of 420m² with the proposed facility having 230m². Traffic flow summaries for this use class are detailed below:

	<u>TRICKS Site WK-06-J-01</u>		<u>Proposed Site (230 m²)</u>	
	Arrive	Depart	Arrive	Depart
AM Peak 07:00 – 08:00	40	33	22	18
PM Peak 16:00 – 17:00	40	41	22	22

The crèche/day nursery is aimed at employees of Magna Park, ensuring that employees only have a short distance from their place of work, reducing the hours of childcare required. The proposal is expected to accommodate up to 35 children. The agreed trip rates, from the edge of town, and equivalent trip generation is shown below.

	<u>Trip Rates (Per 100 m²)</u>		<u>Proposed Site (350 m²)</u>	
	Arrive	Depart	Arrive	Depart
AM Peak 07:00 – 08:00	8.913	7.609	31	27
PM Peak 16:00 – 17:00	6.604	8.043	22	28

It has therefore been concluded that the peak hour trip generation for the development is considered to be acceptable.

	<u>Arrivals</u>	<u>Departures</u>	<u>Total</u>
AM Peak	239	284	520
PM Peak	276	268	544

5.6 (b) *Trip Distribution*

The traffic flows with the associated truck stop are based on the assumption of being 100% HGV movements, whilst there will be a small number of cars associated with employees of the facilities, these will be negligible and the assumption of HGV results in a worst case scenario. It is assumed that the traffic travelling through the Cross in Hand roundabout either along the A5 (north or south) or the A4303, with these being the primary routes to the motorways and Magna Park.

The departure movements from the site have been assigned on the basis that they are continuing their original journey. During the AM peak, in order to equate to the predicted number of departures, the HGVS are factored by 169% of the arrivals. During the PM

Peak, the HGVs are factored by 89% of the arrivals, these show that the entry and exit flows closely match the TRICS generated values.

In addition the Highways Authority for Warwickshire raised concerns regarding the potential for the diversion of the HGVs from the B4455 Fosse Way through local villages such as Pailton to reach the proposed development via the B4027 Lutterworth Road. Accordingly, a percentage of all HGVs travelling between these roads has been diverted from their original route to pass along Lutterworth Road.

Distribution for the crèche has been applied based on 30% of the traffic coming from the A5 (N); 20% from the A5 (S); and 50% off the A4303. Those travelling on the A5 will be represented by a passby trip at the Cross in Hands Roundabout, diverting into the site before returning to the A4303 (towards Magna Park) for arrivals and reverse for departures. Those travelling from the A4303 will represent a new trip at the Cross in Hand Roundabout having diverted from the Hunter Boulevard Roundabout, along the A4303 to the Cross n Hand Roundabout, into the site and return back along the A4303 to the Hunter Boulevard Roundabout.

The distribution of these trips have been based on 50% travelling from the A4303, in terms of new trips to the Cross in Hand Roundabout and representing the proximity of Lutterworth and M1 Junction 20. The remaining 50% has been split on the approximate proportions of approach flow on the north and south arms of the A5 during the AM peak period (2020 survey flows: 977/630) leading to 30% north, 20% south.

Whilst notional proportions are not ideal, the Highways Authority for Leicestershire is satisfied with the above methodology and considered acceptable.

5.6 (c) Highway Network and Junction Impact Assessments (Leicestershire and Highways England)

The proposed truck stop would be situated surrounding a number of key roads within the vicinity which could be impacted on by the proposal.

A5

The A5 is a semi-rural, single and dual-carriageway road, running from a north-south direction within the site vicinity and covering the eastern boundary of the site. The A5 has a 60mph speed limit and has a width of circa 10 metres. The A5 intersects with the A4303 at the five-arm Cross in Hand roundabout at the north end of the site, while continuing north to intersect with the M69 and M42 and to the south to intersect with the M6 and M1.

Coventry Road, A4303

The A4303 is a semi-rural, dual-carriageway road, running in an east-west direction within the site vicinity. The road has a speed limit of 70mph and connects to the Cross in Hand roundabout at its western end. Access to Magna Park and Lutterworth is achieved following an easterly direction before connecting to the M1, offering a strategic connection between the A5 and the M1 for northbound traffic. The road provides a shared footway / cycleway along the northern side of the carriageway, as well as offering crossing points, allowing users to access services at the southern side of the road. Coventry Road is circa 7m in width.

Lutterworth Road, B4027

The B4027 is a rural, single-carriageway road, covering the western boundary of the application site, and has a speed limit of 50mph. To the south, the road connects to the village of Pailton and to the north, the road links to the Cross in Hand roundabout. This section of road does not provide any public footpaths and is measured as being approximately 7m wide.

Coal Pit Lane

Coal Pit Lane is a single-carriageway, rural road, with a 60mph speed limit. To the east, the road connects to the Cross in Hand roundabout, while to the west the road passes broadly parallel to the A5 towards Nuneaton and the M69. The road is around 6m in width.

5.6 (d) Access Arrangements (Warwickshire)

It is confirmed within the Transport Assessment that the application site will be served from a new 3-arm roundabout onto Lutterworth Road, constructed offline to utilise land within the application site boundary and adopted highway. This access would be sited further south from the existing farm access with no direct vehicular access available from the A5.

The northern end of Lutterworth Road, along the site frontage, is currently constrained, slightly narrowing and presenting no deflection on the approach to the Cross in Hand roundabout. Traffic exiting the roundabout onto Lutterworth Road presents a potential conflict with traffic approaching the roundabout. The proposals seek to improve this section of Lutterworth Road to provide an adequate width, of at least 7.3 metres, as far as the site access and alter the alignment to the roundabout to provide improved deflection. This amendment is seen to be an improvement to highway safety by segregating entering and existing traffic.

Additional work is proposed to improve the Cross in Hand roundabout through an improved two-lane entry on to the A5 north arm. This provides adequate space for vehicles to use both lanes for a longer distance and allocate the left hand lane for turning left onto the A4303.

5.6 (e) Access by Public Transport

As detailed within the Transport Assessment the closest bus stop is located approximately 500 metres to the north east of the application site, situated within Magna Park, this provides access to several services that journey to and from Lutterworth.

<u>Service</u>	<u>Route</u>	<u>Weekday/Daytime Frequency</u>
8	Hinckley – Magna Park – Lutterworth	Hourly
X84	Leicester – Lutterworth – Rugby	Hourly (Half Hourly from Lutterworth)

5.6 (f) *Access on Foot or by Bike*

The Transport Assessment confirms that the application is located within a semi-rural area with limited accessibility. The proximity to Magna Park and Lutterworth provides the opportunity for trips to be made on foot or by cycling for those working within the application site.

It is proposed that pedestrian and cycle access will be provided at the northern end of the site, connecting into the internal layout at a convenient location to be determined at Reserved Matter stage should the application be recommended for approval. The access would connect to the wider pedestrian and cycle network through the construction of a new route alongside the northern end of Lutterworth Road to the Cross in Hand roundabout. An at-grade crossing will be provided across the A5 southern approach. From here the route will continue east on the southern verge adjacent to the A4303 westbound carriageway to the Hunter Boulevard roundabout where it will connect into the existing cycleway network. This proposal will facilitate access to Magna Park, local bus stops and provide a continuous route to Lutterworth.

Improvements to be made to pedestrian and cycle access as shown within the application are considered to be acceptable. This information can be used to form appropriate conditions, for further development, should the application be recommended for approval. It is therefore considered that the submission of a Walking, Cycling and Horse-Riding Assessment and Review is required for consideration prior to any development commencing on site.

5.6 (g) *Impact Upon the Strategic Road Network*

Highways England have confirmed in regards to the unauthorised parking issue, following the updated red line boundary removing the land adjacent to the A5 Trunk Road Boundary, there is now a clear separation between the site and the A5. Highways England therefore consider it is unlikely that anyone would seek to access the site directly from the A5, as such the risk of unauthorised parking on the A5 arising from the presence of the proposed site is low.

Conclusion

- 5.7 Warwickshire County Council (Highways) initially objected to the application on the grounds that, the impact of the proposed development on the public highway network is considered severe, thereby contrary to Sections 110, 111 and 112 of the NPPF. As such further information was requested in order to address the objections received from the Local Highways Authority. This information was received and confirmed that the residual cumulative impacts of the development proposal would not lead to a severe or unacceptable highway impact in the context of the NPPF subject to appropriate conditions.
- 5.8 Leicestershire County Council (Highways) initially objected to the application on the grounds that in the absence of the junction modelling files for the Cross in Hand roundabout the Highway's Authority is unable to determine that the impacts on the road network would not be severe when assessed against paragraph 109 of the National Planning Policy Framework (2019). Following the submission of the information requested Leicestershire County Council (Highways) have confirmed that the residual cumulative

impacts of the development proposal would not lead to a severe or unacceptable highway impact in the context of the NPPF subject to appropriate conditions.

- 5.9 Highways England initially objected to the application on the grounds that insufficient information has been submitted to allow a formal response to be provided. A request was made to the agent for the additional information to be submitted with the application. This information has been received and following a re-consultation on the proposals Highways England have confirmed that they have no objections to the proposal subject to appropriate conditions.
- 5.10 This application is therefore considered to be in accordance with Local Plan Policy D1 and D2 along with the SPD on Planning Obligations.

6. Flooding

- 6.1 When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
- 6.2 Whilst the application site is located within Flood Zone 1 which has a low probability of flooding as the application constitutes major development the Warwickshire County Council (Flood Risk Management) team and the Environment Agency have been consulted on the application.
- 6.3 The Environment Agency have responded to the consultation and confirmed that should planning permission be granted a limited intrusive site investigation should be conducted to assess the extent and significance of any contamination present. The investigation should focus on the areas where the potential for contamination to be present has been identified, and the impact to controlled waters receptors. As such a condition has been recommended and should be attached to any Planning Permission granted.
- 6.4 Warwickshire County Council (Flood Risk Management) initially objected to the application on the grounds that insufficient information has been submitted which demonstrates that the development will not increase risk elsewhere and where possible reduces the flood risk overall. A request was made to the agent for the additional information; to be submitted with the application. This information was received a re-consultation was carried out accordingly. It has been confirmed from Warwickshire County Council (Flood Risk Management) that they have no objections subject to conditions.

7. Trees and Hedgerows

- 7.1 Local Plan Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required.
- 7.2 Section 15 of the NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including trees and woodland.
- 7.3 The Local Authority's Arboricultural Officer initially objected to the application on the grounds that Oak tree (T11) classed as an A1 tree, that being the highest quality, is under threat as part of the proposal. The Oak tree is circa 130-150 years in age, in good condition and has a life expectancy in excess of 40 years. Whilst set back from Lutterworth Road and A5 given the open nature of the landscape and the fact it is a standalone tree it is reasonably prominent and as such a Tree Preservation Order has been placed on this specimen.
- 7.4 The hedgerows within the site are in good condition and contain a variety of native species including Hawthorn, Elm, Blackthorn, Ash, Oak, Elder, Rosa and form a network of well-defined medium to large fields of mixed pastoral and arable use. It has been confirmed that there are no objections to the other proposed tree losses adjacent to the existing property as these are all relatively low quality and insignificant.
- 7.5 Following the creation of the Tree Preservation Order, the submitted layout has been redesigned to into consideration the protected Oak tree, a further consultation has been carried out with the Local Authorities Arboriculture Officer.
- 7.6 The Local Authority's Arboricultural Officer has confirmed that whilst the Oak tree has been incorporated into the scheme there is a relatively high degree of new hard standing proposed within the root protection area and therefore high potential for damage to its roots which may put its long term viability into question. The tree has a root protection area, with a radius of 12.1 metres, therefore new hard standing should be kept to a minimum. It is recommended that this is reconfigured to ensure successful retention of the tree.
- 7.7 This application is therefore considered to be in accordance with Local Plan Policy SDC2 and Section 15 of the NPPF.

8. Landscape and Visual Impact

- 8.1 As previously identified Local Plan Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required. With Policy NE3 stating that new development which positively contributes to landscape character will be permitted.

- 8.2 In terms of landscaping the application site is within landscape character type “High Cross Plateau, Open Plateau” as per the Landscape Assessment of the Borough of Rugby Sensitivity and condition study (2006) which is defined as being a “sparsely populated area, characterised by wide rolling ridges and valleys. A strong impression of ‘emptiness’ and space. This is reinforced by an absence of roads and settlements, with sparsely populated hamlets and isolated manor farmsteads prevailing”. The overall sensitivity is rated as moderate.
- 8.3 The Landscape and Visual Impact Assessment (LVIA) summarises, there would be a large residual effect on the landscape character (pastoral/arable to industrial) of the site as viewed from the immediate area with negative effects diminishing with distance given the topography of the land and the presence of natural screening features e.g. woodland. The LVIA states that the site is visually enclosed by existing vegetation. Whilst there are wooded areas to the north and south of the site the site is largely open with direct views into the site from the east and west and especially as viewed from Lutterworth Road and A5. There would be a “major/adverse” impact on landscape character.
- 8.4 Proposed mitigation planting measures include “strengthening the boundary vegetation and strategic landscape planting within the site which will assist in reinforcing visual screening of the development from the users of the Public Right of Way (PRoW).” There would still be a large gap from Lutterworth Road to form the access and proposed planting to the south east and west appears to be weak/thin.
- 8.5 In addition Local Authority’s Arboricultural Officer has confirmed that the revised plan have been amended and scaled back to include strengthening of boundary edges to the south, north-west and east. To the north east the development line is now set back from the A5 by approximately 60 metres with the built form being restricted to the north and east only.
- 8.6 It is therefore the considered opinion of the Arboricultural Officer that the existing trees/hedges/woodland and topography of the land combined with mitigation landscape enhancement to the perimeter and internally will integrate the proposal into the local landscape once landscaping establishes. Whilst no details of planting are available at the moment these would be assessed during reserved matters.
- 8.7 Given the sensitive nature of the site Warwickshire County Council (Landscape Architect) was consulted on the application this has confirmed that a landscape buffer of tree and hedge planting would be provided along the north western and north eastern boundaries of the site. However this would significantly vary in width and is at its narrowest against the larger buildings such as the hotel and vehicle inspection unit. In these locations screen planting is little more than the width of a hedgerow. While the proposals indicate tree planting on the south west and south east boundaries of the site the effectiveness of any screen planting is greatly reduced by the inclusion of a drainage feature that would run alongside the existing watercourse. All internal hedges are to be removed except for a single mature oak hedge tree that is covered by a Tree Preservation Order (TPO).

- 8.8 There would be a large gap in vegetation cover which would result from the creation of the new site entrance and proposed planting along the south eastern and western boundaries would only provide a thin buffer. Buildings and structures would also be visible from the Lutterworth Road, A5 and in views from the public footpath network.

Site and Immediate Context

- 8.9 The site comprises mixed farmland with a framework of intact hedged fields. These hedges include occasional hedge trees. Hawthorn is the dominant hedge species and the presence of oak, blackthorn, elm, elder, and ash is typical of field hedgerows within the High Cross Plateau Landscape. However, the absence of hedge trees along the western boundary permit open views across the site. Therefore the site is not visually enclosed by existing vegetation as the applicant's LVIA has otherwise stated.
- 8.10 Adjacent land is also agricultural except to the north and west, on land to the east of the A5, where Magna Park, a large scale warehousing and logistics centre, and consented development for a southern extension are located. On the southern edge of the site is Streetfield Spinney, a block of mixed broadleaved woodland which is connected to the existing framework of hedges and a stream course and is a potential Local Wildlife Site (LWS). A LWS is a defined areas identified and selected locally for its nature conservation value. To the east and south of the spinney is a new solar farm within the existing field pattern of hedged fields and woodland. Further to the south is the village of Churchover. To the west is farmland, the hamlet of Little Walton and the villages of Monks Kirby and Pailton. Registered Park and Garden Newham Paddox lies approximately 2km to the west.
- 8.11 Immediately outside the redline boundary is the farm; Cross in Hand which lies to the north. Nearby residential properties include listed building Streetfield Farm, Streetfield Cottage, to the south; Moorbarns Farm, to the southeast, Walton Lodge Farm and Drive Cottage, to the southwest; Cestersover Farm, to the south / southwest, Newham Fields Farm to the west and Muswell Leys Farm and the village of Willey to the north. Generally, land to the west of the A5 is undeveloped and is predominantly managed as farmland with scattered farms, individual dwellings and small villages along adjacent roads and lanes. The applicants LVIA has identified that proposed development would be visible from some of the hamlets and isolated manor farmsteads within the 3km study area.
- 8.12 The B4428 Lutterworth Road is a rural road, framed by field hedgerows set back behind grass verges, and connects the village of Pailton with the A5. The road is unlit. There are open rural views of the site and farm buildings from the road. While views are partially filtered by vegetation further south along the road the farm buildings remain visible and so any new development of an equivalent or larger scale would also be visible. Although the site contains intact hedged fields with very occasional tree cover it is relatively open with views across the site from the adjacent road and public footpath network. Hedge trees only survive within the northern and southern boundaries and further to the east along the A5 road corridor. The large scale commercial development at Magna Park is visible on the skyline in several of the selected viewpoints within the applicants LVIA and is often seen as a dominant feature that contrasts with its surroundings.

Designations

- 8.13 The landscape is not designated either nationally or locally and the application site is not located within the Green Belt. The Conservation Area of the village of Churchover village is approximately 2km to the south of the site with the village of Willey approximately 1.5km north west and includes listed buildings the Church of St. Leonard and Cottage Nurseries. On the southernmost part of the site is a potential Local Wildlife Site which comprises broadleaved woodland with a Tree Preservation Order (TPO) covers a mature oak tree growing within a field hedgerow within the centre of the site. There is a listed building in the immediate area; Streetfield Farmhouse and attached farm buildings.

Topography

- 8.14 The application site sits towards the southern edge of a broad flat summit on the High Cross Plateau with the land sloping to the south and east towards the River Swift corridor. The contours range between 125m AOD and 130m AOD with the highest point at 133m AOD in the northern part of the site. The land falls to the south and east towards the River Swift.

Land Use

- 8.15 The site comprises an open, medium-large scale, field pattern of mixed farmland on gently rolling terrain with smaller fields of pasture containing remnant ridge and furrow adjacent to the farm buildings.

Vegetation

- 8.16 The field boundaries are managed hedgerows. Occasional hedge trees survive within the external boundaries except for the roadside hedges along the western boundary. Within the central part of the site is a mature oak hedge tree with a Tree Preservation Order (TPO). The internal hedges are predominantly hawthorn with a mix of blackthorn, elm, holly, elder or holly which is typical of hedgerows within the High Cross Plateau. The stream course has a hedgerow with dense scrub along its eastern bank and a small section of hedgerow along its western bank. Six semi-mature to mature hedge trees are identified as being potentially impacted by the development.
- 8.17 Streetfield Spinney borders the southern edge of the site. The spinney can be seen on the skyline in several local viewpoints. Further to the south are three much smaller blocks of broadleaf woodland comprising a mix of ash, hawthorn, blackthorn, English Oak, and elm.

Public Footpaths

- 8.18 There are no public footpaths (PRoWs) across the site. The nearest PRoWs are as follows:
- PRoW (R296) which runs south from the B4428 Lutterworth Road and crosses bridleway R62 to the north of Cesterover Farm;
 - PRoW R60 which runs to the east of Monks Kirby; and
 - PRoW R63 to the south of the River Swift.

Water Features

- 8.19 A field pond with scattered tree cover is within one of the fields of pasture. A stream course emerges from Streetfield Spinney and continues along the south eastern edge of the site towards the A5 road corridor and connects to a tributary of the River Swift. Ditches are also present along the internal boundaries to the arable field.

National Character Area

- 8.20 The site lies within the southern part of National Character Area (NCA) 94: Leicestershires Vales which has a distinctly more rural and tranquil feel than the northern part. The southern part is characterised by a mix of arable and pastoral farmland with some surviving ridge and furrow and a strong rectilinear field pattern of medium to large scale hedged fields. Pasture in small fields tends to predominate on the valley slopes, the more undulating ground and in pockets of land close to settlements. A gradual transition to the Dunsmore and Feldon NCA can be seen through the continued pattern of rural and agricultural landscapes with large scale open arable fields, improved pasture, small villages, and the rising ground of the High Cross plateau.
- 8.21 Across the NCA the distribution and extent of hedgerow and tree cover and the density of hedgerows varies. Where there is a lack of tree cover the landform tends to be prominent. Although there is only a small percentage of woodland cover overall a wooded character is derived from spinneys and copses along the ridges and more undulating landform, and from waterside trees.
- 8.22 Development is locally concentrated around Lutterworth and Magna Park, at junctions along the M69, around Hinckley and Market Bosworth, as well as on the fringes of Leicester. These developments and related infrastructure, including major transport routes passing through the NCA, are often visually dominant and have weakened the character of the area. The large area covered by Magna Park, in combination with the large scale of the units within has resulted in it becoming dominant within the landscape when viewed from the surrounding landscape.
- 8.23 If the application site is developed as proposed this will extend the urban area beyond its existing well-defined edge on the plateau. The development would further weaken the NCA.

Local Landscape Character

- 8.24 The site sits within the High Cross Open Plateau landscape, a rolling plateau, mostly over 100m AOD in height. The landscape is primarily agricultural with a large scale field pattern, though smaller fields often associated with pockets of permanent pasture are a feature in places. Small rural villages such as Churchover, Monks Kirby and Pailton are still the dominant settlement type. Woodland comprises recent shelterbelts and spinneys with the main concentration of tree cover in the area around Newham Paddock. The farmed landscape contains many historic features such as remnant ridge and furrow and associated deserted village sites. The deserted village of Cesterover lies south west of the site. The combination of these landscape elements has helped to retain a strong rural character in the immediate area.

- 8.25 The Open Plateau landscape is a remote rural landscape lying between the towns of Rugby and Hinckley. It is mostly a large scale rolling landscape with wide views and a strong sense of 'emptiness' and space and has few roads or settlements. The farmed landscape is predominantly medium to large hedged fields. The pattern of fields and woodlands is of importance in this landscape type and the Warwickshire Landscapes Guidelines seeks to encourage the conservation and restoration of primary hedge lines along roadsides, bridleways, footpaths, parish, and farm boundaries. Hedge trees within and around rural settlements should also be conserved and enhanced where the surrounding farmland has a more open, large scale character.
- 8.26 The proposed development would result in a fundamental change to the local landscape character. The sense of remoteness, space and wide views would be lost. The rural character of the Lutterworth Road would become urbanised through the removal of roadside hedgerow, the permanent change in land use and urban views experienced.
- 8.27 The predicted change in landscape character is major adverse as stated in the applicant's LVIA. Chapter 12 of the NPPF seeks developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting. The application site is currently managed as farmland and continues to read as part of the wider countryside setting for nearby rural villages and the Registered Park and Garden at Newham Paddox as experienced to the west of the A5 corridor.

Visual Effects

- 8.28 Intact hedgerows are common within the local area. Tree cover is present on the periphery of most nearby settlements. Linear strips of established vegetation also occur along the main transport routes such as the M6 to the south, and along the former Great Central Railway line to the west of the Site. While there is woodland to the north and south the application site is largely open with direct views into the site from the east and west and especially as viewed from Lutterworth Road and the A5.
- 8.29 A consequence of hedgerow removal, and potentially the loss of the tree group around the farm complex, will increase views into the application site and thus permit more direct views of the development. The development will be read as a continuation of the existing commercial edge. Magna Park will be seen alongside the proposed development in viewpoints because of the relatively small distance between the two sites and the scale of the neighbouring development as is demonstrated in the applicant's photomontages. Therefore there is a potential cumulative visual impact arising from this development.

Landscape Sensitivity

- 8.30 Sensitivity is taken to mean the sensitivity of the landscape to a particular type of change which in this case is large-scale commercial development. It is a combination of the sensitivity of the physical landscape resource (including its historical and ecological features and elements) and perceptual qualities (such as views). Sensitivity is considered independent of landscape value i.e. whether an area is covered by a landscape designation or judged to be of equivalent value. The local landscape comprises a plateau with a generally well settled rural landscape traversed by major roads with large scale commercial development to the east of the A5. The Landscape

Assessment of the Borough of Rugby Sensitivity and Condition Study (2006) divides the borough into ten landscape character types (LCTs). The relevant LCT which is High Cross Open Plateau has a moderate overall sensitivity rating. However, we know from the condition and sensitivity of Landcover Parcels within the urban fringe around the town of Rugby varies.

- 8.31 Paragraph E5.17 of the applicant's LVIA - considers the site's susceptibility to commercial development to be medium. The basis for this is that the site is adjacent to commercial development to the north and east and that the proposed development would be of "similar form and scale to other development in the locality". Little weighting appears to have been given to the site's sensitivity within the wider landscape context.

Amended Plans

- 8.32 Further to these objections raised amended plans were received from the agent which attempted to overcome the concerns over the changes to the local landscape. Further to the consultation being carried out with Warwickshire County Council (Landscape Architect) the following assessment was conducted.
- 8.33 It is still considered that the proposal would result in a fundamental change to the local landscape character with the sense of remoteness, space and wide views being lost. There would be a permanent change in land use from a farmed landscape to an extension to what is major urban development on the eastern side of the A5 corridor. The western side of the A5 corridor is still relatively undeveloped, whilst the site is in close proximity to an existing major development area, it is physically separated from this development by the farm complex and A5 corridor which reads as a continuum of the wider farmed landscape and as a more rural approach to the village of Pailton. The A5 is also a physical boundary between Rugby Borough Council governed by the Rugby Borough Local Plan and the more developed eastern side of the A5, governed by Harborough District Council, under their own adopted Local Plan.
- 8.34 The provision of development on the application site would be viewed as encroachment onto the countryside with the existing landscape framework being destroyed. All internal hedgerows would be lost, with the exception of a single mature oak hedge tree which is covered by a TPO, and a significant portion of roadside hedgerow would be removed. Whilst perimeter hedges would be retained it is unclear how they would continue to be managed following the development. The site area is very extensive and the majority of the land would be hard surfaced for vehicular access and parking associated with the new HGV Park. Whilst there has been an increase in the proposed perimeter planting along the northern, western, and eastern boundaries to help screen the new buildings and parking, this planting would separate the site from the wider landscape.
- 8.35 Until the perimeter planting has matured there would be views of the proposed buildings and associated facilities, along with external lighting from the Lutterworth Road and from the A5 road corridor, and potentially from nearby Public Rights of Way. Whilst design detail is currently an unknown factor, due to the outline nature of the application, the green roof proposed for the Vehicle Inspection Unit could help to mitigate middle to long distance views. Whilst it is acknowledged that the effects of the landscape will diminish with increasing distance, even when matured, the proposals would not integrate within

the wider landscape character, as the proposed landscaping would appear at odds with the prevailing agricultural landscape.

- 8.36 In landscaping terms the site should provide an attractive setting when viewed not only internally but also externally, in order to achieve this, the scale of development proposed would need to be significantly reduced and have linking landscape features within the site. A further reduction in the volume of parking would allow for increased planting within the parking areas for example hedge planting to separate rows. This would help to reduce the overall sense of scale while also permitting the creation of a more natural water body / bodies with shallows and fringing vegetation that mimic the natural environment.

Conclusion

- 8.37 While the site is in proximity to existing large scale commercial development it is physically separated from this development by the A5 road corridor and reads as a continuum of the wider farmed landscape. West of the A5 route the landscape has retained a distinctly more rural and tranquil feel and is characterised by a mix of arable and pastoral farmland with some surviving ridge and furrow and a strong rectilinear field pattern of medium to large scale hedged fields. This landscape provides a rural setting to the villages of Pailton, Willey and Churchover and the Registered Park and Garden. Although mitigation planting is proposed this would not effectively limit views of the proposed development and would be at its narrowest where the taller buildings and site entrance are proposed. There is a potential cumulative visual impact arising from the proposed development because of the proximity and scale of the adjacent commercial development.
- 8.38 This application is therefore considered to be contrary with Local Plan Policy SDC2 and NE3 and Section 12 and 15 of the NPPF.

9. Ecology

- 9.1 Policy NE1 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. In addition, Policy NE2 of the Local Plan requires proposals to protect, restore and enhance green infrastructure assets within the defined Strategic Green Infrastructure Network.
- 9.2 These policies are consistent with one of the core planning principles outlined within the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible it particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.
- 9.3 Warwickshire County Council (Ecology) have reviewed the Environmental Statement and have initially objected to the application on the grounds that insufficient information has been submitted to allow a formal response to be provided. A request was made to

the agent for the additional information; this information was received, and a re-consultation has been carried out accordingly.

9.4 *Habitats*

The site comprises the main development area of three arable fields and two improved grassland fields with areas of improved grassland around the boundary hedgerows. The hedgerows are intact, species-poor and dominated by hawthorn, with holly, blackthorn, elm, elder and ash. They have all been assessed against the Hedgerow Regulations (1997) as qualifying as not important. All hedgerows are a Habitat of Principal Importance under the UK Biodiversity Action Plan. There are several mature and semi-mature trees within the wider site and within the hedgerows. On the south-eastern boundary, a small watercourse, a tributary of the River Swift, flows in a northerly direction. Bramble scrub is present along a section of the watercourse. There is one agricultural building on site, which forms part of a larger farm complex extending outside of the site boundary to the north, where there is also a field pond present in the adjacent grassland field.

9.5 *Species*

The Preliminary Ecological Appraisal draws on data records and surveys which indicate that the development has the potential to impact on birds, bats, badger, reptiles and great crested newts. It is important to note that no great crested newts were found on site. In addition to this multiple mammal runs identified through the hedgerows including signs of deer, red fox and rabbits. A variety of measures are proposed to offset such potential impacts. Warwickshire County Council (Ecology) have assessed these and are satisfied that the potential impact to these species could be mitigated against through planning conditions.

9.6 *Biodiversity Impact Assessment*

A Biodiversity Impact Assessment (BIA) has been submitted which quantifies the value of existing habitats and establishes what impact there would be from the loss of those habitats as a result of the proposed development. This was then compared with the post-development habitat values which were derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. The assessment concluded that there would be a net biodiversity loss arising from the proposed development. The applicant is not able to provide full compensation for this on-site and so has agreed to a biodiversity offsetting scheme which would provide suitable compensation off-site. This would be secured via the S106 Agreement.

9.7 *Ecology Conclusions*

It has been found that the findings of the Preliminary Ecological Appraisal are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The proposal would result in a net loss of biodiversity but this would be compensated for by undertaking biodiversity offsetting on land outside of the application site. The potential impact on species could be mitigated against through the use of

planning conditions. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring a net biodiversity gain.

9.8 This application is therefore considered to be in accordance with Local Plan Policy NE1 and NE2 of the Local Plan.

10. Archaeology

10.1 Section 16 of the NPPF states that Local Planning Authorities should consider the impacts which cause any harm to; or loss of; the significance of a designated heritage asset. Furthermore, Local Plan Policy SDC3 which states that applications with the potential to affect the significance of a heritage asset will be required to provide sufficient information and assessment on the impacts the proposal has on the heritage asset.

10.2 The proposed development lies within an area of significant archaeological potential, adjacent to the line of A5 Watling Street Roman Road (Warwickshire Historic Environment Record MWA420). Archaeological fieldwork undertaken at Magna Park has identified evidence for Late Iron Age/Roman settlement (Leicestershire Historic Environment Record (MLE21985) approximately 950 m to the north of the proposed development. As highlighted within the Archaeological Desk Based Assessment submitted with the supporting information to this application there is high potential for archaeological remains dating from the Roman period to survive across the site. The potential for prehistoric remains to survive across the site is considered to be unknown. The significance of any archaeological deposits within the site, should they be present, should also be considered to be unknown.

10.3 A Written Scheme of Investigation has been submitted with the application which details a methodology for a geophysical survey to be undertaken. It has been confirmed that the submission describes an appropriate strategy for the first phase of evaluation across the site. This information has been received and a re-consultation has been carried out accordingly.

10.4 It has been confirmed that whilst there are some anomalies on site which suggests the presence of ridge and furrow cultivation with trial trenching identifying a possible small enclosure with fragments of Iron Age pottery and daub being recovered. As such it has been confirmed that there are no objections to the proposal subject to appropriate conditions.

10.5 It is therefore considered that this application is in accordance with Section 16 of the NPPF and Local Plan Policy SDC3.

11. Heritage

Policy Background

11.1 Policy SDC3 states that development will be supported that sustains and enhances the significance of the Borough's heritage assets including listed buildings, conservations areas, historic parks and gardens, archaeology, historic landscapes and townscapes. Development affecting the significance of a designated or non-designated heritage assets and its setting will be expected to preserve or enhance its significance.

- 11.2 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or any of its features of special architectural or historic interest.
- 11.3 With regards the NPPF, Section 16 sets out the government's advice on conserving and enhancing the historic environment. Paragraph 193 advises great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification. Paragraph 195 states that where substantial harm to a designated heritage asset. Such cases should be weighed against the public benefit of the proposal.
- 11.4 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve and enhance the character or appearance of a conservation area.
- 11.5 Paragraph 196 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 11.6 Paragraph 201 informs that not all elements of a conservation area will necessarily contribute to its significance.
- 11.7 The courts have held (*South Lakeland DC v Secretary of State for the Environment*, [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve.
- 11.8 Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

Heritage Assets

- 11.9 The subject site does not contain any designated or non-designated Heritage Assets, however the site lies within close proximity to a number of surrounding heritage assets.

*Churchover Conservation Area and Holy Trinity Church Grade II**

- 11.10 The Churchover Conservation Area includes a compact village with three character areas:
- School Street, at the south end, which derives its character from three large historic farmsteads, terracing and groups of buildings clustered together with boundary walls linking buildings, with a strong sense of enclosure and few views of the countryside;

- The Green, in the centre, with a greater openness and a character derived from the landscaped character of the area; and
- Church Street, a mixture of built form, including the Grade II* Listed Holy Trinity Church and greenery, there is more dense development at the north end followed by countryside beyond.

11.11 The Conservation Area appraisal notes that Church Street “terminates with a backdrop of trees” at its north end. Views of the surrounding countryside are limited due to the close-knit sighting of buildings and their proximity to the highway. The map of key views indicates one looking north-west from the church, directed away from the application site, towards the countryside.

11.12 Given the distance of the application site from the conservation area approximately 2.25km, it does not play a particular role in the setting of the conservation area. Where there are views towards the site from the edges of the conservation area, these are seen in context with Magna Park in the background of the view, which adds an industrial element to the surrounds.

Streetfield Farm House and Attached Buildings Grade II

11.13 Streetfield Farmhouse is an early 19th Century brick farmhouse of three storeys, with a covered cart way containing a beam dated back to ‘1838’. To the rear of the farmhouse is a single-storey wing with an attic and several other farm buildings including a granary and stable.

11.14 Streetfield Farmhouse and its attached farm buildings are of architectural and historical interest as a grouping of early farm buildings which retain both their external form and internal features. These features and forms help to provide an understanding of the working farm. There are other large modern farm buildings to the north of the historic farmstead which aids with screening the views to the north of the application site.

11.15 The rural agricultural setting of Streetfield Farmhouse and its associated outbuildings contributes positively to the significance of the building. To the north, Magna Park is a significant modern industrial park in the setting of the farmhouse (albeit in long-distance views and partially screened by trees), and a further extension to the south of the existing industrial park, ‘Symmetry Park’, has been granted outline permission; in addition, permission was granted on appeal for a hybrid planning application for a storage and distribution facility north-west of Magna Park. The area north-east of the farmhouse has an industrial character which does not contribute to the significance of the listed farmhouse and farm buildings.

*Church of St Leonard, Willey Grade II**

11.16 The Church of St Leonard, Willey is a small church which is situated approximately 1.7km to the north-west of the application site. The Church of St Leonard is a small sandstone church with a nave and tower built in the late C14/C15 and altered in 1884. The significance is primarily from its architectural features both externally and internally,

including a C14 font and the remains of a C14 effigy, among other later features, as well as its historical associations with former notable residents of the parish.

- 11.17 The church's immediate setting beyond the village of Willey is rural and agricultural with the exception of the Magna Park distribution centre with associated extensions. The existing bank of trees of Long Spinney also screens views to a degree, to the south and south-east of the church. The application site plays a negligible role in the setting of the church in that it is a rural, agricultural site, approximately 1.5km away from the church which is screened by intervening vegetation with views of Magna Park providing an industrial backdrop for the church from the south-east.

Newnham Paddock

- 11.18 Newnham Paddock is a registered Park and Garden approximately 0.75km east of Monks Kirby and comprises of approximately 135 hectares of land, with 20 hectares of gardens, pleasure grounds and ponds, and 115 hectares of park and woodland. The mansion within the grounds was demolished in 1952, and an 18th Century stable court (converted to domestic use in the mid-20th century) and late 20th century house are now the principal buildings within the grounds. The areas of Newnham Paddock furthest east (closest to the application site) are the Burton Pool Spinney and the New Kennels (with associated Pheasantries and Pinch Furlong), are both wooded areas.
- 11.19 Beyond the edges of the registered park and garden, the wider setting remains one of rural agricultural character with fields bounded by hedgerows, occasional farmsteads and scattered villages. Magna Park is a major industrial centre to the east of the park and garden, though there are significant areas of trees at the eastern boundary of the registered park and garden providing screening. The Site plays a negligible role in the setting of Newnham Paddock.

Conclusion

- 11.20 The Heritage Impact Assessment submitted with the application dated November 2020 indicates the following:
- The proposal would preserve the setting and significance of the designated heritage assets; and
 - The proposal would not harm the significance of any designated heritage assets.
- 11.21 This view was further supported by comments received from Historic England who confirmed that they have no comments to make on the proposal.

12. Developer Contributions

- 12.1 Warwickshire County Council (Highways) have identified a contribution towards a bus service from Nuneaton Town Centre to Lutterworth for workers and users to be able to access the site. As the proposal will generate approximate 40 jobs the contribution has been calculated on a proportionate basis for this proposal. confirmed that they had no objections to the proposal.
- 12.2 Warwickshire County Council (Ecology) have confirmed that due to the net loss of biodiversity a biodiversity offsetting scheme needs to be secured via a S106 Agreement.

13. Heads of Terms

13.1 In summary the obligations required for this proposal have been highlighted as per the table below:

<u>Contribution/Obligation</u>	<u>Requirement</u>	<u>Trigger</u>
Warwickshire County Council (Highways)	Towards the bus service from Nuneaton Town Centre to Lutterworth.	To Be Confirmed
Warwickshire County Council (Ecology)	Biodiversity offsetting scheme to mitigate any on-site loss of biodiversity.	To Be Confirmed.

13.2 In relation to the detail quoted above, these are subject to further negotiation and finalisation prior to the completion of the S106 Agreement.

14. Planning Balance

14.1 The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes “sustainable development” is not simply a matter of location; it involves a wide variety of other considerations such as the three dimensions of sustainability. The NPPF at paragraph 7 identifies the three dimensions to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advise that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

14.2 From an economic perspective the proposed development would result in money being invested in construction on the site, employment relating to construction jobs over the build period and the creation of employment opportunities associated with the end use. Such matters would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the application. In addition the Department for Transport and the Department for Levelling Up, Housing and Communities have an initiative on planning reforms for lorry parking, emphasising the critical importance of the freight and logistics sector to shops, households, assembly lines, hospitals and other public services across the country. The Government is acknowledges the need the planning system should play in meeting the needs of hauliers and addressing current deficiencies. Planning plays a critical part in the allocation of land for lorry parking. As such, the proposed development would satisfy the economic role of sustainable development with the current need for lorry parking facilities carry weight in favour of the proposed development.

14.3 From a social perspective the development of this site would consequently provide a number of new employment opportunities. Given the current need for facilities for hauliers to have access to appropriate parking and facilities, the proposal would provide safe and secure parking for lorry drivers. Access to these types of facilities are paramount given the strict regulations lorry drivers adhere to, it also plays a key role in helping improve and safeguard mental health and wellbeing. It is considered that the

clear social benefits outlined above should carry weight in favour of the proposed development.

- 14.4 From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, biodiversity, trees and hedgerows, heritage and archaeology, highway safety, traffic flows, public rights of way, flood risk, drainage, air quality, noise, contamination, visual amenity, residential amenity, water conservation and carbon emissions have all been considered. Whilst there would be a net loss in biodiversity, this loss would be mitigated through conditions. The development would however have a detrimental impact on the landscape character and appearance of the countryside. Allowing the development would result in a permanent change in land use from a farmed landscape to the encroachment of a major urban extension, resulting in an incongruous form of development which would erode the continuum of the farmed landscape within the surrounding area. Whilst it is acknowledged that the developer has made significant amendments to the plans it is still considered that the change to the landscape character of the area carries substantial weight against the proposed development.
- 14.5 Therefore, whilst the development of the site would result in significant social and economic benefits there are significant concerns over the impact the proposal would have on the environmental benefits. Paragraph 8 of the NPPF is clear that the 3 roles should not be taken in isolation but that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. Whilst it is acknowledged that there would be clear benefits in favour of allowing the proposal, the impact on the environment and the significant changes which would result in the urbanisation of the countryside, would mean, on balance, that the proposal would not represent sustainable development in terms of the NPPF and is therefore considered to be contrary to the Development Plan and the NPPF.
15. Conclusion
- 15.1 The proposed development will create a positive economic business and employment opportunity, by providing a much-needed lorry parking facility for the haulage industry.
- 15.2 However, it is the considered opinion of the Local Planning Authority that the potential cumulative impact arising from the proposed development, by virtue of its scale, massing, and visual appearance, would result in the urbanisation of the countryside, which would subsequently, have an adverse impact on the character and appearance of the surrounding area in which it is situated. The harm caused to the environment cannot be mitigated through the benefits which the proposal brings.
- 15.3 It is therefore considered that the proposed development is not sustainable development and would have an adverse impact on the character and appearance of the countryside and wider landscape. The proposed development is therefore contrary to Policy SC1 and NE3 of the Rugby Local Plan 2011 – 2013, June 2019 and the NPPF.

DRAFT DECISION

REFERENCE NO:
R20/0259

DATE APPLICATION VALID:
29-May-2020

APPLICANT:

Keith Beard, Magna Property Solutions, Matthew Squire Magna Property Solutions, Matthew Squire, 32, The Tything, Worcester, WR1 1JL

AGENT:

Laurence Holmes, Lichfields Lichfields, Cornerblock, 2 Cornwall Street, Birmingham, B3 2DX

ADDRESS OF DEVELOPMENT:

LAND REAR OF CROSS IN HAND FARM, LUTTERWORTH ROAD, MONKS KIRBY

APPLICATION DESCRIPTION:

Redevelopment of the site to a HGV Facility including the of an agricultural buildings. Formation of 378 HGV parking spaces, fuel station, vehicle inspection station with associated supporting facilities including a petrol filling station, electric charging points, convenience store (A1), coffee shop (A3/A5), creche (D1), ancillary car parking, biomass plant with associated works. (Outline - Principle and Access Only).

CONDITIONS, REASONS AND INFORMATIVES:

REASON FOR REFUSAL: 1

In the opinion of the Local Planning Authority, having regard to the prominent position of the development within the countryside, the proposed development would, by virtue of its scale, massing, visual appearance and lack of adequate mitigating landscaping, result in an unacceptable form of development that would have a materially adverse impact on the character and appearance of the surrounding countryside and wider general landscape within which it is located. As such the development would be contrary to Policy SDC1 and NE3 of the Rugby Local Plan 2011 - 2031, June 2019 and therefore constitutes unsustainable development which is contrary to the NPPF

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Local Plan 2011 - 2031, June 2019

Policy SDC2: Landscaping

Policy NE3: Landscape Protection and Enhancement

National Planning Policy Framework 2021

Section 2: Achieving Sustainable Development

The development plan policies referred to above are available for inspection on the Rugby Borough Council's web-site www.rugby.gov.uk .

Reference: R21/0713

Site Address: 25 Barby Lane, Rugby CV22 5QJ.

Description: Outline planning application for erection of five detached dwellings with all matters reserved except for access which includes alterations to existing highway access.

Recommendation

Approval subject to conditions, informatives and completion of a S106 Agreement.

Introduction

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the application has been called in by Councillor Lawrence within the 21 day consultation period for the application to be determined by Planning Committee on the grounds that:

1. The proposals are contrary to National and Local Planning Policies.
2. There is sufficient evidence in which previous refusals be committee for housing on the Rainsbrook Valley have been upheld on appeal.

Application Proposal

This application seeks outline planning permission for the erection of 5 new dwellings. An illustrative masterplan has been submitted, which provides guidance on how the site could be developed to accommodate 5 dwelling houses. Along with the principle of development the main consideration in respect of this application is the access with all other matters being considered at reserved matters stage.

It has been proposed that the existing access will be retained and improved to serve a small scale residential development with a suitable turning area for both delivery and refuse vehicles to serve the development.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 under Part 1 and the Communities and Local Government Guidance on Information Requirements and Validation; March 2010 details information which needs to be submitted to allow for the determination of an outline planning application. This information has been received by the agent through the submission of the Proposed Site Layout (12220-HBA-DR-A-020 Rev A).

Site and Surrounding Area

The application site is located within the Settlement Boundary of Rugby. The site itself comprises of the host dwelling which benefits from a generous amount of amenity space fronting onto Barby Lane. The residential curtilage extends to the north and east and in the main

is made up of grassed areas, a large array of trees and hedgerows, along with numerous vehicles and caravans stationed on site.

Relevant Planning History

Whilst there is an extensive planning history on this site none of them directly relate to this application.

Relevant Planning Policies and Guidance

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

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

Local Plan 2011-2031

Policy GP1: Securing Sustainable Development
Policy GP2: Settlement Hierarchy
Policy GP3: Previously Developed Land
Policy HS5: Traffic Generation, Air Quality, Noise and Vibration
Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets
Policy NE2: Strategic Green and Blue Infrastructure
Policy NE3: Landscape Protection and Enhancement
Policy SDC1: Sustainable Design
Policy SDC2: Landscaping
Policy SDC6: Sustainable Drainage
Policy SDC9: Broadband and Mobile Internet
Policy D1: Transport
Policy D2: Parking Facilities

Supplementary Planning Documents

Sustainable Design and Construction – 2012
Planning Obligations – 2012
Air Quality – 2021

National Planning Policy Framework – 2019

Section 2: Achieving Sustainable Development
Section 5: Delivering a Sufficient Supply of Homes
Section 11: Making Effective Use of Land
Section 12: Achieving Well Designed Places
Section 13: Protecting Green Belt Land
Section 15: Conserving and Enhancing the Natural Environment

Technical Consultation Responses

No objections have been received from:

Warwickshire County Council (Flood Risk Management)
Warwickshire County Council (Archaeology)
Warwickshire County Council (Highways)
Warwickshire County Council (Ecology)
Rugby Borough Council (Development Strategy)
Rugby Borough Council (Environmental Services)
Rugby Borough Council (Arboricultural Officer)
Rugby Borough Council (Work Services)
Warwickshire Fire and Rescue
Western Power Distribution
Environment Agency
Seven Trent Water

Third Party Consultation Responses

Councillor Lawrence has objected to the application raising the following:

1. Previous applications in this area have been refused and refusal backed by the Inspector on Appeal.
2. The Local Authority can already meet its housing quotas.
3. It is contrary to the NPPF Section 15 Conserving and Enhancing our Natural Environment.
4. It is contrary to RBC's Local Plan policies on the Natural Environment NE1, NE2, NE3; and
5. The Rainsbrook Valley has been identified as an area of Sensitivity in the 2017 Study.

Neighbours notified and a site notice has been posted. Ten letters of objection have been received raising the following:

1. The primary objection to this development is that it will set a precedence for other development applications along this ridge line of the valley.
2. In the past other development applications made in 2016/17 for both the east and South of Barby lane as well as Waldings Farm have successfully been turned down on more than one occasion, even after appeals sent to the Secretary of State, but this application will I am sure cause these applications to be resurrected;
3. Road safety concerns regarding access along Barby Lane. The site exit is still on a blind bend of a busy road for initially large construction traffic and later residential access. Allowing proposed trimmed hedges and replanting as shown on the plans will have to be continually maintained to improve visibility after the development is completed. These blind access problems together with poor lighting of the site entrance are substantiated in the Stage 1 Road Safety Audit undertaken by RSC Ltd, this is made worse by the proposed design of the site entrance which necessitates the removal of an existing streetlight.
4. I strongly object to the proposed contemporary designs offered by the architects as they are out of keeping with the area and with the proposed zinc roofing it will make my southern aspect that of looking over an industrial site.

5. Another concern is the effect on the environment of the proposed tree felling and heavy pruning.
6. The erection of five dwellings would be out of character with the area, which currently has a uniformity with regards properties set back from the road with long gardens, therefore we believe this development would break the strong existing building line currently in place. The dwellings would appear distinctly separate from surrounding existing dwellings, their presence would be noticeable from the main road and this would ruin the open and verdant character of Barby Lane. The proposal would conflict with part of policy CS16 of the Rugby Borough Core Strategy 2011, which requires new development to be of scale, density and design which would not harm the qualities character and amenity of the area in which it is situated.
7. We strongly feel that due to the location of the entrance and the speed that cars approach and leave the housing area of Barby Lane, a development at this location would be highly dangerous and potentially life threatening to those living and working in Barby Lane.
8. We urge you to also consider the detrimental impact on wildlife who have become reliant on properties with large gardens located near rural areas. A development of this scale would be damaging to badgers, foxes, hedgehogs and many other wildlife who are actively seen coming from 25 Barby Lane.
9. Planning permission for two bungalows at a neighbouring property was refused in 2018 due to dangerous access arrangements, adverse traffic impact, impact on neighbours amenity and privacy, impact on character and settings, unsympathetic with the prevailing pattern of development and other developments within the area. These concerns are still prevalent if not a greater concern with it being a larger development and at a more dangerous location within Barby Lane.
10. This proposal is for an infill build. Infills are not part of the housing strategy contained in Rugby's Local Plan, or in the Supplementary Planning Document issued recently. Random development of this kind works directly against sustainable development because they are not included in any infrastructure strategies that are established to meet the Local Plan.
11. The additional pressure on roads, schools and the like may not seem significant from one infill, but the cumulative effect certainly will be. If permission is given for one then others will undoubtedly follow, because a precedent has been set.
12. The RBC Supplementary Planning Document contains an assessment of the housing needs for Rugby. The assessment shows there is a plethora of housing in the type shown on the illustrative plans – established builds in Hillmorton, newer builds in Little Morton, along Ashlawn Road, at Houlton etc. More houses of the kind proposed in this application are not required in the area. In fact, the area is on the cusp of becoming saturated and over-developed. Unplanned builds are inappropriate in this context.
13. The aspect of properties on Fellows Way will be altered radically by the proposed build. The illustrative plan shows houses directly abutting the existing properties on Fellows Way, albeit separated by a garden but still in close proximity. This significantly affects privacy and interferes with light to the gardens on Fellows Way. Currently, these houses have an open aspect, and building directly next to them in this way will alter their character and outlook substantially.
14. If permission is granted for this build, the precedent is not only set for other infills, but it also lays the ground for a clean sweep of building into the farmland abutting the eastern border of the property. This is inappropriate because of the proximity to the Rainsbrooke Valley Escarpment, and it is encroaching on an area that the Secretary of State judged to be sacrosanct from building for at least the next 20 years.

15. We believe permission should be refused as in recent times planning applications made by owners of the adjoining properties, together with the owner of the farm opposite, have all been refused by either Rugby Borough Council and/or the Secretary of State for a variety of reasons (Application Nos. R15/2039, R16/2391, R16/2490 and R17/1891). It goes without saying that should planning permission be approved for a development at 25 Barby Lane, a precedent would be set.
16. Access to the proposed development is on the brow of the escarpment directly opposite Westwood Road, just a few yards from the unrestricted speed limit and on a bend. The current proposal suggests there could be an additional 20 cars accessing/departing the site (this figure does not include any visitors) and if the future proposal goes ahead the number of cars will double. We would add that as there is no foot path on this side of the lane making it unsafe for pedestrians.
17. The increase in traffic this development will generate raises huge concerns.
18. Lack of spaces at schools and doctor surgeries and dentists.
19. The properties would be built in the green infrastructure detailed in the local plan.
20. The affect building houses would have on wildlife habitat in this area which is abundant and thriving.
21. The noise levels and pollution created by further properties and associated vehicles.
22. The area identified is on a bend in the small country lane along which cars are often driven at speed from Barby and the 30mph sign is ignored as also are the speed bumps.
23. The view from the road will be obscured unless the mature trees and hedges were to be cut down impacting the character of the area which is on the urban edge of the Rainsbrook Valley.
24. The area has not been identified for development by the local Planning Authority due to the loss of character. This was proven when a proposal to build 110 dwellings on Waldens Farm opposite the Application site was refused by the Secretary of State 6 years ago R15/2039, and more recent Applications were also rejected by the Planning Committee as not suitable for the area (R16/2391, R16/2490 and R17/1891);
25. There is no pavement on the roadside by the proposal which would make it very dangerous to cross to the opposite side of the lane for pedestrians to use from the site.
26. The proposal for 5 dwellings with allowance for 4 cars per house would cause heavy increase of traffic on the lane by the bend.
27. This may also see an application for a further 5 dwellings if this plan is approved causing even more noise and disruption to the area over a longer period of time and this would impact the quiet nature of the lane causing light disturbance for wildlife and more noise impact for local residents for long periods.
28. The development would be contrary to the NPPF Section 15 Conserving and Enhancing our Natural Environment. Also, The Rainsbrook Valley has been identified as an area of Sensitivity from a 2017 study so the harm of the development overweighs the benefits so this would be an unsustainable speculative development.
29. Unsure whether the council refuse bin lorry will have sufficient access or whether the road will be constructed to allow for its Gross Weight for the complete access along the road.
30. With the additional 1000 vehicles (which is ever increasing) travelling along Ash lawn Rd / High St due to Houlton and the development along Ashlawn Rd, this is only going to intensify the problems of trying to get into and out of Barby Lane onto the main road.

31. The type of houses proposed are all high value detached. Within Barby Lane there is a ratio of 1: 1 of terraced houses to detached houses. This ratio in keeping with Barby Lane has not been adhered to in this application; and
32. This proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing buildings.

Determining Considerations

The main considerations in respect of this application are as follows:

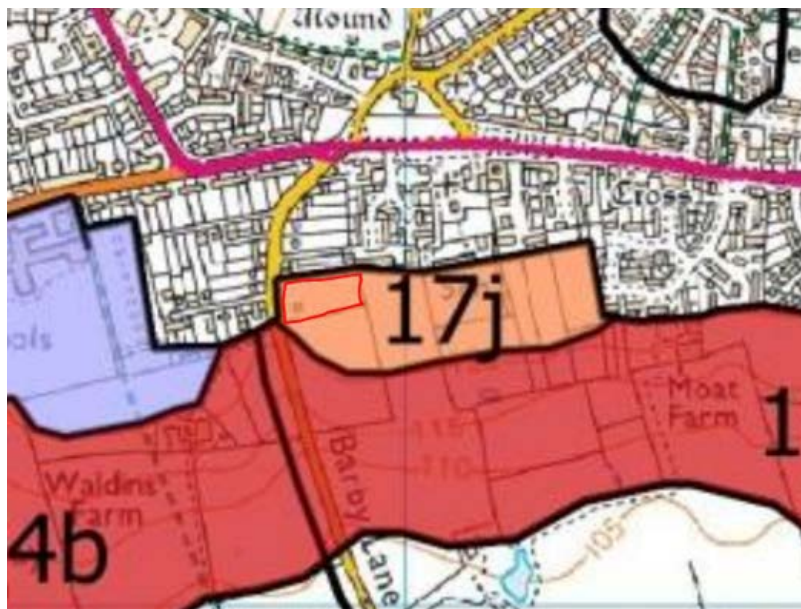
1. Principle of Development.
2. Impact on Rainsbrook Valley.
3. Character and Design.
4. Impact on Residential Amenity.
5. Highway Safety.
6. Landscaping.
7. Ecology.
8. Other Matters.
9. Developer Contributions.
10. Heads of Terms.
11. Planning Balance.
12. Conclusion; and
13. Recommendation.

1. Principle of Development

- 1.1 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.
- 1.2 The application site is located within the Rugby Town which provides the main focus for all development within the Borough. As such, there is a principle in favour of sustainable development subject to all planning matters being appropriately addressed.
- 1.3 This application is therefore considered to be in accordance with Policy GP2 of the Local Plan.

2. Impact on Rainsbrook Valley

- 2.1 The Rainsbrook Valley Landscape Sensitivity Study was completed to provide an analysis of the landscape character of the area, to include: The historic landscape; and identifies areas of low, medium and high-quality character value.
- 2.2 The inset below, shows the location of the application site which fall within the character area Zone 17j, edged in red:



2.3 Zone 17j

As indicated within the Rainsbrook Valley Landscape Sensitivity Study (January 2017) this area of land was categorised as having high-medium sensitivity. This means that the landscape and/or visual characteristics of the zone are vulnerable to change and/or its intrinsic values are medium-high and the zone can accommodate the relevant type of development only in limited situations without significant character change or adverse effects.

2.4 This means that there is scope for some development within this zone providing that the existing landscape structure of hedgerows and trees are retained and enhanced to ensure new development is not visually obtrusive. This will be assessed further within Section 6 of the Officer Report.

2.5 There have been previous refusals which have been upheld at appeal within the Rainsbrook Valley, these will be looked at in a little more detail, within points 2.6; 2.7; 2.8 and 2.9 of the Officer Report.

2.6 *Planning Application – R17/0431*

The application site for this proposal was at No. 23 Barby Lane adjoining the application site and was for the erection of two bungalows with double garages. This application was refused on the grounds that the proposal would result in an uncharacteristic form of development which would be out of keeping with its surroundings, unacceptably harming the character and appearance of the area. In addition to this the proposed development would have appeared cramped and incongruous, and would have been in direct contrast to the existing pattern of development within the area.

A secondary reason for refusal was also included within this application which was owing to the adverse impacts on the residential amenities of the occupants of No. 21. Within this application no concerns were raised over the impact of the development on the Rainsbrook Valley.

2.7 *Planning Application – R17/1891*

Planning application R17/0431 was resubmitted for the erection of two bungalows with double garages. This application saw the secondary reason for refusal being overcome and solely refused and subsequently appealed on the grounds that the proposal would result in an uncharacteristic form of development which would be out of keeping with its surroundings, unacceptably harming the character and appearance of the area. In addition to this the proposed development would have appeared cramped and incongruous, and would have been in direct contrast to the existing pattern of development within the area.

This reason for refusal was supported at appeal with the appeal being dismissed on 15th October 2018.

2.8 *Planning Application – R16/2490*

This application sought approval for the erection of up to 113 dwellings on land adjoining to the application site. This application was refused on the grounds that the proposed development would have a significant and adverse impact on the character and appearance of the landscape in this location. In particular, the proposed dwellings would appear as an intrusive extension of the urban area into the surrounding countryside and would diminish the landscape character of this area. They would further appear visually intrusive and prominent within the landscape to the point of being harmful to the qualities, character and amenity of both the countryside and setting of Hillmorton. The proposed mitigation would not adequately reduce these impacts to an acceptable level.

2.9 *Planning Application – R15/2039 and R16/2391*

These two applications sought approval for the erection of up to 107 dwellings on land adjacent to the application site. These applications were refused on the grounds that the proposed development would have a significant and adverse impact on the character and appearance of the landscape in this location. In particular, the proposed dwellings would appear as an intrusive extension of the urban area into the surrounding countryside and would diminish the landscape character of this area. They would further appear visually intrusive and prominent within the landscape to the point of being harmful to the qualities, character and amenity of both the countryside and setting of Hillmorton. The proposed mitigation would not adequately reduce these impacts to an acceptable level.

2.10 By contrast with the proposal currently under determination, these applications were located within character areas 14a and 14b. The 2006 Landscape Assessment of the Borough of Rugby indicated that this zone has high sensitivity. The sensitivity remains unchanged because of the openness of the eastern part, the rural qualities of the western part and the topography. The zone is on the edge of the plateau, on ground which slopes towards the river valley, and is therefore visually sensitive. These zones are clearly identified as being unable to accommodate development without significant character change or adverse effects.

2.11 Whilst the proposal is located within the Rainsbrook Valley, where previous applications have been refused, when taking into consideration the Rainsbrook Valley Landscape

Sensitivity Study (January 2017), it is clear that in this location small scale development is considered to be acceptable in this instance.

- 2.12 It is therefore considered that the scale of development is acceptable for this location subject to all other planning matters being appropriately addressed.

3. Character and Design

- 3.1 Local Plan Policy SDC1 seeks to ensure that development is of a high quality and will only be allowed where proposals are of a scale, density and design that responds to the character and amenity of the areas in which they are situated.
- 3.2 Section 12 of the NPPF states that the creation of high quality buildings and place is fundamental to what the planning and development process should achieve. Likewise, paragraph 127 (a) states that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- 3.3 Whilst the main consideration under this application is the access only, the initial indicative layout submitted with the proposal is considered to be acceptable in this instance and is capable of accommodating 5 new dwellings.
- 3.4 Whilst layout is not a matter for consideration, it is acknowledged that the proposal, would be read in conjunction with the development of Westwood Road which accessed off Barby Lane. The proposed layout has been amended to ensure that the first Unit acts as a continuation of Barby Lane with the remainder of the dwelling being positioned ensuring that key frontages are visible throughout the development.

4. Impact on Residential Amenity

- 4.1 Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded with Section 12 of the NPPF stating that developments will provide a high standard of amenity for existing and future users.
- 4.2 As previously identified the main considerations under this application is for the principle of development and access only, as such design, scale and massing details would be reserved for full consideration at a later date.
- 4.3 Whilst not currently a matter for consideration the indicative layout was amended following concerns raised by Officers following the initial site visit. These amendments eased any overbearing impacts and loss of light to the neighbouring properties. Amendments included replacing a two storey dwelling with a bungalow and to the rear of the site the properties were amended in form so that the rear gable projects to the furthest elevation from Fellows Way.
- 4.4 Although some amendments have been made to the indicative plans, the impacts on the amenities of neighbouring properties would be appropriately addressed at the reserved matters stage should outline planning consent be granted.

5. Highway Safety

- 5.1 Local Plan Policy D1 states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. The Planning Obligations SPD and Appendix 5 expands on this and further sets out the need for transport assessments to be submitted with planning applications to assess the impact and acceptability of development proposals.
- 5.2 Local Plan Policy D2 goes on to say that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD and Appendix 5 of the Emerging Local Plan.
- 5.3 Whilst the number of bedrooms within this proposal is subject to change given the outline nature of the proposal. The application does incorporate parking for 24 vehicles to be parked to the front and within the detached garages which have been included within the indicative layout.
- 5.4 The table provides a breakdown of the total requirements for parking provision for dwellings proposed within this application. For clarity 1- and 2-bedroom properties should have provision for 1.5 spaces per unit; 3 bedrooms seeks provision for 2 spaces; and 4 bedroom units or more would require 3 parking spaces to be provided.

<u>Parking Provision</u>						
House Type		No. Beds	No. of Units	SPD Requirements	Parking Provided	Complies Yes/No
<u>Market Housing</u>						
Existing		3	1	2	4	Yes
1		4	1	3	4	Yes
2		4	1	3	4	Yes
3		4	1	3	4	Yes
4		4	1	3	4	Yes
5		4	1	3	4	Yes
<u>Total Requirements</u>				17	24	Yes

- 5.5 Warwickshire County Council (Highways) have reviewed the application and confirmed that they have no objections to the proposal subject to conditions and informative (Condition 18 and 20 - 22).
- 5.6 Warwickshire County Council (Work Services) have confirmed that they have no objections to the proposal.
- 5.7 It is therefore considered that the proposal is in accordance with Local Plan Policy D1; D2; Appendix 5 and the SPD on Planning Obligations.

6. Landscaping

- 6.1 Local Plan Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required.

- 6.2 The Local Authority's Arboricultural Officer has confirmed that a number of trees would need to be removed in order to facilitate the proposed development. The application also confirms which of those trees will be retained and incorporated into the design.
- 6.3 The trees which are to be removed include a group of 14 Leylandi Cypress trees, which forms the most prominent arboriculture feature on the site. The Leylandi are upwards of 15 metres in height and have previously been topped and lopped maintaining a generally poor condition with major branches being dropped from trees.
- 6.4 In addition to the Leylandi four Cypress trees and two Hazel trees as proposed to be removed along with a defective Silver Birch located at the north east corner of the site. The proposed tree losses, when taking into consideration the quality and public visibility, are insignificant within the context of the local area and should be seen as a constraint on development.
- 6.5 Given the sensitive location of the development within the Rainsbrook Valley, landscape enhancements must be incorporated into the scheme. These improvements would need to include native hedgerow alongside the southern boundary to compliment the surrounding agricultural landscape and interspersed with individual trees suitable for the setting. Tree planting and native hedging should be incorporated internally. In addition the enhancement of the eastern and northern boundary planting should also be considered especially where gaps occur (Condition 15 and 16).
- 6.6 Views into the site can be seen from the site entrance but views from Barby Land transitions to a rural road are generally obscured by existing trees and hedgerows along with the topography of the land.
- 6.7 This application is therefore considered to be in accordance with Policy SDC2 of the Local Plan.

7. Ecology

- 7.1 Policy NE1 of the Local Plan states that planning permission will be refused if significant harm resulting from development affecting biodiversity cannot be avoided, mitigated or compensated against. These policies are consistent with one of the core planning principles outlined within the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'.
- 7.2 The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible it particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.
- 7.3 Warwickshire County Council (Ecology) have confirmed that the proposal should result in a net gain to biodiversity with the proposal likely to result in a small loss to biodiversity on site. Taking into consideration the existing hedgerows and treelines along with the proposed hedgerow enhancements to existing features along with the creation to the southern boundary and within the site, the improvements to be made do not outweigh the loss of ground level habitat.

7.4 It is apparent that it is not possible to achieve a biodiversity gain within the site, a payment for the creation/enhancement of habitats within the wider area should be made to compensate for the loss of biodiversity as a result of this development.

7.5 *Bats*

The application site contains four buildings which have the potential to support roosting bats. Three of the buildings within the application site will remain untouched with one building which is proposed for demolition. Of the buildings to remain, the host dwelling and a double garage have a moderate suitability to support roosting bats with the third building, a timber garage, having a negligible suitability.

7.6 *GCN and Amphibians*

Two ponds have been identified within 250 metres of the application site, with records indicating that there is a small population of Great Crested Newts (GCN), there are no ponds within the application site. The survey conducted concludes that the habitat within the site would be unlikely to attract GCN for commuting and foraging.

7.7 Warwickshire County Council (Ecology) have confirmed that they have no objection to the proposals subject to appropriate conditions (Condition 18 and 23 - 24).

7.8 This application is therefore considered to be in accordance with Policy NE1 of the Local Plan.

8. Developer Contributions

8.1 Warwickshire County Council (Ecology) have confirmed that due to a net loss of -0.30 in biodiversity units a biodiversity offsetting scheme needs to be secured, via a S106 Agreement to compensate for the biodiversity loss, in line with the NPPF and Rugby Local Plan Policy NE1.

9. Heads of Terms

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

<u>Contribution</u>	<u>Requirement</u>	<u>Trigger</u>
Warwickshire County Council (Ecology)	Biodiversity offsetting due to mitigate a loss of on-site biodiversity.	To be confirmed.

9.2 In relation to the detail quoted above, these are subject to further negotiation and finalisation prior to the completion of the S106 Agreement.

10. Other Matters

10.1 Concerns have been raised as part of the application that the Local Authority has already met its housing quota and currently benefits from a 5 year supply of land.

10.2 In a recent appeal for Land to the rear of Dunsmore Garage, Coventry Road, Thurlaston (APP/E3715/W/20/3265719) the initial application was refused based on the Local

Authorities 5 year housing land supply. The inspector for this appeal stated that "Whilst the Council may be able to demonstrate a 5-year housing land supply, which support its assertions that the Boroughs housing needs have been met in sequentially preferable and more sustainable locations, housing requirements are set as minima and the development would still deliver four additional dwellings".

10.3 It is therefore concluded that whilst the Local Authority has a 5 year supply of land, as the application site is located within the Rugby Town, the additional dwellings, albeit it with a net gain of 4 properties, are considered to be of importance to the Local Authority. The new dwellings would add further to the Boroughs housing stock and assist with the Local Authority maintaining this position in the coming years.

11. Planning Balance

11.1 The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes "sustainable development" is not simply a matter of location; it involves a wide variety of other considerations such as the three dimensions of sustainability. The NPPF at paragraph 7 identifies the three dimensions to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advise that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

11.2 From an economic perspective the proposed new dwellings would result in money being invested in construction on the site, employment relating to construction jobs over the build period, new household spending in the Borough, a contribution to the viability of local retail uses, services and businesses and additional Council Tax revenue. Such matters would have a positive impact on the local economy and prosperity of the Borough which weighs in favour of the application. As such, the proposed development would satisfy the economic role of sustainable development.

11.3 From a social perspective the proposed development of up to 5 dwellings, would consequently make a contribution towards meeting housing need within the Borough. Aside from this, the application site is located within the sustainable location within the jurisdiction of Rugby Borough Council. These matters consequently weigh in favour of the application. As such, the proposed development would satisfy the social role of sustainable development.

11.4 From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, landscape character and appearance, trees and hedgerows, heritage and archaeology, highway safety, traffic flows, public rights of way, flood risk, drainage, air quality, noise, contamination, visual amenity, residential amenity, water conservation and carbon emissions have all been considered. Whilst there would be a net loss in biodiversity, this loss would be mitigated through conditions and S106 Agreement.

11.5 Therefore, the development of the site would result in significant social and economic benefits as well as environmental benefits. Paragraph 8 of the NPPF is clear that the 3 roles should not be taken in isolation but that to achieve sustainable development

economic, social and environmental gains should be sought jointly and simultaneously. The identified benefits would mean, on balance, that the proposal would represent sustainable development in terms of the NPPF and is therefore considered to accord with the Development Plan and the NPPF.

12. Conclusion

12.1 The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety.

12.2 On balance, it is concluded that the proposal constitutes sustainable development. It complies with the Development Plan and there are no material considerations which indicate that the proposal should be refused. 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 planning permission should be approved.

13. Recommendation

13.1 Planning Application R21/0713 be granted subject to:

13.1.1 The conditions and informatives set out in the draft decision notice appended to this report; and

13.1.2 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.

13.2 The Chief Officer 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 this report.

DRAFT DECISION

REFERENCE NO:
R21/0713

DATE APPLICATION VALID:
27-Jul-2021

APPLICANT:

Mr and Mrs Robert and Karol Bryson 20B Cardigan Road, Bedworth, CV12 0LY

AGENT:

Mr Richard Palmer, HB Architects THE OLD TELEPHONE EXCHANGE 32-42, ALBERT STREET, RUGBY, CV21 2SA

ADDRESS OF DEVELOPMENT:

25, BARBY LANE, RUGBY, CV22 5QJ

APPLICATION DESCRIPTION:

Outline planning application for erection of five detached dwellings with all matters reserved except for access which includes alterations to existing highway access.

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: 1

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: 2

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 [for each plot/phase] before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

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

REASON: 3

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

CONDITION: 4

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall not be carried out other than in accordance with the Highway and Access Drive Layout (12220-HBA-DR-A-007C) received by the Council on 25th June 2021; Site Location Plan (12220-HBA-DR-A-018A) and Proposed Site Layout (12220-HBA-DR-A-020A) received by the Council on 22nd September 2021.

REASON: 4

For the avoidance of doubt.

CONDITION: 5

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

REASON: 5

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

CONDITION: 6

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

REASON: 6

In the interest of visual and residential amenity.

CONDITION: 7

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

REASON: 7

In the interests of sustainability and water efficiency.

CONDITION: 8

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

REASON: 8

To provide broadband connectivity for future occupiers.

CONDITION: 9

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: 9

To ensure the proper development of the site.

CONDITION: 10

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

REASON: 10

In the interest of visual amenity.

CONDITION: 11

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

REASON: 11

In the interest of visual and residential amenity.

CONDITION: 12

Unless non-material variations which do not give rise to additional or different likely significant effect are 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: 12

In the interests of air quality.

CONDITION: 13

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

REASON: 13

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

CONDITION: 14

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 serving plots 1 - 5 shall not be converted to living accommodation.

REASON: 14

In the interest of highway safety.

CONDITION: 15

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 10 years from the date of planting of any tree/shrub/hedge that tree/shrub/hedge, or any tree/shrub/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

REASON: 15

In the interests of biodiversity and visual amenity.

CONDITION: 16

All tree protection measures identified within the approved Tree survey Report dated June 2021 relating to the approved design details (including tree protection fencing and ground protection measures) must be implemented prior to the construction phase and to the satisfaction and written approval of the LPA. Protective measures must remain in place until the completion of all construction works. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA. Pre-commencement site meeting to be arranged with the applicant, LPA tree officer and designated arboricultural consultant responsible for the site to inspect tree protection measures.

REASON: 16

To ensure retained trees are successfully incorporated into the design and are suitably protected from damage during the construction phase.

CONDITION: 17

Should they be proposed, prior to installation of air source heat pumps it shall be demonstrated that the noise from such plant will not adversely affect residential amenity in the area. A noise assessment shall be submitted to and approved by the Local Planning Authority any mitigation measures in the approved noise assessment shall be implemented and maintained in perpetuity prior to first occupation. Regard shall be had to the NPSE and BS4142:2014+A1:2019.

REASON: 17

In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority

CONDITION: 18

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

- the control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase
- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- details of pre-commencement checks for bats, breeding birds, amphibians and badgers

- appropriate working practices and safeguards for wildlife that are employed whilst works are taking place
- identification of suitable areas for parking of contractors and visitors and the unloading and storage of materials
- measures to reduce mud deposition offsite from vehicles leaving the site.

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

REASON: 18

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

CONDITION: 19

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition (d) below has been complied with in relation to that contamination.

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

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

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

(c) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.

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

REASON: 19

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: 20

The development shall not be occupied until the existing vehicular and pedestrian access to the site has been remodelled in accordance with drawing number 12220-HBA-DR-A-007 Rev C.

REASON: 20

In the interest of highway safety.

CONDITION: 21

The development shall not be occupied until the public highway Barby Lane been improved so as to provide for facilities to cross the carriageway in order to access the application site from the existing footway in general accordance with drawing number 12220-HBA-DR-A-007 Rev C.

REASON: 21

In the interest of highway safety.

CONDITION: 22

The development shall not be occupied until visibility splays have been provided to the vehicular access to the site in accordance with drawing number 12220-HBA-DR-A-007 Rev C. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON: 22

In the interest of highway safety.

CONDITION: 23

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

REASON: 23

To ensure a net biodiversity gain in accordance with NPPF

CONDITION: 24

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

- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

REASON: 24

In accordance with NPPF, ODPM Circular 06/2005.

INFORMATIVE: 1

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

INFORMATIVE: 2

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

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

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

INFORMATIVE: 3

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

INFORMATIVE: 4

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

https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute towards improving air quality. Further information can be obtained from Environmental Health on 01788 533857 or email ept@rugby.gov.uk

INFORMATIVE: 5

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: 6

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

INFORMATIVE: 7

Condition numbers 20-22 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Minor Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

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

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

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

INFORMATIVE: 8

Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow – so far as is reasonably practicable – from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

DRAFT

Reference: R21/0845

Site Address: Land North of Airfield Drive, Coombe Fields

Description: Temporary planning permission for a period of three years, for two Proof of Concept Research Vehicle, comprising the erection of a temporary structure and one sample easel, together with associated access infrastructure and landscape improvements.

Recommendation

Approve subject to conditions and informatives.

Introduction

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the application constitutes major development.

Application Proposal

This application seeks temporary planning permission, for a period of three years, to allow for the erection a Proof of Concept Research Vehicle (PoCRV). The PoCRV would be used as a test building that would stand for a maximum period of 3 years after which it would be dismantled. The purpose of the building is to test construction systems for structure, services and architectural components.

The specifications for the proposal are as follows:

- The building will not be permanently occupied;
- There is no dedicated parking or hard surface areas and served by permeable walkways;
- Shows the connection and interfacing details between systems; and
- Space requirements for two government departments including:
 - Department for Education; and
 - Department for Health.

Site and Surrounding Area

The application site comprises of 0.48 hectares of an undeveloped section of land in the north eastern extent of the Manufacturing and Technology Centre (MTC) estate. The application site is generally flat with agricultural land with some vegetation, hedgerows and trees, the Premier Inn and residential dwelling sited to the North of the site. Airfield Drive is located to the south west; Coombe Fields Road and additional agricultural land is located to the east; with the MTC office and manufacturing buildings located to the west.

Access to the site is provided either via the M6 or the M69 and within the MTC campus for both pedestrians and vehicles access via Airfield Drive.

Relevant Planning History

There is no relevant planning history on this site.

Technical Responses

No objections have been received from:

Warwickshire County Council (Flood Risk Management)
Warwickshire County Council (Archaeology)
Warwickshire County Council (Highways)
Warwickshire County Council (Ecology)
Rugby Borough Council (Environmental Services)
Rugby Borough Council (Development Strategy)
Rugby Borough Council (Arboriculture Officer)
Rugby Borough Council (Work Services)
National Air Traffic Safeguarding
Warwickshire Fire and Rescue
Coventry Airport Limited
Environment Agency
Seven Trent Water
National Highways

Third Party Responses

Coombe Field Parish Council have confirmed that they have no objection to the proposal subject to the following:

1. The "Temporary" Permission shall be temporary and not slide, or be extended, into Permanent Permission.
2. The max height of any structure, visible from Combe Fields Road (D2045), shall be no more than 6.2 metres as shown on the plans.
3. The landscaping plan shows a generator. What form does this take? If noisy, a restriction shall be put on its and any noisy or light emitting other associated plants', eg hydraulic or vibration test rigs, hours of operation.
4. More detail is required concerning the screening / fencing to limit the site's impact, including external lighting, when viewed from Combe Fields Road (D2045).
5. Reiterating item 4) - ensure that there is minimum light pollution from any external lighting or signage, especially when viewed from Combe Fields road (D2045).
6. Except in exceptional circumstances, the site usage should be restricted to normal office hours.
7. During the site's construction phase, no site construction traffic shall use Peter Hall Lane (D2046) or Smeaton Lane (C171).

Neighbours notified and a site and press notice have been displayed with no letters of representation being received.

Relevant Planning Policies and Guidance

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

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

Rugby Borough Local Plan 2011/2031 – 2019

Policy GP1: Securing Sustainable Development
Policy GP2: Settlement Hierarchy
Policy HS5: Traffic Generation, Air Quality, Noise and Vibration
Policy ED1: Protection of Rugby's Employment Land
Policy ED3: Employment Development outside Rugby Urban Area
Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets
Policy SDC1: Sustainable Design
Policy SDC2: Landscaping
Policy SDC5: Flood Risk Management
Policy SDC6: Sustainable Drainage
Policy SDC7: Protection of the Water Environment and Water Supply
Policy D1: Transport
Policy D2: Parking Facilities

Supplementary Planning Documents

Sustainable Design and Construction – 2012
Planning Obligations – 2012
Air Quality – 2021

National Planning Policy Framework – 2021

Section 2: Achieving Sustainable Development
Section 6: Building a Strong, Competitive Economy
Section 9: Promoting Sustainable Transport
Section 11: Making Effective Use of Land
Section 12: Achieving Well Designed Places
Section 13: Protecting Green Belt Land
Section 15: Conserving and Enhancing the Natural Environment

Determining Considerations

The main considerations in respect of this application are as followings:

1. The Principle of Development;
2. Character and Design/Impact on Openness;

3. Impact on Residential Amenity;
4. Highway Safety;
5. Flooding;
6. Landscape;
7. Ecology;
8. Planning Balance; and
9. Conclusion.

1. Principle of Development

- 1.1 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy whereas Policy GP1 of the Local Plan states that the Council will take a positive approach that reflects the presumption in favour of sustainable development.
- 1.2 The application site is located within the West Midlands Green Belt as defined in Policy GP2 of the Local Plan. As such; new development will be resisted and only where national policy on Green Belt allows will development be permitted.
- 1.3 Section 2 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This results in the balancing of material considerations within each individual case at the same time being mindful of the presumption in favour of sustainable development as defined by Section 2 of the NPPF.
- 1.4 In this case whilst the application site is located within the Green Belt, it is considered that the application site is in a sustainable location given that the site is situated with an existing employment site, adjacent to MTC who are the applicants. It is therefore considered to be a sustainable location having appropriate levels of infrastructure and access routes including public transport.
- 1.5 Section 13 of the NPPF states the inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstance. Whilst the application site is location within an existing strategic employment site, conducting activities associated within research and development (Class E (g)(ii) – Formally B2), given the location within the Green Belt an assessment needs to be carried out to establish whether very special circumstances exist.
- 1.6 The proposal seeks to support a nationally significant project, for a period of 3 years, after which the land will be reinstated and returned to the Green Belt. Key circumstances which are considered to be relevant to this proposal include:
 - 1.6.1 The scheme would support the advancement of the construction industry associated with the Hub and the Platform Design Programme, which is seeking to adapt proven manufacturing processes from other sectors for construction and to develop new rules and standards to improve safety, assurance and interoperability of platform construction systems;

- 1.6.2 It will support a range of national government programmes through the creation of a platform construction system that offers flexibility to create beautiful spaces and grow a strong pipeline of demand for standardised components;
 - 1.6.3 The PoCRV will be a physical demonstrator that will provide an opportunity for collaboration, testing, and lessons learning whilst being a catalyst of innovation that will ultimately contribute to the continued development of the Platform Construction System in support of the construction industry nationally;
 - 1.6.4 The PoCRV will be used for the predication and analysis of construction engineering processes and tools that will be used to innovate and enhance the construction industry; and
 - 1.6.5 Given the proposal is temporary in nature, for a period of 3 years, ensures that there will not be a permanent impact on the openness of the Green Belt.
- 1.7 When taking into consideration the national significance of this development, it is therefore considered that very special circumstances exist in this instance, which would therefore not be in conflict with Section 13 of the NPPF or Policy GP2 of the Local Plan.
- 1.8 This application is therefore considered to be in accordance with Policies GP1 and GP2 of the Local Plan along with Section 2 and 13 of the NPPF.

2. Character and Design/Impact on Openness

- 2.1 Local Plan Policy SDC1 seeks to ensure that development is of a high quality and will only be allowed where proposals are of a scale, density and design that responds to the character and amenity of the areas in which they are situated.
- 2.2 Section 12 of the NPPF states that the creation of high quality buildings and place is fundamental to what the planning and development process should achieve. Likewise, paragraph 130 (b) states that developments should be visually attractive as a result of good architecture and layout. With Paragraph 130 (c) going on to say that they should be sympathetic to local character.
- 2.3 The application site would be sited within in close proximity to the existing buildings and would be located approximately 52 metres away from Coombe Fields Road at its closest point and would therefore be visible from the public highway.
- 2.4 The proposal has been designed so that the southern elevation, facing Coombe Fields Road, will not have changing materials with low tone colour cladding to be provided on the northeast elevation facing residential properties. This would ensure that there would be limited impact on neighbouring properties along with the character and appearance from the street scene and surrounding areas.

- 2.5 Any bright colours will be located on the northwest and southwest elevations, facing the MTC estates to a maximum of 10% of the overall cladding area further ensuring that the impacts on the street scene and appearance of the surrounding area are limited.
- 2.6 The proposal would add a maximum volume of 1702 cubic metres meaning the development would result in some reduction in the openness of the Green Belt. When factoring in the overall reduction in openness, it is considered that the scale of the proposal, when balanced against the existing development contained within the application site, would not have a materially adverse impact in terms of openness as a whole. The PoCRV would be temporary in nature and as such when the requirement for this operation has ceased can be removed from the site and returned back to its former condition.
- 2.7 The overall impact on the character and appearance from the proposal is dictated by the functional need and use of the building as an experimental research and development concept.
- 2.8 This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.
3. Impact on Residential Amenity
- 3.1 Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 3.2 Likewise Section 12 of the NPPF states that development will provide a high standard of amenity for existing and future users.
- 3.3 The closest residential dwellings along with the Premier Inn are sited in excess of 100 metres away from the boundary of the application. As mentioned within Section 2.4 of the report, the proposal has been designed in a manner to ensure that any impacts on the occupiers of neighbouring properties would be limited.
- 3.4 It is therefore considered that there would be no materially impacts in terms of loss of light, overbearing impact and loss of privacy on neighbouring properties within the vicinity.
- 3.5 This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.
4. Highway Safety
- 4.1 Local Plan Policy D1 states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. Whereas Appendix 5 expands on this and further sets out the need for transport assessments to be submitted with planning applications to assess the impact and acceptability of development proposals.

- 4.2 Local Plan Policy D2 also state that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD and Appendix 5 of the Local Plan.
- 4.3 Appendix 5 of the Local Plan states that developments for Commercial Developments, located outside of the High Access Zone, are required to provide 1 parking space per 40 square metres for B1(B and C). Furthermore the Local Plan seeks a minimum cycle standards of 1 stand per 1 stand per 250 square metres for B1 (B and C)
- 4.4 Whilst these are the standards set out within the Local Plan, the proposal is not a development which generates a significant increase in car usage as such, no car parking provision is proposed as part of this development. Whilst the site will be visited periodically under guided tour conditions which would be on an ad-hoc basis, larger numbers of visitors are expected to attend the site upon completion of the research vehicle, and when any changes are made to its construction throughout its lifespan.
- 4.5 Car parking will be provided for visitors of the PoCRV within the car parks located in the existing MTC grounds which is considered sufficient to accommodate visitors throughout the lifespan of the development.
- 4.6 Warwickshire County Council (Highways) have confirmed that they have no objection to the proposal subject to the inclusion of an appropriate condition (Condition 6).
- 4.7 This application is therefore considered to be in accordance with Local Plan Policy D2 along with the SPD on Planning Obligations.

5. Flooding

- 5.1 When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- Within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - Development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
- 5.2 Whilst the application site is located within Flood Zone 1 which has a low probability of flooding as the application constitutes major development the Warwickshire County Council (Flood Risk Management) team and the Environment Agency have been consulted on the application.

5.3 The Environment Agency have only been responding to applications where there is deemed to be a significant risk to flooding where the Lead Flood Authorities powers are not considered to be sufficient. In this instance the Environment Agency have not responded to the consultation ensuring the Lead Flood Authority lead on the issue of flood risk on the application site.

5.4 Warwickshire County Council (Flood Risk Management) initially objected to the application on the grounds that insufficient information has been submitted to allow a formal response to be provided. A request was made to the agent for the additional information to be submitted with the application. This information was received a re-consultation was carried out accordingly. It has been confirmed from Warwickshire County Council (Flood Risk Management) that they have no objections subject to conditions (Condition 9).

6. Landscape

6.1 Local Plan Policy SDC2 states that the landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscaping will be required.

6.2 Following consultation with the Local Authority's Arboricultural Officer it has been confirmed that the native woodland planting proposed to the north on the existing raised bunding will complement the recent planting carried out to the east. This planting will enhance the site in the interests of screening, biodiversity and visual amenity. As such there is no objections to the proposal.

6.3 This application is therefore considered to be in accordance with Local Plan Policy SDC2.

7. Ecology

7.1 Policy NE1 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. In addition, Policy NE2 of the Local Plan requires proposals to protect, restore and enhance green infrastructure assets within the defined Strategic Green Infrastructure Network.

7.2 These policies are consistent with one of the core planning principles outline within the NPPF which sets out the need for planning to "contribute to conserving and enhancing the natural environment". The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible it particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

7.3 *Preliminary Ecological Appraisal (PEA)*

The PEA found the site to be predominantly open grassland of low species diversity, with an embankment planted with young trees. A small area of marshy grassland containing rushes was noted on site. The PEA recommends precautionary timings or supervision to avoid the risk of harming nesting birds or reptiles, and precautionary working measures to avoid harming badgers during works. These measures would need to be set out in a Construction Environmental Management Plan (CEMP) designed to be followed by contractors whilst working on site.

7.4 *Biodiversity Net Gain (BNG) Assessment*

The BNG Assessment was carried out using the Warwickshire, Coventry and Solihull BIA Calculator version 19.1 and has demonstrated that a biodiversity gain can be achieved within the site if 0.31 hectares of the site is managed to become species-rich grassland, reaching a moderate condition within 15 years. The embankment, however, is expected to develop into woodland rather than grassland as this has already been planted. This is in conflict with the landscape plan, which shows tree and shrub planting on the embankment, and the Design and Access Statement which states that biodiversity will be enhanced by “using native shrub and tree species along the northern boundary”. Long-term management of the grassland through a mowing regime may be difficult to secure since this application is for a three-year period only.

7.5 Warwickshire County Council (Ecology) initially objected to the application on the grounds that there was a conflict within the BNG Assessment submitted with the application. These conflicts consisted of the following:

- Whether the planted area will develop into dense continuous scrub or cleared for grassland management. Scrub could reach good condition in 15 years if a mix of native species are used and long grass margins are allowed to develop.
- If semi-improved neutral grassland is proposed, whether the applicant/landowner is willing to commit to long-term management of the grassland within the site through an annual cutting regime with removal of arisings.

7.6 A request was made to the agent for the additional information; this information was received and a re-consultation has been carried out with colleagues within Warwickshire County Council (Ecology). It has been confirmed that the plan shows the marked area as “semi-improved neutral grassland” has been reduced with amenity grass in between the buildings and access track, and with the tree planting areas included as plantation woodland. The BIA shows an on-site biodiversity gain of 0.13 units and this is dependent on the existing grassland being protected and managed, through over seeding and annual cutting. A time to target condition of 10 years is considered acceptable based on the condition of the existing grassland. However, if the soil is disturbed during construction works the grassland would be effectively destroyed and replaced, resulting in a negative score.

- 7.7 In order to achieve a net gain in biodiversity is dependent on ground works and vehicle movement being restricted during construction to the footprint of the buildings and access road. With a sturdy construction fence being installed during works to protect the grassland. This would be secured through the submission of a Construction and Ecological Management Plan (Condition 6).
- 7.8 Habitats that would be outside of the construction zone would be subject to management and monitoring for a period of at least 30 years, this would be secured through a Landscape and Ecological Management Plan (LEMP) and would include clauses specifying who will be responsible for the Management. In addition, this would also mean that any future use of this site would be restricted to the areas within the existing construction zone (Condition 10).
- 7.9 This application is therefore considered to be in accordance with Local Plan Policy NE1 and NE2 of the Local Plan.

8. Planning Balance

- 8.1 The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes “sustainable development” is not simply a matter of location; it involves a wide variety of other considerations such as the three dimensions of sustainability. The NPPF at paragraph 7 identifies the three dimensions to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advice that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 8.2 From an economic perspective the proposed development would result in money being invested in construction on the site, employment relating to construction jobs over the build period. Furthermore the proposal is an experimental project, backed by Central Government, into the future of construction materials. Such matters would have a positive impact on the local economy which weighs in favour of the application. As such, the proposed development would satisfy the economic role of sustainable development.
- 8.3 From a social perspective the development of this site would consequently provide new employment opportunities albeit limited. The location of the development is critical being located in close proximity to MTC and their existing buildings, together with other operators, being associated with the research and development industry. As such, the location of the site means the operator would be able to capitalise on and create a synergy with the cluster of high technology industries, manufacturing, research and development already taking place in this area. Such an approach is supported under Paragraph 83 of the NPPF which stipulates that “decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries” These social benefits attach substantial weight in favour of the proposed development.

8.4 From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, biodiversity, landscape character and appearance, trees and hedgerows, heritage and archaeology, highway safety, traffic flows, public rights of way, flood risk, drainage, air quality, noise, contamination, visual amenity, residential amenity, water conservation and carbon emissions have all been considered. The proposal would result in a biodiversity net gain and an enhanced landscaping scheme which weighs in favour of the proposed development.

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

9. Conclusion

9.1 The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety.

9.2 On balance, it is concluded that the proposal constitutes sustainable development. It complies with the Development Plan and there are no material considerations which indicate that the proposal should be refused. 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 planning permission should be approved.

DRAFT DECISION

REFERENCE NO:
R21/0845

DATE APPLICATION VALID:
18-Oct-2021

APPLICANT:

John McKay, The Manufacturing Technology Centre The Manufacturing Technology Centre, c/o Agent, c/o Agent, c/o Agent, c/o Agent

AGENT:

Luke Coffey, Mott MacDonald Mott MacDonald, 35 Newhall Street, Birmingham, B3 3PU

ADDRESS OF DEVELOPMENT:

Land North Of, Airfield Drive, Coombe Fields

APPLICATION DESCRIPTION:

Temporary planning permission for a period of three years, for two Proof of Concept Research Vehicle, comprising the erection of a temporary structure and one sample easel, together with associated access infrastructure and landscape improvements.

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION: 1

This permission shall be for a period expiring on 10th March 2025 unless further permission from the Local Planning Authority has first been obtained.

REASON: 1

The submission sought permission for and was assessed on the basis of a temporary period of 3 years and any period longer would require a further assessment.

CONDITION: 2

The development hereby permitted shall only be used for the purposes as approved and for no other purpose. Once the development hereby permitted has expired on 10 March 2025, all temporary structures, sample easels, associated access infrastructure and materials associated with the development will be removed from the land and the land shall be reinstated to its previous use, subject to the retention of any approved landscape improvements.

REASON: 2

As the development within the Green Belt is only acceptable due to the applicants' circumstances.

CONDITION: 3

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Submitted Plans:

Site Location Plan (PCSPCRV-BMD-ZZ-ZZ-DR-10001, 7th October 2021)
Proposed Site Plan (PCSPCRV-BMD-ZZ-ZZ-DR-10003 Rev 06, 22nd December 2021)
LCR Sandpit External Elevations (CIH-SK-0002, 22nd December 2021)
Healthcare Sandpit External Elevations (CIH-SK-0006, 22nd December 2021)

Education Sandpit External Elevations (CIH-SK-0001, 22nd December 2021)
Landscape Plan (PCSPCRV-BMD-ZZ-ZZ-DR-10003 Rev 06, 22nd December 2021)

Submitted Reports:

Air Quality Report (2nd August 2021)
Biodiversity Impact Assessment Calculations (21st September 2021)
Biodiversity Net Gain Assessment (2nd August 2021)
Design Access Statement (PCSPCRV-BMD-ZZ-PP-RP-00001-P03, 18th October 2021)
Design and Access Statement Addendum (22nd December 2021)
Ground Contamination Preliminary Risk Assessment (2nd August 2021)
Noise Assessment Report (2nd August 2021)
Parameters Document (21st September 2021)
Parameters Document Addendum (22nd December 2021)
Planning Statement (21st September 2021)
Preliminary Ecological Appraisal (2nd August 2021)
Sustainable Drainage Statement (2nd August 2021)
Technical Note (26th January 2022)
Transport Statement (2nd August 2021)

REASON: 3

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

CONDITION: 4

The facing materials to be used within the development shall be as specified within the Parameters Document (21st September 2021) and the Parameters Document Addendum (22nd December 2021).

REASON: 4

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

CONDITION: 5

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

REASON: 5

In the interest of fire safety.

CONDITION: 6

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

- (a) Hours of demolition, construction and deliveries;
- (b) The control of noise and vibration emissions from construction/demolition 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/demolition phase;

- (c) The control of dust including arrangements to monitor dust emissions from the development site during the construction/demolition phase;
- (d) Any temporary site compound, including buildings/structures, lighting, fencing and storage provision;
- (e) The parking of vehicles of site operatives and visitors during the demolition/construction phase;
- (f) Measures to prevent deleterious material being carried onto the highway network; &
- (g) Heavy Goods Vehicle construction/demolition routing plan;
- (h) Fencing to protect retained habitats; and
- (i) Pre-Commencement checks for badgers and appropriate working practices and safeguards for birds, reptiles, amphibians and other wildlife that are to be employed whilst works are taking place on site.

Development shall not be carried out other than in accordance with the approved construction method statement / management plan.

REASON: 6

In the interests of ecology, highway safety and the amenities of the area.

CONDITION: 7

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (A) to (D) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

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

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

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

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

(C) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless

otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

REASON: 7

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

CONDITION: 8

Prior to the commencement of any drainage work, drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: 8

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

CONDITION: 9

Prior to the construction of any surface water drainage systems provide evidence of a written agreement from landowners to enable connection to the private surface water network as well as suitable information demonstrating the downstream network is sized appropriately, to accommodate flows from this phase of the development.

REASON: 9

To ensure a viable outfall for the site as well as ensuring there is sufficient capacity within the downstream network to convey additional flows.

CONDITION: 10

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Authority prior to the occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implantation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: 10

To ensure a net biodiversity gain in accordance with NPPF.

INFORMATIVE: 1

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

INFORMATIVE: 2

Should there be any residential occupation of the test facility then it would be subject to separate enforcement regimes including, but not limited to, the Housing Act 2004, building regulations and Council's Standards of Amenity. Advice should be sought from Housing Enforcement on (01788) 533857 prior to any work commencing.

INFORMATIVE: 3

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.

Reference: R21/0756

Site Address: 19, YORK STREET, RUGBY, CV21 2BL

Description: Change of use of an existing 4-bedroom house (C3) into a 7 person HMO (sue generis) along with alterations to the existing property in order to accommodate this proposed change. The external alterations to the roof are assessed retrospectively.

Case Officer Name & Number: Sam Burbidge, 01788 533688

Recommendation; Approval subject to conditions and informatives.

Introduction;

This application is being reported to Planning Committee in accordance with the Scheme of Delegation. The application has been called in to the committee along with the request of a site visit by Councillor Brader & Councillor Mistry within the 21-day consultation period. This application has been requested to be determined at committee due to the impact of HMOs in the area and the effect this proposal will have on parking provision on York Street. The application also received x16 neighbour objections which also took the delegated powers to determine the application away from the case officer.

Description of the proposal;

This application seeks planning permission for the Change of Use of an existing 4-bedroom dwelling house (Use class C3) to a 7 person House of Multiply occupancy HMO (use class sue generis) with 7 en-suite bedrooms. The ground floor will include the addition of a communal kitchen dinner area and a lounge along with x2 bedrooms. The first floor proposes bedrooms 3, 4 & 5 with the loft area proposing to contain bedroom 6 & 7. The sizes of the proposed bedrooms are in excess of national space standards required for HMOs. All occupiers of the proposed HMO will have access to the rear amenity space, with bin and cycle storage also situated to the rear.

This change of use requires alterations to the existing property both internally and externally to facilitate the proposed change. Notable external changes include the extension of the rear roof area through a dormer feature added to the roof slope. This dormer will include x4 windows. This additional roof increase is being assessed retrospectively in this application due to majority of the specified work being believed by the applicant to have been carried out through Schedule 2 Part 1 Class B of the General Permitted Development Order. The plans also show a rooflight to be proposed on the roof slope on the front elevation of the dwelling. An existing ground floor element will also have an extension of its roof profile and will see the addition of a new roof light and side elevational ground floor window.

Description of the site;

19 York Street is an end terraced property located northwest of Rugby town centre. The existing dwelling has a reception room, lounge, dining, kitchen and bathroom on the ground floor. The first floor includes x4 bedrooms and a bathroom. York street is a residential road which branches off from Bridget Street where access to Edward street at the end of York street is only accessible via foot. The properties on York Street are subject to on street parking and as a result there is limited provision for existing users. The application site is located in a highly accessible location and is situated circa 0.5miles from the town centre and circa 1.1 miles from the train station. The proposal site is also located within the Rugby Air quality management zone.

Relevant Planning History;

<u>Application Number</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
R22/0026	Certificate of Lawful development/use for a proposed loft conversion and redevelopment of 19 York Street from C3 dwellinghouse to a C4 6-bedroom House of Multiple Occupancy.	Approved.	15/02/22

Relevant Planning policies and guidance

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Local Plan 2011-2031. The relevant policies are outlined below.

Local Plan 2011-2031;

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy HS5: Traffic Generation and Air Quality

Policy SDC1: Sustainable Design

Policy D2: Parking facilities

National Planning Policy Framework- 2019;

Section 2- Achieving Sustainable Development.

Section 12- Achieving well designed places.

Technical Consultation Responses;

Warwickshire CC Ecology- No Objection subject to Informatives.

Rugby BC Work services- No Objection.

Warwickshire CC Highways Dept- Objection dated 26/10/2021. A second consultation response was received from the Highways authority on the 08/02/2022 which stated that the stance had reverted to one of No Objection. This was following a further review of the case.

Rugby BC Environment Health- No Comment.

Third Party Consultation Responses

Cllr Brader & Cllr Mistry- Objection on the following grounds;

- Ward Councillors in the New Bilton area have been contacted in the past about HMOs in this area and how it effects residents parking in particular.
- Concerns about how accessible properties are for an ambulance or Fire brigade attending or needing to turn in an emergency with the potential of increased cars parked on the street as well as illegal parking in the existing disabled bays.
- Concerns about the building work necessary for this conversion and how this would affect residents in York Street, particularly close neighbours in what is an already densely populated row of houses. It seems that it would be difficult to mitigate against the disruption this would cause to residents due to the close proximity of the proposed work to other properties.
- Police GP1 of Rugby Borough Council's Local Plan "Securing Sustainable Development", emphasises that the council's preference for sustainable development. It cannot be sustainable to allow more and more HMOs to be approved in a densely populated urban area such as this one, either in terms of the cumulative affect on amenity or on the area's air quality.

Neighbour Objections x 16

- Too many HMOs already in the area. An alleged 6 out of the 30 dwellings on the street have already been converted into HMOs.
- Character of the street will be impacted due to transient occupiers of the proposed development.
- Parking provision.
- Traffic generation.
- Access for emergency services.
- Proposed loft conversion will impact on privacy and amenity.
- Noise pollution.
- Anti-social behaviour.
- Impact on neighbouring amenity.
- Impact on the parking provision for the existing disabled occupiers of the street.
- Crime increase.
- Loss of community spirit.

Determining considerations;

The main considerations in respect to this application are as follows;

1. Principle of development.
2. Character & Design.
3. Impact on Residential amenity.
4. Highway safety.
5. Air Quality.
6. Planning balance and conclusion.
7. Recommendation.

Assessment of Proposal

1. Principle of Development

- 1.1-Policy GP2: Settlement Hierarchy of the Local Plan 2011-2031 (2019) outlines that development will be allocated in accordance with the settlement hierarchy with Rugby town being the main priority of development in the borough.
- 1.2-Policy GP1 of the Local Plan outlines when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF.
- 1.3-The property within this proposal is located within Rugby Town urban sprawl. With the Rugby Borough Local Plan stating that this area is the main focus for all development across the borough and as part of the allocated sustainable urban extension.
- 1.4-This application is therefore considered to be in accordance with Policy GP1 & GP2 of the Local Plan and Section 2 of the National Planning Policy Framework.

2. Character & Design

- 2.1-Local Plan Policy SDC1 states that *'...new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications.'*
- 2.2-Section 12 of the NPPF states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 130 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 130 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 2.3-The proposed works will contain minimal change to the front elevation of the dwelling, with the only alteration being through the addition of a rooflight on the roof slope. This change is considered to pose no negative impact on the original nature of the dwelling or the surrounding street scene. This was also considered against the fact that rooflights can be added to the existing roof slopes through Schedule 2 Part 1 Class C of the General Permitted Development Order 2015. Therefore, it was unjustified to request a change of this aspect of the application.
- 2.4-The proposed works to the rear of the dwelling will see the addition of a side/ rear dormer extension to the roof, along with an extension on the ground floor. This aspect of the proposed works are considered to pose minimal impacts on the street scene due to it being situated to the rear of the dwelling. The roof extension is being assessed retrospectively in this occasion. The existing works which have been carried out were believed to have been within the legislation as set out in Schedule 2 Part 1 Class B of the Permitted development Order which concerns additions to the roof. Due to concerns raised by neighbours, this aspect is now an enforcement matter. Although this has been put on hold until this application is determined by the committee.
- 2.5-The proposed and existing works will not have a detrimental impact on the visual amenity of the surrounding street scene whilst providing the applicant with additional space that they require for the proposal. The scheme aims to use suitable materials throughout and will provide no material harm to the existing nature of the property. This application is therefore considered to be in accordance with SDC1 of the Local Plan and Section 12 of the NPPF.

3. Impact on Residential Amenity

- 3.1-Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. Furthermore, within Section 12 of the NPPF, it states that developments will provide a high standard of amenity for existing and future users.
- 3.2-It is considered that the additional increase to the roof area will provide an increased overbearing impact to the immediately neighbouring properties. However, on balance due to the similar works which can be carried out through Permitted Development law there was no justification to request that this section is removed entirely.
- 3.3-Concerns were raised by neighbouring properties as to the windows on the side elevation of the loft extension. These will be conditioned to be obscure glazed and will remain as such thereafter in order to eradicate the potential of overlooking into the amenity spaces of neighbouring dwellings and only allow the proposed windows on this side elevation to allow additional natural light into the living space.
- 3.4-This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.

4. Highway Safety

- 4.1-For the purposes of assessing car parking standards and Highway safety, Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities as set out within the Planning Obligations SPD and Appendix 2 section 5 of the Local Plan. This section of the Local Plan states that HMOs of this size are classified as Sue Generis. The resulting parking standards state that they should be assessed on their own merit. Therefore, there is no direct parking standards to assess this application from. It is however acknowledged that the dwelling is located in an area which is classed as highly accessible, with x7 cycle storage units provided to the rear of the dwelling.
- 4.2-Warwickshire CC Highways Dept offered a final stance of NO OBJECTION to the proposal. However, they did acknowledge that the proposal will impact on the stress of resident parking in the immediate vicinity of the area. A stance which has been concurred by Local residents in York street throughout the statutory 21-day consultation period.
- 4.3-Schedule 2 Part 3 Class L of the General Permitted Development Order 2015 (as amended) allows for the conversion of a C3 dwelling to an HMO of up to 6 un-related individuals. Whilst consideration is given to the increased demand on parking that the proposal will bring to the area, ultimately a 6-bedroom HMO can be achieved without any jurisdiction of the Local Planning authority or the Highways authority. Therefore, the request of surveys for the fact that there will be an additional bedroom to what is allowed through Permitted development law seemed a futile exercise in this instance.
- 4.4-On balance, the proposal is in a highly accessible location with easy access to public transport most notably the towns train station. Whilst it cannot be predicted the amount of cars that will be associated with the proposed HMO, it is hoped that due to the highly accessible location within the town centre, that cycling and walking to local amenities would be promoted.

4.5- In addition, if parking does become a continued issue in the street scene, that the introduction of residents parking could be a suitable way to mitigate the current and any potential future issues with parking provision. If this is the case then an HMO would be entitled to the same number of permits as a residential dwelling of Use Class C3.

4.6-Due to the location being highly accessible and benefits from walking access to public transport infrastructure, this application is therefore considered to be acceptable in this instance. Although it is considered to have potential impacts on parking provision in the immediate vicinity.

5. Air Quality

5.1- Policy HS5 states that development throughout the Borough of more than 1,000sqm of floorspace or 10 or more dwellings or development within the Air Quality Management Area that would generate any new floor space must address the impacts of poor air quality and introduce measure to mitigate against it.

5.2-It is recognised that the current proposal impacts on the Air Quality Management Area and as such policy HS5 is relevant. Therefore, it is deemed appropriate to attach an informative to any permission granted detailing mitigation methods to assist in reducing the impact upon the Air Quality Management Area.

5.3-This application is therefore considered to be in accordance with Policy HS5 of the Local Plan.

6. Planning balance & conclusion

On balance, as the Highways authority at Warwickshire CC hold not objection to the proposal, there remains little basis for a refusal of the application on road safety grounds. The application site is located within a highly accessible location within the town centre and therefore benefits from strong links to the towns amenities and public transport. Due to the works which are permitted through Schedule 2 Part 3 Class L of the General Permitted Development Order 2015 (as amended), this provided a strong basis for the approval of this scheme. Any potential approval of the scheme will also be conditioned to limit the site to 7 occupants only. This will restrict the property from being subject to the potential for 2 occupants per room and therefore eradicating any chance of between 8-14 occupants living in the at the site at one time.

7. Recommendation

Approval subject to conditions and informatives.

Report Written by Sam Burbidge- Planning Officer.

DRAFT DECISION

REFERENCE NO:

R21/0756

DATE APPLICATION VALID:

08-Jul-2021

APPLICANT:

MR Ray Yim c/o Anjum Design Ltd, 435 Stratford Road, Solihull, B90 4AA

AGENT:

Anjum Mehmood, ANJUM DESIGN Ltd ANJUM DESIGN Ltd, 435 Stratford Road, Shirley Solihull, B90 4AA

ADDRESS OF DEVELOPMENT:

19, YORK STREET, RUGBY, CV21 2BL

APPLICATION DESCRIPTION:

Change of use of an existing 4-bedroom house (C3) into a 7 person HMO (sue generis) along with alterations to the existing property in order to accommodate this proposed change (retrospective).

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 1:

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

Condition 2: (If required)

The permission for the existing roof works shall be deemed to have taken effect on [specify].

Reason 2:

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 3:

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the plans and documents received by the local authority on the 8th of July detailed below:

Application Form- 271552-ApplicationFormRedeacted_v1.pdf

Design & Access statement- 271552-Design Access Statement_v1.pdf

Location Plan Scale 1:1250- BR01

Proposed site plan Scale 1:200- BR01

The proposal shall also be carried out in accordance with the amended documentation submitted on the 19th of October 2021.

Floor elevation plans.

-BR02 Rev A

-BR03 Rev A

REASON 3:

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

CONDITION 4:

The facing materials to be used on the external walls and roof shall as specified on the application form received by the Council on 8th July 2021 and on amended drawing BR03 Rev A received on the 19th of October 2021.

REASON 4:

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

CONDITION 5:

Other than those shown on the approved plans No new windows/rooflights shall be formed in the proposed development, unless non-material variations are agreed in writing with the Local Planning Authority.

REASON 5:

In the interest of residential amenity.

CONDITION 6:

The windows to be formed in the side elevation of the proposed loft extension shall not be glazed or reglazed other than with obscure glass and shall be retained as such thereafter.

REASON 6:

To protect the residential amenity of neighbouring properties.

CONDITION 7:

Unless otherwise agreed in writing with the Local Authority, the application site at 19 York street, Rugby, CV21 2BL is limited to 7 occupants at one time only.

REASON 7:

In the interest of residential amenity.

INFORMATIVE 1:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), making them a Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. If evidence of bats is found during works, work should stop immediately, and the National Bat Helpline must be contacted on 0345 1300 228 for advice on the best way to proceed.

INFORMATIVE 2:

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, 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 for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE 3:

The applicant is advised that this case has now been referred to the Planning Enforcement Team for further action. They will contact you in due course if required, to advise you of their course of action and also to set out what you are required to do.

INFORMATIVE 4:

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

https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute towards improving air quality. Further information can be obtained from Environmental Health on 01788 533857 or email ept@rugby.gov.uk

Reference: R21/1193

Site Address: NOONHILL COTTAGE, GROVE ROAD, ANSTY, COVENTRY, CV7 9JE

Description: Substantial alterations to the existing property at Noonhill cottage to form a new larger dwelling.

Case Officer Name & Number: Sam Burbidge, 01788 533688

Recommendation; Approval subject to conditions and informatives.

Introduction;

This application is being reported to Planning Committee in accordance with the Scheme of Delegation. The application has been called to committee within the 21-day consultation period along with the request of a site visit. This request was made by Councillor Gillias on behalf of Ansty Parish council. This application has been requested to be determined at committee due to the parish council considering that the application is overbearing and its design & appearance is not in keeping with the area. They also consider that the footpath has been altered to the rear of the property without permission.

Description of the proposal;

Previous application R21/0612 proposed substantial alterations to the existing property along with the erection of a double storey stable block and a re-classification of the land from the existing agricultural use to one of residential. Due to the magnitude of objections to this proposal and difficulty it had with complying with approved policy at both national and local level, this application was subsequently withdrawn by the applicant. The re-submission in the form of this current application aimed to alleviate the original concerns. This application proposes substantial alterations to the existing footprint and external appearance only, to create a new larger dwelling. The dwelling will continue with 5 bedrooms, however, will contain additional amenities which includes x2 balconies, Cinema room, Gym, Office space and a games room.

It is intended that the proposed footprint will extend by circa 8.5m from the front (Southwest) elevation. This will protrude out on the left side of this elevation, closest to Noonhill farm. The right side of this front elevation which borders the other dwellings on Grove Rd, is proposed to extend out by a smaller distance of 6.8m. The side elevation facing in an eastern orientation has a maximum extension of circa 5.35m as it wraps around to the front elevation. This proposed increase to the existing footprint is at ground and first floor level. An extension into the loft area will serve the proposed 5th bedroom for the property. A balcony is proposed on the front elevation which will serve Master bedroom 01. This balcony will provide views over the garden area and has been designed in order to pose no impacts on the privacy and amenities of the neighbouring properties. A second balcony is proposed for master bedroom 02 and will face northeast towards Grove Rd.

The existing dwelling comprises of red facing brickwork, dark concrete roof tiles and brown upvc windows throughout. The elevational features contain a fairly standard design with gable features above each of the first-floor windows. The proposal seeks to provide a substantial upgrade to the dwelling by providing a unique modern architectural design to provide a high-end finish. The front elevation facing away from Grove Rd will contain elevational window features which will cover majority of the façade of this part of the property. The rear elevation facing Grove road will be a more subtle design which contains more elements of brickwork and render throughout. The side elevations will comprise of brickwork on the ground floor with render at first floor level. The roof is intended to comprise of dark grey Zinc.

Description of the site;

The application site is a two-storey detached property that is located at the end of Grove road within the village of Ansty. The property is believed to be subject to an approval of an agricultural workers dwelling which was approved in the early 1990s to serve the nearby Noonhill farm. However, the dwelling is now a separate unit. The front elevation of the dwelling faces away from the public highway and overlooks the substantial garden and surrounding green belt land to the south. The rear elevation faces towards Grove Road and the Oxford canal. The existing dwelling has not previously been altered or extended since its erection in the 1990s where planning permission was required.

The site is situated a considerable distance from the main amenities of the village and is the last property before the Highway reaches Noonhill farm. Grove Rd is a predominantly residential area comprising of a variety of dwellings containing a mix of architectural styles and materials. Grove Rd spans from the B4065 which runs through the village all the way down to the farm, with the Oxford Canal running adjacent to it.

Relevant Planning History;

Planning history records state that two agricultural workers dwellings were approved on the site in 1963. These were likely to have been demolished with the approval of a single agricultural dwelling as a result of application R89/1807. This previous approval is the existing dwelling now in-situ.

<u>Application Number</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
R02/0337	Use of land for the open storage of touring caravans.	Refused	19/6/02
R02/0616	Erection of a double garage.	Withdrawn	
R03/0535	Change of use to agricultural land to garden.	Withdrawn	
R11/0053	Provision of a menage.	Approved.	22/02/2011
R21/0612	Substantial alterations to dwelling, double storey stable block and land re-classification.	Withdrawn	

Relevant Planning policies and guidance

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Local Plan 2011-2031. The relevant policies are outlined below.

Local Plan 2011-2031

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy GP3: Previously developed land and conversions.

Policy SDC1: Sustainable Design

Policy D2: Parking Provision

National Planning Policy Framework- 2019

Section 2- Achieving Sustainable Development.

Section 12- Achieving well designed places.

Technical Consultation Responses

Warwickshire CC Ecology- No Objection subject to Informatives.

Rugby BC Work services- No Objection.

Warwickshire CC Highways Dept- No Objection.

Highways England- No Objection subject to pre-commencement condition.

Canal & River Trust- No Objection.

Third Party Consultation Responses

Cllr Gillas- Confirmed the stance to call the application into committee with the request of a site visit.

Ansty Parish- Objected on the overbearing nature and the size and appearance is not in keeping with the area. They also consider that the footpath has been altered to the rear of the property without permission.

Neighbour comments x1:

- it's to my understanding that any proposed alterations made have not affected the public access but simply allowed the applicant some privacy on his property.
- Throughout Grove road there is a variety of properties that consist of a multitude keeping, this consists of old-style properties, modern properties, some are rendered, others are brick or pebble dash Some are painted white while others are painted with colour, there is a mixture of 1 story, 2 story and 3 storey.
- I have been using the public access to the surrounding areas of this property for a considerable amount of time prior to the applicant purchasing the property, prior to purchasing the property, this was overgrown area and clearly not maintained and can offer full assurance that public access is still more than accessible.

Neighbour Objections x2

Concerning the following points;

- Part of the proposed building is on our land as clearly shown in the enclosed HMLR title plan and SIM (search of index map) result. There is a granted right of way on both titles that also confirms the land belongs to me.
- The east elevation 2nd floor bedroom window is shown as clear glazing, this window looks straight into our Dining Room and also the rear garden and patio area.

- The rear wrap around balcony overlooks our entire rear garden and patio area. The slatted timber portion is something that can be looked through offering no privacy, also it is not a permanent fixture and can be removed at any time making the entire balcony fully accessible again.
- Huge extension being 17metres long ,3 storey high, coming within 2.4 metres of the boundary and with the wrap around rear balcony going 7 metres up the east elevation and 11.5 across the south elevation it not only overpowers our bungalow it also takes away all of privacy.

Determining considerations;

The main considerations in respect to this application are as follows;

1. Principle of development.
2. Character & Design.
3. Impact on Residential amenity.
4. Conclusion.

Assessment of Proposal

1. Principle of Development

- 1.1-Policy GP2: Settlement Hierarchy of the Local Plan 2011-2031 (2019) outlines that development will be allocated in accordance with the settlement hierarchy with Rugby town being the main priority of development in the borough.
- 1.2-The property within this proposal is located within the rural village of Ansty where development will be permitted within the existing boundaries only, including the conversion of existing building where planning policy permits.
- 1.3-This application is therefore considered to be in accordance with Policy GP1 & GP2 of the Local Plan and Section 2 of the National Planning Policy Framework.

2. Character & Design

- 2.1-Local Plan Policy SDC1 states that *'...new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. Factors including the massing, height, landscape, layout, materials and access should also be a key consideration in the determination of planning applications.'*
- 2.2-Section 12 of the NPPF states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 130 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 130 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 2.3-With reference to the amended plans and documents, the proposal is considered a high-quality modern design which will significantly improve the current aesthetic appearance of the existing dwelling. Whilst concerns have been raised as to the fact that the scheme is out of context with the surrounding locality, on balance Grove Rd is a residential road comprising of a mix of dwelling

types and architectural styles. As there is no uniform style in the street scene, there are no major concerns as to this design of this scheme in regard to the surrounding area. In addition, the application site is located a considerable distance from the main road running through the village and therefore will not provide a visual detriment to people commuting through the village on a daily basis.

2.4-Therefore, the proposed works will not have a detrimental impact on the visual amenity of the surrounding street scene whilst providing the applicant with additional space that they require. The proposal also aims to use suitable modern materials throughout and will provide no material harm to the existing nature of the area. This application is therefore in accordance with SDC1 of the Local Plan and Section 12 of the NPPF, with particular reference made to paragraph 130 (b) which emphasises that proposed buildings are attractive as a result of good architecture.

3. Impact on Residential Amenity

3.1-Policy SDC1 states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. Furthermore, within Section 12 of the NPPF, it states that developments will provide a high standard of amenity for existing and future users. Any potential impact this proposal may have on the amenity of existing and future neighbouring occupiers is being assessed on the following criterion;

3.2-**Impact on privacy**- The initial scheme which was submitted with this application through drawing 309-00-108 Rev C, 309-00-109 and floor plan 309-00-105-Rev D raised concerns from neighbours as to the impact that it would have on the privacy of their property and garden. This was due to the proposed balcony on the south elevation and proposed first floor windows to the east elevation. The proposed wrap around balcony as shown in the plans would have posed a significant impact on the neighbouring dwellings. In particular number 100 Grove Road where the section of the balcony on the side elevation would create views looking directly into their garden.

3.3- As a result, amendments were made which alleviated these concerns. Drawing 309-00-109 Rev D removed the wrap around section of the southwest facing balcony and provided a brick wall which would screen views into the neighbouring gardens and only provided views across the garden and to the south. The side elevational windows were also amended by either removing or obscure glazing windows which created concerns to neighbouring amenity previously.

3.4-The main dwellings which were impacted by the initial scheme were 100, 102 & 104 Grove Road. On balance, the amended proposal is considered acceptable by the case officer and does not warrant a refusal of the scheme on the basis of the impact on privacy.

3.5-**Impact on sunlight**- The properties on Grove Rd, mostly benefit from south facing gardens. This is due to the location of the Oxford Canal to the north. As a result, these gardens benefit from substantial levels of natural light throughout the course of the day. The proposal site is located away from the main building line of properties on Grove Rd and is set slightly back from the public highway. As a result, It is situated west from the neighbouring properties of 100,102 & 104 Grove road. As such it is considered that this proposal will provide no impact on the level of sunlight these dwellings receive throughout the morning and early hours of the afternoon.

3.6-However, from the mid-afternoon on wards, it is apparent that number 102 & 104 Grove road will experience a degree of screening from the sunlight. An issue which is already apparent as a result

of the existing dwelling. Whilst the proposed scheme will intensify this issue, it is considered that the additional increase is not great enough to warrant a refusal.

3.7-**Overbearing nature** Whilst the proposal will increase the massing of the original dwelling, amendments to the original design have removed large sections of the proposed roof space and therefore is considered acceptable. However, there will be an increase in the existing massing of the dwelling as a result of the works.

3.8-This application is therefore considered to be in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.

4. Parking provision

4.1-For the purposes of assessing car parking standards and Highway safety, Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities as set out within the Planning Obligations SPD and Appendix 2 section 5 of the Local Plan. This is unless the Highways authority based at Warwickshire CC recommend otherwise.

4.2-The Highways authority were consulted with respect to the impact that this application could pose on highway safety. A response of No Objection was given. However, in accordance with Local Plan policy D2, the application is assessed with the parking standards as shown in Appendix 2 of section 5. The dwelling is located in an area categorised by the Local authority as a low access zone. This due to the distance in which the settlement has to the main provisions of the borough and the reliance of the motor car to get from the application site to surrounding urban areas such as Coventry or Rugby town. However, this policy details that a 5-bedroom dwelling should provide 3 parking spaces.

4.3-Due to the extent of the site and the fact that no additional bedrooms are proposed to that existing, the parking provision is acceptable. Proposed site plan 309-00-099 Rev G illustrates that there will be 4 off-road parking spaces provided to the rear of the site away from Grove Rd and therefore provides evidence that this proposal is in accordance with this policy.

4.4-Highways England were also consulted due to the close proximity of the site with the neighbouring M69 trunk road. They provided no objection to the scheme, however insisted that a pre-commencement condition is imposed which aimed to determine a Construction Environmental Management Plan (CEMP) subject to any potential approval of the scheme. This was due to the extent of the works proposed and the close proximity of the site to the major highway.

4.5-On balance, this development will no impact on highway safety and therefore is compliant with Policy D2 and the parking standards in Appendix 2.

5. Planning balance and conclusion

5.1-On balance, the proposal is considered to provide a substantial improvement to the nature of the existing dwelling through the scheme which comprises of a high-quality modern design. Along with the works carried out in application R15/2134 & R15/2147 for the erection of 102 & 104 Grove Rd, this scheme will significantly improve the visual appearance of the immediate locality. Whilst the design is different to the other dwellings in the vicinity, on balance there is no common trend or consistent architectural style to Grove Rd. Therefore, this basis does not warrant a refusal

of the application on these grounds. This is coupled with the fact that the site is located a considerable distance from the main village to not pose a substantial impact on the locality.

5.2-As aforementioned in earlier sections of this report, the current impact on privacy is now acceptable where the previous concerns have now been alleviated. In regards to the overbearing nature and impact on sunlight, these have now been reduced to a level considered appropriate for the dwelling with respect to the neighbouring properties. The current proposal is considered to be an acceptable improvement to the original scheme as proposed in application R21/0612. It is therefore considered that this application would respect the scale and character of the surrounding area and should be approved.

5.3-The principle of the development would not impact upon highway safety. Ultimately, this proposal would create minimal impact on the village centre of Ansty due to the proposed works being situated a considerable distance away from the main amenities of the village. This development is in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004. Therefore, it is considered that planning permission should be approved as long as all conditions are met.

6. Recommendation

Approval subject to conditions and informatives.

Report Written by Sam Burbidge- Planning Officer.

DRAFT DECISION

REFERENCE NO:

R21/1193

DATE APPLICATION VALID:

30-Nov-2021

APPLICANT:

MR Harry Saimbhi Noonhill Cottage, Grove Road, Ansty, CV7 9JE

AGENT:

Pritpal Chana, Pritpal Chana Architects Ltd, 216 Orphanage Road, Birmingham, B24 0AD

ADDRESS OF DEVELOPMENT:

NOONHILL COTTAGE, GROVE ROAD, ANSTY, COVENTRY, CV7 9JE

APPLICATION DESCRIPTION:

Substantial alterations to the existing property at Noonhill cottage to form a new larger dwelling.

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 1:

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

CONDITION 2:

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the plans and documents received by the Local authority on the 30th November 2021 detailed below:

Application Form- 271770-ApplicationFormRedeacted_v1.pdf

The proposal shall also be carried out in accordance with the amended documentation received by the Local Authority on the 25th of January 2022 detailed below;

-Location Plan Scale 1:1250- 309-00-099 REVISION G

-Proposed site plan Scale 1:500- 309-00-099 REVISION G

Floor & elevation plans;

- 309-00-104 REVISION E
- 309-00-105 REVISION E
- 309-00-106 REVISION D
- 309-00-108 REVISION D
- 309-00-109 REVISION D

REASON 2:

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

CONDITION 3:

Other than those shown on the approved plans no new windows or rooflights shall be formed in the on the proposed development, unless non-material variations are agreed in writing with the Local Planning Authority.

REASON 3:

In the interest of residential amenity.

CONDITION 4:

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Council on the 30th November 2021 and on amended plans received by the Council on the 25th of January 2022.

REASON 4:

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

CONDITION 5:

The first-floor windows to be formed in the side (east) elevation of the proposed development shall not be glazed or reglazed other than with obscure glass and shall remain as such thereafter.

REASON 5:

To protect the residential amenity of neighbouring properties.

CONDITION 6:

Prior to the commencement of the development, a Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority in consultation with National Highways as the highway authority for the M69. The CEMP should include details on the following: National Highways Planning Response (NHPR 21-09) September 2021 a) Construction site layout showing clearly designated areas for the parking of vehicles for site operatives and visitors; areas for the loading and unloading of plant and materials (i.e. deliveries/waste); storage of plant and materials used in constructing the development; and areas for managing waste. b) Clear and detailed measures for construction waste management, including removal. c) Details of the responsible person (e.g. site manager/office) who can be contacted in the event of complaint; Thereafter, all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the highway authority for the M69.

REASON 6:

To ensure that the M69 motorway continues to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and in the interests of road safety

CONDITION 7:

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

REASON 7:

In the interest of residential amenity.

INFORMATIVE 1:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), making them a Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. If evidence of bats is found during works, work should stop immediately, and the National Bat Helpline must be contacted on 0345 1300 228 for advice on the best way to proceed.

INFORMATIVE 2:

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, 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 for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE 3:

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. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

Reference: R21/0954

Site Address: MUSEUM AND ART GALLERY, LITTLE ELBOROW STREET, RUGBY, CV21 3BZ

Description: Extension of the existing short lattice mast on the Rugby Art Gallery and Museum to allow services to be transferred from Royal Court, Rounds Gardens, that is shortly to be demolished. The services include Capital FM (107.1FM), NHS, Radio Paging (including MoD and NHS), Rugby First (Shopwatch and BID/Rugby Rangers), Rugby Town Centre CCTV.

Case Officer Name & Number: Sam Green – Extension 0178853-3795

Recommendation

Approval subject to conditions and informatives.

1. Introduction:

- 1.1. The application is being reported to Planning Committee in accordance with paragraph 5.2.3 (f) which refers to Applications submitted by or on behalf of:
 - (i) The council; or
 - (ii) Current Councillors or officer of the Council.
- 1.2. Although the applicant for the proposal is not Rugby Borough Council, the application site is the Rugby Art Gallery and Museum (RAGM) and in confirmation by the Councils Corporate Property Officer the building is in ownership by the Council.

2. Proposal:

- 2.1. This is a full planning application to extend the existing short lattice mast on the RAGM in order to allow services to be transferred from Royal Court Round Gardens which is due to be demolished.
- 2.2. The existing mast is 6 metres in height and this proposal would add an additional 6 metre Slimeline Guyed Lattice mast above. The proposed extension would be 18cm in width (same as the existing mast) and the proposed additional 6 metres results in a total height of 12 metres. The guy wires to be used will be 4mm. There would also be an additional antenna added at 2 metres in height which is 10mm in diameter.
- 2.3. The mast, cables and antennas will all be painted sky blue in keeping with the existing stub mast.

3. Site Description:

- 3.1. The application site is the RAGM which is within the conservation area of the Rugby Town Centre. The RAGM is sited off of Little Elborow Street and is opposed by car parking and the ASDA superstore. To the eastern direction is the public house (PH) Prince of Wales and Dury Lane and to the rear of the RAGM is the A428 and the Rugby School conservation area.

3.2. Alternative Sites

3.3. Cemex were approached for the use of their Cemex building and the Rugby Cement Chimney. Due to the uncertain future with the Cemex building this could not be accommodated. The Rugby Cement Chimney was also deemed unsuitable for some of the equipment.

4. Relevant Planning History:

Application No	Description	Decision	Date
R15/2548	Certificate of Lawfulness for the proposed development of solar panels to roof of the Rugby Art Gallery, Museum and Library	Committee Approval	28-Jan-2016
R15/254	Installation of solar panels on the roof of the Rugby Art Gallery, Museum and Library.	Approval	28-Jan-2016

5. Technical Consultation Responses:

5.1. RBC Environmental Health: No objection

6. Third Party Consultation Responses:

6.1. No written responses received.

7. 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 of the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below.

7.3. Rugby Borough Council Local Plan (2011-2031) – June 2019

- Policy GP1: Securing Sustainable Development
- Policy GP2: Settlement Hierarchy
- Policy SDC1: Sustainable Design
- Policy SDC3: Protecting and Enhancing the Historic Environment

7.4. Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD – 2012

7.5. Material Considerations

- National Planning Policy Framework (NPPF or “the Framework”) 2021
 - Section 10 – Supporting high quality communications
- National Planning Practice Guidance (NPPG)

8. Assessment of Proposal:

8.1. The main considerations in respect of this application are:

Section 9	Principle of Development
Section 10	Assessment on Character, Design and Heritage considerations
Section 11	Other Matters
Section 12	Planning Balance and Sustainability
Section 13	Reccomendation

9. Principle of Development

- 9.1. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the Settlement Hierarchy.
- 9.2. The application site is located within the Rugby Urban Area which is the main focus for all development in the Borough. Development is permitted within existing boundaries and as part of allocated Sustainable Urban Extensions.
- 9.3. The application is also within the Conservation Area of Rugby Town. Policy SDC3 of the Local Plan states that development will be supported that sustains and enhances the significance of the boroughs heritage assets including.. Conservation Areas. Therefore, principle of development is acceptable aslong as it preserves and enhances the conservation area.
- 9.4. Chapter 10, paragraph 115 of the NPPF states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion.
- 9.5. The rationale for the proposal is to replace the service from Round Gardens which is to be demolished. The mast will serve Capital FM (107.1FM), NHS, Radio Paging (including MoD and NHS), Rugby First (Shopwatch and BID/Rugby Rangers), Rugby Town Centre CCTV. Therefore, in line with the NPPF the proposal does not increase the number of masts and instead replaces the one being removed by extending the existing mast on RAGM. This proposal therefore results in a net decrease of 1 mast.
- 9.6. Paragraph 115 continues.....Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.
- 9.7. The proposal does use an existing mast and would also use a sky blue colour scheme to camouflage the mast as best as possible. As the mast currently exists (albeit of a shorter height), the impact upon the character of the area is less significant than the impact would be of introducing an entirely new mast to a roof plane within a conservation area.
- 9.8. The application is therefore considered to comply with Policy GP2 of the Local Plan and Section 2 and Section 10 of the NPPF.

10. Assessment on Character, Design and Heritage considerations.

- 10.1. Policy SDC1 of the local plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.
- 10.2. Paragraph 202 of Section 16 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.3. The top of the mast would have a 2 metre antenna at a width of 10mm and to the side of the the main body of the mast guy lines at 4mm. Both of these will be painted sky blue. Due to the scale of the antenna and the guy lines which are very narrow in width, it has been determined that neither of these aspects will feature prominently within the various vistas surrounding the site and their impacts would not be significantly harmful to the character of the conservation area.
- 10.4. Further assessment will be made upon the 6 metre section of the mast which is also of a narrow width at only 18cm. As the existing mast is already in place, the extension of the mast can be determined in keeping with the existing feature and also in accordance with Para 115 of the NPPF through use of an existing site. To make the assessment a number of viewing points were visited in order to assess the potential impacts of the extension.
- 10.5. The view from Drury Lane
- 10.6. The mast is currently only visible on Drury Lane through the visual break inbetween the Prince of Wales and 6 Drury Lane. The proposal would be screened elsewhere for users of Drury Lane by the existing buildings.



Figure 1 View from Prince of Wales PH



Figure 2 View from eye level on Drury Lane

10.7. The view from Swann Centre

10.8. The view from the Swann Centre and opposing car park does feature the existing antenna which can be seen on the image below.



Figure 3 View of the RAGM from the Swan Centre

10.9. From this viewpoint the mast can be readily seen and therefore the impact of the proposal is just that of the extension of the existing feature. Due to the chosen colour and scale of the proposed mast it has been considered that the proposal would be acceptable and would not be significantly detrimental to the street scene or the RAGM.

10.10. **The view from Rugby School**

10.11. The users of Lawrence Sheriff Street would be screened from the proposal by the existing buildings and therefore there would be no impact from this proposal.

10.12. The mast is barely visible within this landscape but does begin to appear above the ridge line of the buildings on Lawrence Sherrif Street from a southern direction on the A426 towards Dunchurch Road. The positions in which the mast begins to appear above the ridge line are very far away from the mast and as existing would not be considered prominent due to the difficulty to see the mast at such a distance. Figure 4 highlights the extreme difficulty to see the mast from the distance in which Figure 5 shows a zoomed in image confirming that the mast does appear above the ridge line. As users move closer to the site from this viewpoint the proposal again then becomes screened by the existing buildings on Lawrence Sherriff Street and therefore the impact of the proposal from this point is entirely alleviated.



Figure 4 From Dunchurch Road

Figure 5 Zoomed in image highlighting the mast

- 10.13. The increase in height within this proposal would make the mast more visible above the ridge line from this perspective. However, the visibility points would still be distanced away from the site which greatly reduces the prominence of the proposal. Above the ridge line of these buildings on Lawrence Sherrif Street there also are number of small antennas which may alleviate some of the impact of the extension of the mast which would be in keeping with there appearance at the greater distances .
- 10.14. Considering the one way system in operation for road users means they would be unlikely to view the mast as it is to the rear of the direction of traffic.
- 10.15. Corporation Street
- 10.16. The mast currently can be seen from Corporation Street at various points but is largely screened by various buildings. In assessment, the proposed increase in height from this viewpoint would not be significantly detrimental due to the screening by existing buildings.
- 10.17. In assessment of the above, the proposed mast extension does increase the visibility of the mast from various viewpoints. Due to the chosen scale and the fact the mast is an extension of an existing feature, the impact is largely alleviated. The impact upon the Rugby School Conservation area has been assessed and it is determined that the mast would become more visible from the distanced viewpoints. However, the distance of the viewpoints in which the mast appears above the ridgelines of Lawrence Sherrif Street, decreases the visibility and prominence of the proposal. Further from this the distance separates the mast from prominence within the conservation area thus alleviates any significant impacts . Therefore, the increase in height of the proposal would not lead to substantial harm of a conservation area. Therefore, in accordance with paragraph 202 of the NPPF, the harm can be weighted against the public benefit of bringing the masts service into use and therefore is considered acceptable.

10.18. The application is therefore considered in accordance with SDC1 and SDC3 of the Local Plan and Section 16 of the NPPF.

11. Other Matters

11.1. Consultation with Environmental Health returned a stance of no objection. However, the technical consultee did request the applicant confirmed combined predicted emissions from the extended mast comply with the relevant International Commission on Non-Ionizing Radiation Protection (ICNIRP) and Ofcom (previously Radio Communications Agency and NRPB) guidance. Subsequently the applicant provided the document *RAGM_ICNIRP_limits_v1.pdf* confirming compliance.

12. Planning Balance and Sustainability of Development

12.1. In conclusion, the proposed mast extension is located within Rugby Town and therefore considered in accordance with Policy GP2 of the Local Plan. The proposed mast extension is a replacement service for a mast to be removed and uses an existing mast site in accordance with paragraph 115 of the NPPF. The proposal has also received no objection from Environmental Health and therefore can be considered in accordance with Section 10 of the NPPF. The proposal site is within a conservation area and impacts the bordering conservation area of Rugby School. An assessment into the impact of the proposal from various viewpoints has been made as part of section 10 of this report. From this assessment the proposal has been determined to cause less than substantial harm to the conservation area and therefore when weighted against public benefit is considered acceptable.

12.2. As the proposal is of an acceptable scale (with the height considered functional for purpose) and the assessment of the impact upon visual amenity and the conservation areas have been deemed to be less than significant, the application is considered to be in accordance with the NPPF and Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the NPPF, it is considered that this application should be approved subject to conditions.

13. Recommendation:

13.1. Approval subject to conditions and informatives.

RAFT DECISION

REFERENCE NO:

R21/0954

DATE APPLICATION VALID:

16-Sep-2021

APPLICANT:

Samuel Hunt, Maxxwave Ltd Maxxwave Ltd, Maxxwave House, 32 Hill Lane Business Park, Markfield, LE67 9PY

AGENT:**ADDRESS OF DEVELOPMENT:**

MUSEUM AND ART GALLERY, LITTLE ELBOROW STREET, RUGBY, CV21 3BZ

APPLICATION DESCRIPTION:

Extension of the existing short lattice mast on the Rugby Art Gallery and Museum to allow services to be transferred from Royal Court, Rounds Gardens, that is shortly to be demolished. The services include Capital FM (107.1FM), NHS, Radio Paging (including MoD and NHS), Rugby First (Shopwatch and BID/Rugby Rangers), Rugby Town Centre CCTV.

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 which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Received by Council 16-Sep-2021

RAGM Mast plus 6m elevation.jpg	(Proposed Plan)
TQRQM21258160710758(1).pdf	(Site Location Plan)
RAGM proposal covering letter v1.docx	(Supporting information)

Received by Council 27 – Jan-2022

RAGM_ICNIRP_limits_v1.pdf	(Supporting Information)
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REASON:

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

CONDITION 3

In the event of the extension to the mast becomes redundant or is surplus to requirement, the extension to the mast approved under this application, and any associated materials and equipment, shall be removed within three months of the extension becoming redundant or surplus to requirement.

REASON:

To avoid unnecessary impact on visual amenity.

Reference: R21/1165

Site Address: Rolls-Royce, Ansty Aerodrome, Combe Fields Road, Ansty, Coventry, CV7 9JR

Description: Erection of three commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) with ancillary uses, and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1

Recommendation

Approval subject to conditions, informatives and referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

1. Background:

- 1.1 This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development which is required to be referred to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.
- 1.2 The application site is on land for which outline permission has been granted for a new employment development (known as Prospero Ansty) in 2021 (ref: R19/1540). Employment uses permitted by the outline permission were restricted to B1 and B2 Uses. Reserved matters approval has subsequently been granted for three commercial units within Use Class B2 (General Industrial) on this application site (ref: R21/0784).
- 1.3 The proposed development, with regards to access, appearance, landscaping, layout and scale, is identical to those details which were approved as part of the reserved matters approval. The only difference between this application and the reserved matters application is that this proposal seeks permission for the units to be used for B8 (Storage and Distribution) purposes as well as B2 (General Industrial) purposes.

2. Proposal:

- 2.1. This is a full planning application for the redevelopment of part of the Rolls-Royce site in Ansty. The application site totals 13.04 hectares and includes existing private highways and land required for essential infrastructure.
- 2.2. In economic terms the proposal represents a major investment which would provide a base for up to 332 employees and would have a positive impact on the region and the local economy and prosperity of the Borough.
- 2.3. The proposed development would provide a total floorspace of 23,239 sqm (GEA), and 22,756 sqm gross internal floor area, spread over three commercial units, with two-storey ancillary office. The flexible B2 (General Industrial) and B8 (Storage and Distribution) areas would occupy 22,756 sqm, with 2,294 sqm proposed for ancillary office use (Use Class E(g)), divided across the three units. The maximum height of the buildings would be 16.5m to a +99 AOD for all units.
- 2.4. The units would be serviced directly via an extension of the already built Plot 1(A) (Cadent) service road that would connect off the Prospero central spine road. Individual access and

egress points to each unit would provide access to parking and services bay areas. Access to the wider road network would be secured via existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.

- 2.5. A total of 332 car parking spaces would be provided of which 29 would have electric vehicle charging points. There would be 62 covered cycle spaces. A total of 33 HGV parking spaces would also be provided.
- 2.6. To create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. The existing site slopes gently up to the south. At the northeast of the site the existing level is around 80.90m AOD, this rises to around 83.2m AOD at the south-western corner. The ground level for Plot 1B1 would be built up by approximately 1.0-1.5m. The proposed earthworks would result in a finished floor level of 82.50m AOD. As a result, the ridge height of the proposed building would be 99m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building and 105m AOD for the MTC buildings.
- 2.7. Surface water runoff from the site that cannot be infiltrated to the ground would be drained, via the strategic surface water sewer, to a balancing pond located to the east of the application site. Water would then be discharged from these ponds at a controlled rate which would be 50% less than current brownfield discharge rates.
- 2.8. Significant woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Strategic landscape planting is proposed around the eastern boundary adjacent to Combe Fields Road. This would include the provision of woodland and thicket planting together with standard trees. The thickness of this landscape buffer would vary from 7.50-37m. Further landscape planting would be provided on the land immediately around the office and car park area.

3. Site Description:

- 3.1. The application site comprises of 13.04ha of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 6.3 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty. The site comprises of areas of grassland of varying quality, dense and scattered scrub, tree groups, as well as areas of ruderal growth, hardstanding (some of which has been subject to partial re-vegetation) and built-form.
- 3.2. The topography of the site is such that it slopes gently up to the south. At the northeast of the site the existing level is around 80.90m AOD, this rises to around 83.2m AOD at the south-western corner.
- 3.3. The majority of the application site has historically formed part of Rolls-Royce Ansty's site and manufacturing operations. Many of the buildings associated with this use have been demolished ahead of the proposed redevelopment of the site. Three buildings used by Rolls-Royce for manufacturing and document storage remain and are located to the west and northwest of the site. A further building is located to the southwest of the site and is used by RWG as an engine test facility.
- 3.4. To the south of the site is a large manufacturing facility and headquarters operated by Meggitt. This facility was the first building to come forward as part of the redevelopment plans. It

provides 45,844sq.m of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. Significant strategic landscape planting has been provided on land to the east and south of Meggitt's building. Two attenuation ponds have also been provided to the southeast of the Meggitt building to contain surface water runoff arising from this.

- 3.5. To the west is a large office facility occupied by Cadent. This is the second building to come forward as part of the redevelopment plans. This building has a gross external floor area of 11,124 sq.m in a building that will be 19 metres high. A separate multi-storey car park associated with these offices has also been constructed. This building will total 9,113 sq.m of gross external floor area in a 14 metre high building. Further strategic landscape planting and an attenuation pond will be provided on land to the east of this building.
- 3.6. The application site was included as part of the wider Prospero Ansty site, for which outline planning application for a new employment area was granted in 2021 (ref: R19/1540). This application site was then subject to a Reserved Matters approval (ref: R21/0784) which sought the erection of three commercial units (Use Class B2) and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1.
- 3.7. At a broader level the site is seen within the context of Ansty Business Park to the north which benefited from outline planning permission for 124,484 square metres of B1 floorspace for use as a High Technology Park. A substantial part of this land has now been developed and occupied with a limited number of plots remaining. Buildings present on the site include the Manufacturing Technology Centre (19m high), London Taxi Corporation (17.60m high), FANUC (14.35m high), Sainsbury's (13m high), AVL (9.10m high), Ericsson (6.10m high), High Temperature Research Centre (14.50m high) and Aerospace Research Centre (15.20m high). The primary access to this area is afforded off the A46 and M6 J2 with a secondary access off Combe Fields Road. A dual lane spine road called Central Boulevard runs through the centre of the Park providing direct access to each building. Areas of strategic landscaping have been incorporated around the perimeter of the site with further ornamental landscaping throughout the Park.
- 3.8. The Rolls-Royce site and Ansty Business Park are surrounded by open countryside which is used for agriculture. The closest residential properties are located approximately 330 metres from the site to the northeast at Sparrow Hall Cottages on Combe Fields Road. The property of Fair View on Peter Hall Lane is located approximately 470 metres from the site to the southwest. Public bridleways R75b and R75x are located to the south and public footpath R73c is located to the east. Combe Abbey Conservation Area, incorporating the Grade II* registered park of Combe Country Park, is located approximately 1km to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Combe Abbey. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 1.25km to the west. The M6 motorway is also located approximately 1km to the north.

4. Relevant Planning History

- 4.1 R21/0784: Erection of three commercial units (Use Class B2) and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1 (application for approval of reserved matters relating to access, appearance, landscaping, layout and scale against outline planning permission R19/1540 dated 15th June 2021). Approved 29/10/2021.
- 4.2 R21/0525: Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, access road, car parking, cycle parking, lorry parking,

service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings. Approved 31/08/2021.

- 4.3 R21/0501: Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works. Approved 18/08/2021
- 4.4 R19/1540: Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car & cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision & replacement of utilities & service infrastructure and other associated works. Approved 15/06/2021.
- 4.5 R19/1512: Erection of building and use for purposes within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with ancillary research and development facilities (Use Class B1(b)), staff gym and studio, associated surface and multi-storey car park, cycle parking, access road, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling and associated works. Approved 03/07/2020.
- 4.6 R20/0094: A new commercial headquarters building providing B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space, associated car parking, lorry parking, cycle parking, service areas, external plant and machinery, structural landscaping, drainage, SUDs, and other supporting infrastructure including new access roads, together with any necessary demolition and ground remodelling. Approved 14/08/2020.
- 4.7 R17/1829: Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works. Approved 20/04/2018.
- 4.8 R18/0008: Prior notification of proposed demolition. Prior approval not required 02/02/2018.
- 4.9 R16/1923: Demolition of existing gatehouse to southern entrance and erection of replacement gatehouse to northern entrance and associated works to include alterations to access. Approved 09/01/2017.
- 4.10 R16/1250: Prior notification of proposed demolition. Prior approval not required 27/06/2016.
- 4.11 R14/1900: Prior notification of proposed demolition. Prior approval not required 28/10/2014.
- 4.12 R14/1114: Prior notification of proposed demolition. Prior approval not required 12/08/2014.
- 4.13 R12/0739: Prior notification of proposed demolition. Prior approval not required 10/05/2012.

5. Technical Consultation Responses:

Coventry City Council
Environment Agency

Comments received
No response

Highways England	No objection subject to conditions and informative
Historic England	No comment
Natural England	No objection
RBC Environmental Health	No objection subject to conditions
RBC Trees and Landscaping	No objection
RBC Works Services Unit	No response
Severn Trent Water	No response
Warwickshire Fire and Rescue Service	Comments received, informative requested
Warwickshire Police	Comments received
Warwickshire Wildlife Trust	No response
WCC Archaeology	No objection
WCC Ecology	No objection subject to conditions
WCC Flood Risk Management	No objection
WCC Highways	No objection subject to conditions and informatives
WCC Rights of Way	No objection

6. Third Party Consultation Responses:

Combe Fields Parish Council Comment

Combe Fields Parish Council (CFPC) respects the need for employment (“Quality Jobs”) within Rugby Borough and as such has no particular objections to this particular Planning Consultation, other than regretting the increasing industrialisation/urbanisation of a once open (ex aerodrome) area.

However CFPC would ask the Developer and RBC to be mindful of the following:

- 1) To limit the amount of night time illumination (light pollution) into the East and South sides of the Parish. This includes siting any distribution or loading areas away from the East and South sides of the Parish.
- 2) To ensure that any building(s) overall height(s) is limited and is “blended in”, such limiting any extra impingement into an already increasing industrial skyline.
- 3) To ensure that if 24 hr operation is envisaged, within any of the proposed units, that any noisy night time operations are kept to an absolute minimum.
- 4) That the main site entrance and exit points are made via M6 Junction 2/A46 rather than Combe Fields Road (D2045).

7. Assessment of Proposal:

- 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 of the Rugby Borough Council Local Plan 2019. The relevant policies are outlined below.
- 7.3 Rugby Borough Council Local Plan 2019

GP1	Securing Sustainable Development	Complies
GP2	Settlement Hierarchy	Complies
GP3	Previously Developed Land and Conversions	Complies
GP4	Safeguarding Development Potential	Complies

DS1	Overall Development Needs	Complies
ED1	Protection of Rugby's Employment Land	Complies
ED2	Employment Development Within Rugby Urban Area	Complies
ED3	Employment Development Outside Rugby Urban Area	Complies
HS1	Healthy, Safe and Inclusive Communities	Complies
HS2	Health Impact Assessments	Complies
HS5	Traffic Generation, Air Quality, Noise and Vibration	Complies
NE1	Protecting Designated Biodiversity and Geodiversity Assets	Complies
NE2	Strategic Green and Blue Infrastructure	Complies
NE3	Landscape Protection and Enhancement	Complies
SDC1	Sustainable Design	Complies
SDC2	Landscaping	Complies
SDC3	Protecting and Enhancing the Historic Environment	Complies
SDC4	Sustainable Buildings	Complies
SDC5	Flood Risk Management	Complies
SDC6	Sustainable Drainage	Complies
SDC7	Protection of the Water Environment and Water Supply	Complies
SDC9	Broadband and Mobile Internet	Complies
D1	Transport	Complies
D2	Parking Facilities	Complies
D3	Infrastructure and Implementation	Complies
D5	Airport Flightpath Safeguarding	Complies

7.4 Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD (2012)
Air Quality SPD (2021)

7.5 Material Considerations

National Planning Policy Framework (NPPF or "the Framework") (2021)
National Planning Practice Guidance (NPPG)
National Model Design Code - Part 1 - Coding Process (2021)
National Model Design Code - Part 2 - Guidance Notes (2021)
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)

7.6 Key Issues

Section 8 Settlement Hierarchy and Green Belt
Section 9 General Principle of Development
Section 10 Principle of Employment Development
Section 11 Economic Growth
Section 12 Landscape and Visual Impact
Section 13 Trees and Hedgerows
Section 14 Ecology
Section 15 Traffic Flows and Highway Safety
Section 16 Flood Risk and Drainage
Section 17 Heritage and Archaeology
Section 18 Air Quality
Section 19 Noise
Section 20 Contamination
Section 21 Light
Section 22 Residential Amenity (Light, Aspect and Privacy)
Section 23 Carbon Emissions, Sustainable Design and Construction
Section 24 Health

Section 25	Broadband
Section 26	Other Matters
Section 27	Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

Settlement Hierarchy

- 8.1 Policy GP2 of the Local Plan outlines a sequential settlement hierarchy which seeks to ensure that development is directed to the most sustainable locations within the Borough. In this case the application site is located within the West Midlands Green Belt which is classified as being the least sequentially preferable location for development. The policy consequently sets out that development will be resisted in such areas unless permitted by national policy on Green Belts.

National Policy on Green Belts

- 8.2 National policy on Green Belts is set out within the Framework at section 13. Paragraph 147 is particularly relevant and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Inappropriate development includes the construction of new buildings other than those listed as exceptions in paragraph 149 of the Framework.
- 8.3 The exception listed at paragraph 149g of the Framework allows for the “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”
- 8.4 In order for the scheme to benefit from this exemption, it must first be demonstrated that it is previously developed land. This is defined in Annex 2 of the Framework as being: “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.” The exclusions to this definition are then listed with one of these being “land that was previously developed but where the remains of the permanent structure have blended into the landscape”.
- 8.5 ‘Curtilage’ is not a term defined in legislation or the Framework. The Courts have consistently held that the extent of a curtilage will be a matter of fact and degree and will depend on the particular circumstances of a case.
- 8.6 Regarding this application, it is noted that the application site can be broken down into four distinct areas which are comprised of the following:
- Area 1: Relates to the existing highway infrastructure.
 - Area 2 (southern portion of the site): Land which was previously occupied by now demolished and cleared buildings, structures and hard surfaces. Includes areas of open and undeveloped land around these former buildings and structures within the fenced perimeter boundary and forming part of the curtilage.
 - Area 3 (central portion of the site): comprises a significant portion of hardstanding and, previously forming a car park. Includes areas of open and undeveloped land.

- Area 4 (northern portion of the site): Mostly open and undeveloped land. This area was fenced off from the main Rolls-Royce site and therefore considered to be outside of its curtilage.

- 8.7 It is considered that areas 1-3 should be classified as previously developed land. They comprise of land which is or was occupied by a permanent structure, including the curtilage of the developed land. Area 4 should not be classified as previously developed land. This area comprises of land which is free from development and outside the curtilage of developed land.
- 8.8 The proposed development would be constructed across all four areas of the site. To determine whether development in areas 1-3 would be inappropriate development in the Green Belt, it is necessary to ascertain whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. This is considered below. Development in area 4 would be on land which has not previously been developed and would therefore be classified as inappropriate development in the Green Belt.

Impact on Openness

- 8.9 In regard to openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness in terms of the Green Belt has a spatial aspect as well as a visual aspect and is not therefore limited to volumetric comparisons.
- 8.10 In this case the application site is currently free from any permanent structures. The proposed construction of buildings and associated infrastructure on this land would clearly result in a permanent loss of that openness. Furthermore, the cumulative impact arising from the size and scale of this development, and the approved Prospero Ansty outline development (R19/1540), Meggitt development (R17/1829), Cadent development (R19/1512), Plot 5 development (R21/0525) and Rolls-Royce consolidation development (R18/2218), is such that the spatial impact would be significantly greater than the combined floorspace, height and volume of the now demolished buildings which were located on the wider Rolls-Royce site.
- 8.11 From a visual perspective the presence of the proposed building and development in this part of the site would readily be observed from public vantage points including Combe Fields Road, public footpath R73c and nearby residential properties. The visual impact of this would be reduced through significant landscape planting which is proposed along the eastern boundary of the site adjacent to Combe Fields Road. When established this would help to screen and soften views of the buildings. Furthermore, the presence of these buildings would not be seen in isolation within open countryside. Instead, it would be seen within the context of existing buildings at Prospero Ansty (including the Meggitt, Cadent and retained Rolls-Royce buildings) and Ansty Business Park. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.
- 8.12 Having regard to the spatial and visual aspects of development, it is considered that the proposal would clearly cause significant and permanent harm the Green Belt by reducing its openness. This harm must be given substantial weight in accordance with paragraph 148 of the Framework.

Other Harm

- 8.13 Aside from the impact on openness, paragraph 138 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the

countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 8.14 In this regard, Ansty Park and the majority of the Rolls-Royce site are designated as being an Employment Site (Within Green Belt) on the Rural Policies Map. This designation creates a clearly defined area for employment development which is physically disconnected from Coventry and other urban areas.
- 8.15 The area of proposed built development for this application would be contained entirely within this designated area. It is considered that containing development to the boundaries of the designation helps to prevent harm to the five purposes. In particular, it would not diminish the physical separation of the designated area from Coventry or other urban areas.
- 8.16 However, as identified above, the amount of development proposed within this designated area would increase exponentially. This would have a spatial and visual impact on the openness of the Green Belt as identified above. In turn, this would reduce the amount of open space on the site thus creating a notably denser urban form of development across the extent of the designation. This would contrast with the limited number of buildings and significantly higher amount of open space on the site previously. As a result, the proposal would give rise to some limited harm to checking the unrestricted sprawl of large built-up areas and some moderate harm to assisting in safeguarding the countryside from encroachment.
- 8.17 Conversely, the contained nature of development to land within the designated area ensures that it would not give rise to harm to prevent neighbouring towns merging into one another, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Other Considerations

- 8.18 It has been established that the proposal would give rise to harm to the Green Belt by reason of inappropriateness, impact on openness and impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 148 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. Such considerations are set out in depth below and will be weighed up in the planning balance at the end of this report.

Extant Outline Planning Permission

- 8.19 Outline planning permission (R19/1540) was granted on 15th June 2021 for a new employment area (known as Prospero Ansty) on the Rolls-Royce Ansty site. The permission is specifically for B1a, B1b, B1c and B2 floorspace (up to 160,000m²), a hotel (C1) (up to 4,500m²) and retail units (A1/A3) (up to 250m²). The permission also includes car and cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision and replacement of utilities and service infrastructure and other associated works. This permission remains extant and does not expire until 15th June 2031.
- 8.20 Development and landscape parameters plans were approved as part of the outline application which will guide future detailed development on the outline site. These plans show the area where built development would be carried out. Maximum building heights of 18m for much of the site and 14m for the southern part of the site are specified. The location of the main access road is also shown together with areas for formal and structural landscaping. The structural landscaping would be located around the southern and western perimeter of the site. It would predominately be 20m wide with a small 14m wide section on part of the western

boundary. Further locations for ecological mitigation works and retained ancient woodland are indicated.

- 8.21 The application site for this full application falls within the boundary of this outline application. The proposed building would be within the development and landscape parameters approved for the outline application. Specifically, it falls within an area identified for development, would not exceed maximum floorspace allowances and has a maximum height no greater than 99m AOD (the outline permission allows for buildings with a height up to 101.6m AOD).
- 8.22 Reserved matters approval has also already been granted in 2021 for the erection of three commercial units (Use Class B2) and associated works (R21/0784) on the land subject of this full application site. The current proposed buildings and associated works are identical to that which has already been approved under the reserved matters approval. The only difference is that this full application seeks permission for the buildings to be used for both B2 and B8 purposes rather than just a B2 use.
- 8.23 The outline permission, together with the reserved matters approval, provides a fallback position for the size of buildings which could be constructed in this location. It is therefore reasonable to conclude that the proposal would not have a greater impact on the openness of the Green Belt than what has already been permitted and could be constructed in this location. This is a material consideration which must be considered in the planning balance.

9. General Principle of Development

- 9.1 It is important to recognise that development has been located on this site since 1935 when used as an RAF airfield. Rolls-Royce subsequently took over and began further developing the site from 1966 onwards. The status of this land as an employment site has therefore been long established despite its location in the Green Belt. This has been further recognised and protected by virtue of the site's designation in successive development plans which allows for redevelopment. Such recognition has ultimately allowed for the redevelopment of the northern part of the airfield as a large scale (140,000 square metres) commercial development known as Ansty Business Park. This precedent and the legacy of the site is an important consideration in understanding the high value and regional significance of the site for meeting economic and employment needs at both a local and regional level.
- 9.2 Policy GP3 of the Local Plan further sets out that the Council will support the redevelopment of previously developed land where proposals are compliant with other policies in the Local Plan. It particularly highlights the need to consider the impact on visual amenity, landscape, properties, services, heritage and biodiversity assets. Such considerations are set out in depth below and will be weighed up in the planning balance at the end of this report.
- 9.3 The proposed redevelopment of the application site would be carried out in a sensitive way which would not prejudice the development potential of other land being realised as required by policy GP4 of the Local Plan. In particular, it would not prejudice the development potential of other land through provision of infrastructure including road links and flood risk attenuation features.

10. Principle of Employment Development

- 10.1 Notwithstanding the location of the site in the Green Belt, policy ED1 of the Local Plan and accompanying Rural Policies Map sets out that the whole Rolls-Royce site is an Existing Strategically Significant Employment Site. Such sites are to be retained for B1, B2 and B8 use classes. The policy outlines that "the infilling or the partial or complete redevelopment of existing employment sites will be supported subject to the consideration of potential impacts

to their surroundings against the relevant policies in the Local Plan and national policy, in particular those sites located in the Green Belt”.

- 10.2 In this case the proposal is for the partial redevelopment of the existing Rolls-Royce site as defined on the Rural Policies Map. It therefore complies with policy ED1 which indicates support in principle for B2 and B8 use class employment development in this location. In turn, the proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but within a site allocated for employment purposes.
- 10.3 The proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but on a site historically and currently used for B use class employment purposes. Equally, the proposal complies with policy ED2 of the Local Plan because the proposed office (B1(a) use class) floorspace for each of the proposed units would be ancillary to the proposed main B2 and B8 uses. Indeed, the proposed office space would amount to no more than 10% of the total floorspace for each of the buildings.
- 10.4 Furthermore, the proposal complies with policy DS1 of the Local Plan which sets out the need for 208ha of employment land, including 98ha to contribute to Coventry’s unmet needs between 2011 and 2031. Paragraph 4.16 of the supporting text to this policy makes clear that the employment land target would be delivered partly through intensification opportunities at existing sites. The redevelopment and intensification of the Rolls-Royce site would therefore help to ensure this target is met.

11. Economic Growth

- 11.1 Policy GP1 of the Local Plan sets out a goal to secure development that improves the economic conditions of this area. This is consistent with paragraph 81 of the Framework which outlines that “decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.
- 11.2 The proposed development seeks to accommodate flexible B2 and B8 class uses and represents a unique opportunity to provide additional business opportunities at a well-established and well-connected employment location. The facility would provide a base for up to 332 employees.
- 11.3 The proposed development would also represent a significant investment in the Borough to construct the facility. Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 11.4 Overall, the proposal represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. As a consequence, it would have a significant and positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.

12. Landscape and Visual Impact

- 12.1 Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on the landscape.
- 12.2 The application site comprises of 13.04ha of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 6.3 hectares of land which falls within the 75 hectare Rolls-Royce site at Ansty. The site comprises of areas of grassland of varying quality, dense and scattered scrub, tree groups, as well as areas of ruderal growth, hardstanding (some of which has been subject to partial re-vegetation) and built-form.
- 12.3 The majority of original buildings at the Rolls-Royce site have been demolished with only the floor slabs now visible. Prior to the demolition works there was a wide variety of buildings on the site with the layout, appearance, sizes, heights and materials having clearly evolved over the years. There was consequently no clear and uniform character with the development rather appearing more disjointed. However, in general terms the buildings closest to Combe Fields Road were two storeys in height with incidental green space positioned between the buildings and the road. The larger more industrial looking buildings were located further into the site on higher ground levels thereby being readily visible in the surrounding landscape. A chimney stack just under 30m high also dominated the skyline and was visible from many public vantage points.
- 12.4 Part of the Rolls-Royce site has already been redeveloped through the construction of a large purpose built manufacturing facility and headquarters operated by Meggitt. It provides 45,844 square metres of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. The building is supported by a large surface car park, attenuation ponds and structural landscaping. Work has also recently been completed on the construction of a new office and research development facility for use by Cadent together with associated multi-storey car park. This has resulted in the provision of 20,237 square metres of new floorspace split between two buildings which are between 14 and 19 metres high.
- 12.5 The proposal subject of this application would continue the redevelopment of the Rolls-Royce site. It would result in the construction of three commercial units with a gross external floor area of 23,239 square metres. The B2 and B8 use areas would occupy 22,756 square metres of the units, with the remaining 2,294 square metres being used for ancillary office use (Use Class E(g)). The maximum height of the units would be 16.5m to a +99m AOD. In respect of appearance, the proposed elevations of the office element would contain a high level of glazing which would be broken up with cladded panels in a palette of dark grey, white and black. The main elevations of the unit would be clad in horizontally laid profiled metal cladding, in grey and silver, with a darker shade at parapet level. The roof to both the offices and units would not be visible as there would be a parapet which conceal this.
- 12.6 In order to create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. The existing site slopes gently up to the south. At the northeast of the site the existing level is around 80.90m AOD, this rises to around 83.2m AOD at the south-western corner. The ground level for Plot 1B1 would be built up by approximately 1.0-1.5m. The proposed earthworks would result in a finished floor level of 82.50m AOD. As a result, the ridge height of the proposed building would be 99m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building and 105m AOD for the MTC buildings.
- 12.7 In terms of landscape and visual impact, the proposal would result in development in a part of the site where there has previously been no physical built development. The proposed building

would be 16.50m high. This compares to the 19m height of the MTC and Cadent building to the north and northwest and 13.70m height of the Meggitt building to the south. The position and size of these buildings are consequently such that they would be highly visible when viewed from Combe Fields Road and public footpath R73c to the east of the site.

- 12.8 In order to mitigate against the visual impact, it is proposed that significant woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Strategic landscape planting is proposed around the eastern boundary adjacent to Combe Fields Road. This would include the provision of woodland and thicket planting together with standard trees. The thickness of this landscape buffer would vary from 7.50-37m. Two groups of existing mature trees would be retained and incorporated into this buffer. Further landscape planting would be provided on the land immediately around the units and car park areas.
- 12.9 A Landscape Statement has been submitted with the application. It concludes that “The scheme and proposed landscape design for the site still reflects the findings and recommendations of the Environmental Impact Assessment (EIA), submitted as part of the outline permission (R19/1540) in terms of any identified effects and their mitigation in relation to Landscape and Visual Impact. Therefore, the EIA for the outline application remains valid for this full application”.
- 12.10 The Council’s Landscape and Arboricultural Officer has considered all the submitted plans and Landscape Statement. They are ultimately satisfied that there would not be any significant detrimental impact from a landscape character point of view. Comments have also been received from Coventry City Council who have asked for additional landscaping and means of screening to be incorporated within and around the site to mitigate the visual impact of the proposal as much as possible.
- 12.11 In respect of the above, it is acknowledged that the proposed development would be readily visible within the wider landscape from Public Rights of Way, highways and residential dwellings. However, the proposed development would not be seen in isolation and would rather be seen alongside existing buildings on the remaining Rolls-Royce site and Ansty Business Park. The proposed height of the units conforms to the limitations set within the outline permission (R19/1540). The scale and layout of the proposed development is such that it is the same as that which was approved as part of the reserved matters application (R21/0784). The proposed landscape buffer would further soften and screen views of the proposed development. It is therefore considered that the development would not have a greater impact than that which has been previously permitted.
- 12.12 On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The scale and layout of the proposed development is such that this would invariably have a greater impact than was previously the case. However, in mitigation, the development would be seen within the immediate context of well-established buildings rather than intruding into open countryside. The height of the building would conform to the limitations set within the outline permission (ref. R19/1540), whilst the scale and layout of the development reflects the details approved as part of the reserved matters application (R21/0784). Over time the impact would be lessened as the proposed strategic landscape planting matures and thereby softens and filters views of the development. As a result, the proposal complies with the Framework and policies NE3, SDC1 and SDC2 of the Local Plan.

13. Trees and Hedgerows

- 13.1 Paragraphs 131 and 174 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.
- 13.2 The prospect of the proposed development has resulted in the removal of a number of existing trees across the application site. This has included the loss of some large trees including a category A tree (i.e. those that are of high quality and value capable of making a significant contribution to the area for 40 or more years) and a numerous category B trees (i.e. those that are of moderate quality or value and capable of making a significant contribution to the area for 20 or more years). A coniferous treeline along the eastern boundary of the site which was unsympathetic within the landscape has also been removed.
- 13.3 To compensate for this loss, it is proposed to provide substantial new tree planting within a strategic landscape buffer and on-plot soft landscape planting. This would include extra heavy standard trees, heavy standard trees, coniferous trees and feathered trees together with woodland and thicket planting.
- 13.4 The Council's Arboricultural Officer has raised no objection to the proposed replacement tree planting to compensate for the loss of those formerly located on the site. It is accepted that the extent of tree loss would be necessary to create sufficient space for the proposed building to be laid out. The submitted site layout plan shows that the proposed development could be accommodated on the site without causing significant and detrimental harm to existing retained trees. Overall, it is considered that the impact on trees would be acceptable. The proposal therefore complies with the Framework and policies NE3 and SDC2.

14. Ecology

- 14.1. Paragraphs 174 and 180 of the Framework and policy NE1 of the Local Plan set out the need to protect and enhance biodiversity including protected habitats and species.

Habitats

- 14.2. Coombe Pool Site of Special Scientific Interest (SSSI) is located approximately 1.5km away from the south of the site. The pool is fed by the Smite Brook watercourse. The proximity of this brook to the site is such that it may be hydrologically linked to the SSSI. This gives rise to the potential for contaminants in surface water from the site being discharged into the watercourse and reaching the SSSI. The Flood Risk Assessment and Drainage Strategy submitted with the application contains details of measures which would ensure pollutant levels expected in the surface water run-off would be controlled. The implementation of these measures would ensure that there is no adverse impact on the downstream SSSI. It is not envisaged that there would be any potential adverse effects on other statutory and non-statutory sites in the area.
- 14.3. The application site itself supports a number of habitats of intrinsically low ecological value including areas of poor semi-improved grassland, amenity grassland, ruderal vegetation as well as the hardstanding, built form and bare ground. Features of relatively higher ecological value (albeit limited) within the context of the site include dense and scattered scrub and trees.
- 14.4. An Ecological Briefing Note submitted with the application reiterates the findings of earlier ecological investigations submitted with the outline and reserved matters application for the site. These investigations acknowledged that the entirety of habitats within the application site would be lost as a result of the proposed development. Whilst potential adverse effects are expected to be isolated to the site level only, extensive strategic mitigation proposals are to be incorporated in order to mitigate for any losses and to provide benefits to biodiversity overall. These strategic mitigation proposals would comprise of in-plot mitigation and habitat

creation and large scale off-site habitat creation and enhancement of land as part of the wider Prospero Ansty outline site and associated developments.

- 14.5. The in-plot mitigation and habitat creation would include scrub thicket and tree planting, grassland habitats, hedgerows as well as ornamental shrub planting. The off-site habitat creation and enhancement would create effective areas of green infrastructure which realise overall net gains in biodiversity, as well as offsetting any residual losses to biodiversity which may otherwise occur as a result of individual applications being brought forward on this site and surrounding land.
- 14.6. WCC Ecology has assessed the impact of the proposed development and has requested that condition 6 is imposed requiring the submission of a Biodiversity Impact Assessment (BIA). This would quantify the value of existing habitats and establish what impact there would be from the loss of those habitats as a result of the proposed development. It would then compare this with the post-development habitat values which would be derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. In the event that this demonstrates that there would be a net biodiversity loss arising from the proposed development there would be a need for off-site biodiversity offsetting. This would ensure a net gain in biodiversity on other land in the area surrounding the application site and would be secured by condition 6.

Species

- 14.7. The ecological investigations have drawn on data records and surveys which indicate that the development has the potential to have an impact on bats, reptiles, amphibians (Great Crested Newt), birds and invertebrates. A variety of measures incorporating a series of precautionary working principles are proposed to offset such potential impacts. WCC Ecology has assessed these and are satisfied that the potential impact to these species would be mitigated against through condition 3.

Ecology Conclusions

- 14.8. It has been found that the findings of the ecological investigations are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The biodiversity impact arising from this application, and any subsequent biodiversity gain, would be secured through the use of planning conditions. Similarly, the potential impact on species could be mitigated against through the use of planning conditions. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring a net biodiversity gain. As a result, the proposal complies with the Framework and policies NE1 and NE2.

15. Highways and Transport

- 15.1. Section 9 of the Framework and policies HS5, D1 and D2 of the Local Plan set out the need to prioritise sustainable modes of transport and ensure transport impacts are suitably mitigated. A safe and suitable access to the site is also necessary.

Access

- 15.2. Historically vehicular access to the Rolls-Royce site was only available from two access points (known as north and south) directly onto Combe Fields Road. This meant all traffic moving to and from the site had to use local roads, including through villages like Ansty, to access the facility. However, this situation has recently changed following the construction of the Meggitt

manufacturing facility on part of the Rolls-Royce site. This development resulted in the construction of a new spine road which runs through the centre of the Rolls-Royce site and connects into Pilot Way on Ansty Business Park. This consequently allows users to access the site directly via the primary access point to the A46, A4600, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road.

- 15.3. Unit 1B1 would be serviced directly via an extension of the already built Plot 1(A) service road that would connect off the Prospero central spine road. The service road would then be extended to the south to service the remaining units of 1B2 and 1B3 with individual access and egress points onto internal plot parking and services bay area. The new roads and accesses would then allow access onto the existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road (required by condition 16) but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.
- 15.4. WCC Highway have assessed the proposed layout of the estate road and accesses and raised no objection to this.

Parking Provision

- 15.5. A total of 332 car parking spaces would be provided across the proposed units of which 29 would have electric vehicle charging points. There would be 62 covered cycle spaces. A total of 33 HGV parking spaces would also be provided.
- 15.6. The Council's car parking standards are set out within Appendix 5 of the Local Plan. This indicates that if all of the units were used for B2 purposes there would be a potential demand for 516 car parking spaces. However, if all of the units were used for B8 purposes there would be a potential demand for 389 car parking spaces. The proposed provision of 332 spaces is therefore significantly less than the potential demand that could arise if all units were used for B2 purposes. Nonetheless, the standards within the Local Plan are intended to provide guidance and critically are not minimum standards which must be achieved. The proposed units are speculative builds with no known occupier at this stage in the process. The applicant has therefore sought to provide car parking in line with similar developments elsewhere and anticipated customer demand based on their own research. Ultimately any potential occupier would be aware of the number of car parking spaces available for each unit. It would consequently be unlikely that a potential occupier would proceed to purchase a unit if they felt the number of spaces was insufficient for their needs. Specific discussions concerning the amount of car parking provision took place with WCC Highways. They noted that if there was insufficient parking spaces this could lead to parking on private non-adopted estate roads. However, they were satisfied that this would not result in issues of on-street parking on public adopted roads in the vicinity. Taking into account experience of provision elsewhere the extent of under provision for a B2 use was not considered to be so low as to be problematic. Moreover, condition 23 would require the submission of a Car Parking Management Plan and Strategy within three months of occupation. This would require details of how off-site car parking on roads across Prospero Ansty and Ansty Park and the car parking areas would be monitored, managed and reviewed. This would then give a mechanism to control and manage parking should any issues materialise.
- 15.7. The Council does not have standards for HGV parking. The amount required is rather left to each business according to their needs. WCC Highways has not objected to the level of provision proposed.

Traffic Flows

- 15.8. The submitted Transport Statement concludes that the traffic impact arising from the proposed development falls within the limits of that which has already been accepted by the outline and reserved matter approvals at the site. Essentially, it contends that the proposal would not give rise to any additional harm to traffic flows beyond that which has already been agreed and accounted for. Specifically, the traffic analysis demonstrates that the development has the potential to generate up to 127 traffic movements in the morning peak hour and up to 98 movements during the evening peak hour. It notes this fall within the 'permitted' traffic generation previously accepted under earlier applications (R17/1829 and R19/1540).
- 15.9. The proposed change from a B2 Use to a use as B2 general industrial units, B8 commercial warehousing units, or as a mixture of these uses, is likely to generate a higher proportion of HGV traffic than has been considered under previous planning consents at the site. A Freight Management Plan would therefore be required via condition 17. This would allow for a range of measures, as deemed appropriate by WCC Highways and Highways England, to offset any potential adverse impacts associated with this. Such measures could include: active management by a Travel Plan Coordinator; time access restrictions onsite during peak commute hours; preventing HGVs using Ansty village as a route to or from the site; implementing and managing a Routing and Signing Strategy; ongoing monitoring and review; road signage; using a vehicle booking system to sequence inbound and outbound deliveries; providing on site "early arrival bays"; providing HGV driver welfare facilities; and implementing parking restrictions along the key corridor within Ansty Park. A HGV access signage scheme would also be required by condition 20.
- 15.10. Both WCC Highways and Highways England have undertaken a full assessment of the development proposals in accordance with national and local planning and transport policy. They are both satisfied that the impact on traffic flows would not be significant and detrimental. They have therefore raised no objections subject to conditions.
- 15.11. Highways England particularly note that a mitigation scheme at M6 Junction 2 would be necessary and must be delivered prior to occupation of the building owing to the projected rise in HGV traffic. The proposed mitigation scheme includes the signalisation of M6 Junction 2 with the introduction of signals at the A46 approach and opposing section of circulatory. This proposed scheme would result in a significant betterment to the overall operation of the junction and A46 approaches. This would be secured by condition 15.
- 15.12. To encourage the use of sustainable transport options and reduce reliance on single occupancy private cars it is proposed that a Travel Plan would be adopted. This would be implemented by a Travel Plan Coordinator who would encourage the adoption of measures such as cycling and car sharing. A Travel Plan would be secured via condition 23. The proposed development would therefore comply with policy D1 of the Local Plan which supports the provision of sustainable modes of transport to mitigate against transport impacts.
- 15.13. In conclusion, it is considered that the proposal would have an acceptable impact on highway safety. The residual cumulative impacts on the road network would also not be severe. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

16. Flood Risk and Drainage

- 16.1 Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.

- 16.2 The Flood Risk Assessment and Drainage Strategy submitted with the application confirms that the proposed development would be carried out within flood zone 1 (very low risk) and therefore passes the requirements of the sequential and exception tests outlined within the Framework. It also outlines that there would be no increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other techniques.
- 16.3 In respect of surface water drainage, the Flood Risk Assessment considers the impact of ground conditions, topography and layout upon this. The surface water drainage strategy has been designed to cater for storm events up to 1 in 100 years plus a 20% allowance for climate change. This strategy has been designed to ensure that all surface water flows that cannot be infiltrated to the ground would be drained to a balancing pond to the northeast via surface water drains.
- 16.4 WCC Flood Risk Management has carried out an independent assessment of the Flood Risk Assessment and Drainage Strategy and raised no objection.
- 16.5 The Flood Risk Assessment and Drainage Strategy confirms that foul sewage would discharge via gravity to a pump station located to the southeast of unit 1B1.
- 16.6 It has been found that the findings of the Flood Risk Assessment and Drainage Strategy are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. In the first instance it has been established that the proposed development would be located in a low risk flood zone and would therefore not be susceptible to flooding. Surface water drainage would principally be dealt with through the use of a piped system discharging into the strategic surface water sewer, which would drain to the balancing pond to the northeast, in addition to infiltration-based drainage. It would also ensure that the development itself would not be at risk from surface and ground water flooding. Aside from this it has been demonstrated that foul sewage could be drained from the site via a foul water pumping station. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

17. Heritage and Archaeology

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

Archaeological Potential

- 17.2 WCC Archaeology has advised that the northern part of the application site has been subject to a programme of archaeological trial trenching. Other than evidence for significant modern disturbance no archaeological features or deposits were identified by the evaluation. Historic mapping indicates that much of the southern part of the application site has also been subject to modern disturbance. In light of this information, they are of the opinion that that the proposed development is unlikely to have a significant archaeological impact. They consequently have no objection to the proposed development.

Impact on Heritage Assets

- 17.3 The application site does not contain any designated or non-designated Heritage Assets. However, the site does lie within close proximity to a number of surrounding heritage assets.
- 17.4 Combe Abbey Conservation Area, incorporating the Grade II* registered park of Combe Country Park, is located approximately 1km to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Combe

Abbey. There is also a Grade II listed building (Peter Hall) to east of the site and another Grade II listed building (Walsgrave Hill Farm) to the west of the site.

- 17.5 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore relevant to these listed buildings and their setting. It requires the Council to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area.
- 17.6 In relation to listed buildings it is noted that there is no statutory definition of setting. However, having regard to the definition of setting outlined in the Framework, it is possible for a site to be in the setting of a listed building even if there are no clear visual links between the two. In relation to conservation areas it is again important to recognise that a site can influence and make a positive contribution to its setting.
- 17.7 Coventry City Council has drawn attention to a perceived impact on the Grade II* registered park of Combe Country Park. They contend that there would be moderate level of less than substantial harm to the countryside setting of the Grade II* listed Coombe Abbey Park and Gardens. Further landscape and visual appraisal work is therefore requested with an emphasis on seeking additional landscaping and screening to mitigate against the visual impact.
- 17.8 In this case the proposed building would be sited approximately 1km from the northern boundary of the registered park and 700m from the grade II Peter Hall building to the southeast. The building would be positioned behind the Meggitt building and Rolls-Royce document storage building to the southwest, and to the east of the recently constructed Cadent building. They would also be viewed within the wider landscape in conjunction with buildings across the Rolls-Royce site and Ansty Business Park to the north. It is consequently considered that the proposed development would not cause harm to the setting of the listed buildings or conservation area. Indeed, the scale and location of the development would ensure that the proposal would not have an adverse impact upon the nearby heritage assets. Historic England have also not raised any concerns with regards to the impact on these assets. Significant woodland and structural landscape planting along the southern boundary of the Rolls-Royce site has already been secured through the outline planning permission and plot 5 full planning permission.
- 17.9 Critically, the proposed height, scale and layout of the commercial units forming this application are within the parameters set by the outline consent (R19/1540) and subsequent reserved matters for B2 development (R21/0784). As such the proposed development wouldn't result in any further impact upon the designated heritage assets, to that which has already been previous assessed and considered, on balance, acceptable. As a result, the proposal complies with the Framework and policy SDC3.

18. Air Quality

- 18.1 Paragraph 186 of the Framework, policy HS5 of the Local Plan and the Air Quality SPD set out the need to consider the impact of the proposed development on air quality.
- 18.2 An Air Quality Assessment (AQA) has therefore been submitted with the application. It identifies that the site is located outside the Rugby Air Quality Management Area (AQMA) but is in close proximity to the Coventry City-Wide AQMA. It therefore notes that elevated pollutant concentrations may be experienced at this location. Furthermore, it indicates that the site is in an area where air quality is mainly influenced by road traffic emissions along the local road

network. The development consequently has the potential to cause adverse impacts to existing pollution levels at nearby sensitive receptors.

- 18.3 The AQA considers the potential impact at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. It demonstrates that the proposed development would cause a negligible increase in concentrations of nitrogen dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}). Importantly, it would not result in exceedance of national air quality strategy objectives. The residual effects are consequently not deemed to be significant.
- 18.4 Potential construction phase air quality impacts from fugitive dust and fine particulate matter emissions were also assessed. The AQA identifies that these could be mitigated through a range of good practice control measures. Condition 3 requiring the submission of a Construction Environmental Management Plan incorporating these measures would ensure this is achieved.
- 18.5 In line with policy HS5 of the Local Plan, development must achieve or exceed air quality neutral standards. The submitted AQA consequently sets out that the traffic movements associated with the proposed development would be below the permitted traffic envelope for Prospero Ansty and is therefore considered to be air quality neutral.
- 18.6 Furthermore, measures including new landscaping, electric vehicle charging points, biodiversity mitigation and a BREEAM very good sustainability rating would contribute towards achieving air quality neutral standards.
- 18.7 Environmental Health are satisfied with the conclusions reached within the AQA, i.e. that the proposed development would not have an overall significant effect on local air quality. As a result, the proposal complies with the Framework and policy HS5.

19. Noise

- 19.1 Paragraph 174 and 185 of the Framework and policies HS5 and SDC1 of the Local Plan set out the need to ensure that noise arising from the proposed development would not adversely impact on the amenity of nearby noise-sensitive receptors.
- 19.2 A Noise Impact Assessment has been submitted with the application which considers the impact of operational, plant and traffic noise associated with the development on the closest residential dwellings to the site. To ensure that there would not be a significant and detrimental impact to these properties it is proposed that limits would be placed on operational and plant noise emissions for daytime and night-time periods. This would ensure that the noise level impact at the closest residential dwelling would be negligible.
- 19.3 Environmental Health has considered this assessment and are satisfied that the proposed development would not be adversely affected by noise subject to conditions 25 and 26. As a result, the proposal complies with the Framework and policies HS5 and SDC1.

20. Contamination

- 20.1 Paragraphs 174, 183 and 184 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 20.2 A Ground Investigation Statement and Strategy and Land Contamination Desk Top Review has been submitted with the application which reviews source material and the existing setting of the site. It identifies a number of areas of potential contamination and highlights areas that require further investigation.

20.3 Environmental Health has considered this assessment and raised no objection to the proposed development subject to condition 5. This would require the submission of an investigation and risk assessment including a remediation scheme and measures to report unexpected contamination found on the site. It is therefore considered that this would ensure that contaminated land does not affect the health of the future occupiers of the proposed development. As a result, the proposal complies with the Framework.

21. Light

21.1 Paragraph 185 of the Framework sets out the need to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. National Planning Practice Guidance also expands on this. It indicates that getting the design and setting right is important as artificial lighting can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky.

21.2 An External Lighting Strategy and Layout Plan has been submitted with the application. This shows that the proposed lighting has been designed in line with national lighting guidance and industry standards. It indicates that lighting would be provided to minimise upward light spill, glare and backwards light spillage. A key component of this would be ensuring all lighting has a zero degree tilt angle. Environmental Health are therefore satisfied that the proposed lighting would be acceptable. As a result, the proposal complies with the Framework. Condition 24 would ensure that the external lighting is undertaken in accordance with the details submitted.

22. Residential Amenity (Light, Aspect and Privacy)

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

22.2 The closest residential properties to the application site are located approximately 480 metres away to the northeast at Sparrow Hall Cottages on Combe Fields Road. The property of Fair View on Peter Hall Lane is located approximately 548 metres from the site to the southwest. The distance from these properties to the proposed buildings is such that this would not give rise to significant and detrimental impacts on light, aspect and privacy. The impact on residential amenity would therefore be acceptable. As a result, the proposal complies with policy SDC1.

23. Carbon Emissions, Sustainable Design and Construction

23.1 Policies SDC1 and SDC4 of the Local Plan sets out support for the enhanced energy efficiency of buildings and need to achieve a BREEAM very good sustainability rating. This is consistent with section 14 of the Framework which indicates a need for the planning system to support the transition to a low carbon future to help tackle climate change. Rugby Borough Council also declared a climate emergency in July 2019.

23.2 BREEAM standards represent best practice in the sustainable design of non-residential buildings. The Design and Access Statement provides an indication that a BREEAM very good sustainability rating could be achieved. Condition 22 requires measures to ensure this is achieved and implemented.

23.3 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the buildings and installation of air source heat pumps. This provision is not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change. Condition 11 would be required to ensure delivery of these panels and pumps.

23.4 Condition 8 is proposed to ensure measures are installed to reduce summer overheating within the buildings.

23.5 As a result, the proposal complies with the Framework and policies SDC1 and SDC4.

24. Health

24.1 Section 8 of the Framework and policies HS1 and HS2 of the Local Plan set out the need to achieve healthy places and ensure development would not have a significant adverse impact on wellbeing.

24.2 The Health Impact Assessment submitted with the application concludes that the impact on health arising from the proposal would be neutral and positive. As a result, the proposal complies with the Framework and policies HS1 and HS2.

25. Broadband

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

25.2 The Utility Statement submitted with the application indicates that cable ducts are located within existing highways to the site and link into BT openreach telecoms infrastructure. The applicant would be responsible for ordering a telecoms service to meet their needs. As a result, the proposal complies with policy SDC9.

26. Other Matters

26.3 Warwickshire Fire and Rescue Service has raised no objection to this application subject to an informative drawing the applicant's attention to the need for the development to comply with building regulations. In this regard they have made comments concerning firefighter access to the northern elevation of unit 1B2. The applicant has sought to address these comments but has been denied the opportunity to discuss this further at the planning application stage. This would ultimately be resolved through the building regulation approval process.

27. Planning Balance and Conclusion

26.1 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)) 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 therefore considered to be an up-to-date development plan.

26.2 In this case the application site is located in the Green Belt. Policy GP2 of the Local Plan is therefore relevant and sets out that development will be resisted in such areas unless permitted by national policy on Green Belts. In this case the proposed scheme would be inappropriate development in the Green Belt and should not be approved except in very special circumstances. In accordance with paragraph 148 of the Framework, very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. In this case it was identified that there would be harm by reason of inappropriateness, the impact on openness and the impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 148 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. In order to determine this, it is consequently necessary

to have regard to the economic, social and environmental impact which the proposal would have.

Economic

- 26.3 From an economic perspective, the proposed development represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities.
- 26.4 It would further have a significant, positive and direct impact on the regional and local economy. This is entirely consistent with the designation of this site as an Existing Strategically Significant Employment Site. Indeed, policy ED1 of the Local Plan sets out that such sites should be protected and retained for employment purposes. It also supports the complete redevelopment of such sites where potential impacts, including to the Green Belt, allow. Furthermore, the redevelopment and intensification of this Rolls-Royce site would help to ensure the Council meets its employment land targets as outlined in policy DS1 of the Local Plan.
- 26.5 Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 26.6 Overall, the proposal represents a substantial investment in the Borough. It would provide new employment opportunities. As a consequence, it would have a significant positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.
- 26.7 It is considered that the clear economic benefits outlined above should carry very substantial weight in favour of the proposed development.

Social

- 26.8 From a social perspective, it is important to recognise that many of the original Rolls-Royce buildings on the site have been demolished resulting in a loss of employment opportunities. The proposed redevelopment of this site would consequently bring the land back into active economic use and in turn provide up to 332 jobs. This would therefore create opportunities for new employment. The provision of job security would further play a key role in helping improve and safeguard mental health and wellbeing.
- 26.9 It is considered that the clear social benefits outlined above should carry very substantial weight in favour of the proposed development.

Environmental

- 26.10 From an environmental perspective, the potential adverse impacts of the proposed development in relation to landscape, visual appearance, trees, hedgerows, ecology, highway safety, traffic flows, flood risk, drainage, heritage, archaeology, air quality, noise, contamination, light, residential amenity and carbon emissions have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation could be secured through conditions to ensure that this is delivered.

- 26.11 Moreover, the outline permission, together with the reserved matters approval, provides a fallback position for the size of buildings which could be constructed in this location. It is therefore reasonable to conclude that the proposal would not have a greater impact on the landscape and openness of the Green Belt than what has already been permitted and could be constructed in this location. This is a material consideration which weighs in favour of the application.
- 26.12 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the building and installation of air source heat pumps. This provision is not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change. This carries weight in favour of the proposed development.

Conclusion

- 26.13 On balance, it is concluded that the benefits of the proposed development are such that they clearly outweigh the definitional harm and other identified harm to the Green Belt in this case. Very special circumstances do therefore exist which would justify development in the Green Belt. Accordingly, the proposal would not conflict with policy GP2 of the Local Plan and Green Belt policy in Section 13 of the Framework.
- 26.14 In view of the above, the proposed development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. Indeed, the proposal would result in a number of positive economic, social and environmental benefits. These benefits would consequently outweigh the identified harm to the Green Belt. The proposal would also not result in any other significant and detrimental environmental harm. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with policy GP1.
- 26.15 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

27. Recommendation:

- 27.1. Planning application R21/1165 to be granted subject to:
- a. The conditions and informatives set out in the draft decision notice appended to this report; and
 - b. Referral to the Department for Levelling Up, Housing and Communities National Planning Casework Unit.

DRAFT DECISION

REFERENCE NO:
R21/1165

DATE APPLICATION VALID:
18-Nov-2021

APPLICANT:

Manse Opus (Ansty) LLP & Rolls-Royce Plc, Opus Studios, 5-7 High Street, Henley-in-Arden, B95 5AA

AGENT:

David Lock Associates, 50 North Thirteenth Street, Central Milton Keynes, Buckinghamshire, MK9 3BP

ADDRESS OF DEVELOPMENT:

Rolls-Royce, Ansty Aerodrome, Combe Fields Road, Ansty, Coventry, CV7 9JR

APPLICATION DESCRIPTION:

Erection of three commercial units for flexible use within Use Classes B2 and B8 (with ancillary uses), and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1

CONDITIONS

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 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 2:

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority, the development hereby approved shall not be carried out other than in accordance with the plans and documents detailed below and in accordance with any variations approved in accordance with the details required by condition.

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Planning Boundary	PAP1B-MSA-ZZ-ZZ-DR-A-20001-PL3	24-02-22
Site Layout	PAP1B-MSA-ZZ-ZZ-DR-A-20002-PL4	18-11-21
Ground Floor Site Layout Plan	PAP1B-MSA-ZZ-00-DR-A-20010-PL1	10-01-22
Office Floor Plans 1B1	PAP1B1- MSA-ZZ-ZZ-DR-A -20004 Rev PL1	14/07/2021
General Elevations 1B1	PAP1B1- MSA-ZZ-ZZ-DR-A -20003 Rev PL1	14/07/2021
Office Floor Plans 1B2	PAP1B2-MSA-ZZ-ZZ-DR-A-20006-PL1	10-01-22
Office Floor Plans 1B3	PAP1B3-MSA-ZZ-ZZ-DR-A-20007-PL1	10-01-22
General Elevations 1B2 and 1B3	PAP1B-MSA-ZZ-DR-A-20005-PL1	10-01-22
Rooftop Plant Layouts	210376-CPW-ZZ-RF-DR-M-800-S1-P01	10-01-22
Fire Access for B8 Use (Storage)	PAP1B-MSA-ZZ-ZZ-SK-A-99025	18-11-21
General Arrangement	IPD-20-538-100 Rev G	22-02-22
Autotracks	IPD-20-538-105 Rev B	22-02-22
Highway Standard Details	IPD-20-538-400	23-02-22
Pavement Layout	IPD-20-538-700 Rev E	22-02-22
String Line Plan	IPD-20-538-800 Rev D	22-02-22
Contour Plan	IPD-20-538-805 Rev D	22-02-22
Long Sections	IPD-20-538-850 Rev A	22-02-22
Drainage Strategy (Sheet 1 of 2)	PAP1B-CWA-XX-00-DR-C-00530-T02	18-11-21
Drainage Strategy (Sheet 2 of 2)	PAP1B-CWA-XX-00-DR-C-00531-T02	18-11-21
Drainage Details (Sheet 1 of 3)	PAP1B-CWA-XX-00-DR-C-0535-T01	18-11-21

Drainage Details (Sheet 2 of 3)	PAP1B-CWA-XX-00-DR-C-0536-T01	18-11-21
Drainage Details (Sheet 3 of 3)	PAP1B-CWA-XX-00-DR-C-0537-T02	18-11-21
Attenuation Tank Section	PAP1B-CWA-XX-00-DR-C-0539-P01	18-11-21
Swale Section	PAP1B-CWA-XX-00-DR-C-0538-P01	18-11-21
External Levels (Sheet 1 of 2)	PAP1B-CWA-XX-00-DR-C-00510-T02	18-11-21
External Levels (Sheet 2 of 2)	PAP1B-CWA-XX-00-DR-C-00511-T02	18-11-21
Site Sections (Sheet 1 of 3)	PAP1B-CWA-XX-00-DR-C-00512-T01	18-11-21
Site Sections (Sheet 2 of 3)	PAP1B-CWA-XX-00-DR-C-00513-T01	18-11-21
Site Sections (Sheet 3 of 3)	PAP1B-CWA-XX-00-DR-C-00514-T01	18-11-21
External Lighting Layout 1B1	210376-CPW-XX-XX-DR-E-EXT01-D2-T02	18-11-21
External Lighting Layout 1B2	210376-CPW-XX-XX-DR-E-EXT02-D2-T02	18-11-21
External Lighting Layout 1B3	210376-CPW-XX-XX-DR-E-EXT03-D2-T03	08-02-22
Landscape Concept Plan	PAP1B-BCA-XX-XX-DR-L-0001-E	10-01-22
Detailed Planting Plan	PAP1B-BCA-XX-XX-DR-L-0004-F	10-01-22
Detailed Planting Plan	PAP1B-BCA-XX-XX-DR-L-0005-F	10-01-22
Tree Retention and Removal Plan	PAP1B-BCA-EX-XX-DR-L-0002-A	10-01-22
Habitat Enhancement Plan	PAP1B-BCA-EX-XX-DR-L-006	10-01-22

<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Air Quality Assessment	19-2004-01-2	18-11-21
Air Quality Technical Note	19-1156-07	18-11-21
Arboricultural Impact Assessment	603-21-0	18-11-21
Design and Access Statement	PAP1B-MSA-XX-XX-RP-A-01100-PL2	18-11-21
Earthworks Cut Fill - Earthworks Movement and Retaining Feature	IPD-21-537	18-11-21
Ecological Briefing Note	8508	18-11-21
Energy Statement for Planning	210376-B	18-11-21
External Lighting Strategy	210376-P04	18-11-21
Flood Risk - Response to WCC Outstanding	Drainage Matters IPD-20-538	21-01-22
Flood Risk Assessment - Catchment C	IPD-20-538-R050-B	18-11-21
Flood Risk Assessment and Drainage Strategy	PAP1B-CWA-XX-XX-RP-C-FRA-3	18-11-21
Ground Investigation Statement and Strategy	18190J-LO003-0	18-11-21
Land Contamination Desk Top Review	47070033-1	18-11-21
Landscape and Ecological Management Plan (30 Years)	2173-21-RP01	18-11-21
Landscape and Visual Appendices 1 (Extract from Environmental Statement - Volume 5 - Outline Planning Application)	30948-RP-006	18-11-21
Landscape Statement	1912-18-RP03	18-11-21
Noise Impact Assessment	19-2004-02-1	18-11-21
Noise Technical Note	19-1156-05	18-11-21
Plot-Specific Air Quality Neutral Mitigation Strategy	19-1156-07	18-11-21
Response to Acoustic Planning Conditions	19-2004-02	18-11-21
Site Wide Air Quality Neutral Strategy	19-1156-07-1	18-11-21
Transport Statement	IPD-20-538-001D	18-11-21
Utility Report	180100-B	18-11-21

REASON:

For the avoidance of doubt.

CONDITION 3:

No development shall commence, including any groundworks, site clearance and construction work, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This shall include details relating to:

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
- b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
- c. Timing of heavy goods vehicle movements during the construction phase;
- d. A named point of contact for overseeing construction works and their contact details;
- e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;

- f. Construction site access location, control and construction haul routes;
- g. The parking of vehicles of site operatives and visitors;
- h. Hours of work and deliveries;
- i. Temporary perimeter screen and protective fencing;
- j. Pre-commencement checks for wildlife;
- k. Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site including details of supervision by an Ecological Clerk of Works (ECoW);
- l. Details of measures to protect habitats, including the prevention of pollution;
- m. A strategy to manage and maintain any construction materials from entering or silting up the watercourse at the existing outfalls, to ensure that no silt or chemicals can leave the phase being constructed and to ensure any detrimental impact to the watercourse shall be repaired;
- n. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; and
- o. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

Development shall not be carried out other than in accordance with the approved CEMP unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

In the interests of health and safety, amenities of the area, highway safety, traffic flows, air quality, heritage and visual amenities. To ensure the development does not have impacts off-site to flood risk and that the watercourse downstream can function as intended. To ensure that protected species and habitats are not harmed by the development. To reduce the impact on the Green Belt.

CONDITION 4:

No development shall commence 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. No unit hereby approved shall be occupied until the approved scheme for that unit has first been provided in accordance with the approved details. The approved scheme shall thereafter be maintained and retained in perpetuity.

REASON:

In the interests of fire safety.

CONDITION 5:

No development other than that required to be carried out as part of an approved scheme of remediation shall commence until condition (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the local planning authority until condition (d) below has been complied with in relation to that contamination.

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

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

(iii) an appraisal of remedial options, and proposal of the preferred option(s) to be conducted in accordance with UK Government and the Environment Agency's Land Contamination Risk Management (LCRM) 8th October 2020.

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

(c) The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared and subject to approval in writing by the local planning authority.

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

REASON:

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

CONDITION 6:

PART 1

No development shall commence until full details of an Off-Site Biodiversity Management Plan (OSBMP) has been submitted to and approved in writing by the Local Planning Authority. The OSBMP shall include details of:

- a. Description and evaluation of features to be managed;
- b. Details of habitat creation measures;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and objectives of management;
- e. Appropriate management options for achieving aims and objectives;
- f. Prescriptions for management actions;
- g. Preparation of a work schedule, including timetable, for the implementation and delivery of the plan;
- h. Site-wide Biodiversity Impact Assessment calculation in accordance with the current DEFRA metrics applied locally to demonstrate that no net loss to biodiversity will be achieved;
- i. Identification of land necessary to mitigate any loss of biodiversity to demonstrate net gain in relation to the approved development;
- j. A review mechanism to update the OSBMP if further development is brought forward in the area surrounding the application site necessitating further changes; and

- k. Management and Implementation Schedule (MIS) which shall include details of a long-term management plan of no less than 30 years, the body/organisation responsible for the implementation of the plan together with relevant legal and funding mechanisms, details and timings of maintenance, provisions for ongoing monitoring and remedial measures.

The approved OSBMP, including associated measures and MIS, shall be implemented in accordance with the work schedule for the implementation of the plan as required by condition 6 Part 1 (g) and approved by the Local Planning Authority.

PART 2

No building shall be occupied until the details of the body/organisation(s) responsible for the ongoing implementation and management of the approved OSBMP have been submitted to and approved in writing by the Local Planning Authority. Such details shall include details of legal and funding arrangements by which the long-term implementation of the plan will be secured for the lifetime of the approved OSBMP, including any arrangements for transferring responsibility.

REASON:

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

CONDITION 7:

No above ground development shall commence on each of the buildings and structures listed below until full details, including floor plans, elevation plans, materials, colours, level plans and cross-section plans, have first been submitted to and approved in writing for the following buildings and structures shown on the Site Layout Plan (PAP1B-MSA-ZZ-ZZ-DR-A-20002-PL4, received 18-11-2021), External Levels (Sheet 1 of 2) (PAP1B-CWA-XX-00-DR-C-00510-T02, received 18-11-21) and External Levels (Sheet 2 of 2) (PAP1B-CWA-XX-00-DR-C-00511-T02, received 18-11-21):

- a. Cycles shelters;
- b. Bin stores;
- c. Transformers;
- d. Sliding gate;
- e. Manual gate;
- f. Yard entrances;
- g. Security fences;
- h. Boundary fences;
- i. Fall protection fences;
- j. Estate road barrier; and
- k. Retaining walls.

Each unit hereby approved shall not be occupied until the relevant associated buildings and structures listed in condition 7 (a to k) have first been provided for that unit in accordance with the approved details. The cycle shelters shall be permanently retained for the accommodation of cycles of persons working in or calling at the premises and shall not be used for any other purpose.

REASON:

In the interests of visual amenity, highway safety, sustainable development and sustainable transport.

CONDITION 8:

No above ground development shall commence until measures to reduce summer overheating in the approved units has been submitted to and approved in writing by the Local Planning Authority. No unit hereby approved shall be occupied until the approved measures for that unit has first been provided in accordance with the approved details. The approved measures shall thereafter be maintained and retained in perpetuity.

REASON:

In the interests of health and wellbeing.

CONDITION 9:

No above ground development shall commence until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples, 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 10:

No above ground development shall commence until full details of all areas of hard surfacing, including highway surfaces, footpaths, service/yard areas, parking areas and grasscrete areas, have been submitted to and approved in writing by the Local Planning Authority. The details shall include materials (together with samples where appropriate), how parking spaces will be marked out, construction, levels and drainage. No unit shall be occupied until the areas of hard surfacing for that unit have first been provided in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

REASON:

To ensure a satisfactory external appearance in the interests of the visual amenity, to ensure adequate parking provision, and in the interests of highway safety and traffic flows.

CONDITION 11:

The roof-mounted photovoltaic (PV) panels, air source heat pumps and rainwater harvesting system referred to in the Plot-Specific Air Quality Neutral Mitigation Strategy (19-1156-07, received 18-11-2021) and Energy Statement for Planning (210376-B, received 18-11-21) shall not be installed until full details of these have first been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the roof-mounted photovoltaic (PV) panels, air source heat pumps and rainwater harvesting system for that unit has been provided and brought into use in accordance with the approved details. The roof-mounted photovoltaic (PV) panels, air source heat pumps and rainwater harvesting system shall thereafter be maintained and retained in perpetuity.

REASON:

In the interests of air quality, sustainable development, reducing carbon emissions and tackling climate change.

CONDITION 12:

No internal fit out of the proposed development shall commence until full details of on-site changing and showering facilities to be incorporated into each unit has first been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until on-site changing and showering facilities have been provided in accordance with the approved details.

REASON:

In the interests of traffic flows, health, sustainable development and sustainable transport.

CONDITION 13:

The landscaping scheme, all planting and habitat enhancements, as detailed in the Landscape Concept Plan (PAP1B-BCA-XX-XX-DR-L-0001-E, received 10-01-22), Detailed Planting Plan (PAP1B-BCA-XX-XX-DR-L-0004-F, received 10-01-22) and Detailed Planting Plan (PAP1B-BCA-XX-XX-DR-L-0005-F, received 10-01-22) and Habitat Enhancement Plan (PAP1B-BCA-EX-XX-DR-L-006, received 10-01-22), shall be implemented and planted no later than the first planting season following first occupation of the development. The landscaping scheme and all planting shall thereafter be maintained and managed in accordance with the Landscape and Ecological Management Plan (30 Years) 2173-21-RP01, received 18-11-21). If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species

and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

To reduce the impact on the Green Belt. To protect and enhance biodiversity and to ensure that protected species are not harmed by the development. In the interests of visual amenity and the protection of the landscape.

CONDITION 14:

No part of the development hereby approved shall be occupied 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. No unit shall be occupied until the electric vehicle charging points for that unit 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 15:

No part of the development hereby approved shall be occupied until full details of a mitigation scheme for works around M6 Junction 2, including a detailed design in general accordance with preliminary drawing number IDP-19-486-1052 Rev C, or an alternative scheme, has received technical approval from the relevant Highway Authority. The development hereby approved shall not be occupied until the approved mitigation scheme has been implemented in accordance with the approved details.

REASON:

In the interests of traffic flows and highway safety.

CONDITION 16:

No part of the development hereby approved shall be occupied until full details of the new access road and traffic signal junction onto Combe Fields Road has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until the new access road and traffic signal junction onto Combe Fields Road has first been provided in accordance with the approved details.

REASON:

In the interests of traffic flows and highway safety.

CONDITION 17:

No part of the development hereby approved shall be occupied until a Freight Management Plan has been submitted to and approved in writing by the Local Planning Authority. The details and measures contained in the Freight Management Plan shall include the establishment of a Transport Steering Group which shall monitor and manage the Freight Management Plan in perpetuity. It shall further stipulate that no HGV traffic generated by development within the application site shall use vehicular access points onto Combe Fields Road. The development hereby approved shall not be occupied until the approved measures have been implemented in full.

REASON:

In the interests of traffic flows, highway safety, residential amenity, air quality and heritage.

CONDITION 18:

The buildings hereby approved shall not be occupied until full details showing how all parts of the existing northern Rolls-Royce access will be closed and the kerb and verge reinstated in accordance with the standard specification of the Highway Authority has been submitted to and approved in writing

by the Local Planning Authority. Unless non-material variations are agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until the existing northern Rolls-Royce access has been closed and the kerb and verge reinstated in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 19:

The units hereby approved shall not be occupied until full details of a scheme to provide for a pair of pedestrian dropped kerbs with tactile paving to allow pedestrian access between its northern footway and southern footway at a location east of the proposed yard entrance to Plot 1B1 has been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the approved scheme has been implemented in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 20:

The units hereby approved shall not be occupied until full details of a HGV access signage scheme and the type and operation of the barrier shown at the end of the estate road has been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the approved HGV access signage scheme and barrier has been provided in accordance with the approved details. The barrier shall thereafter be operated in accordance with the approved details in perpetuity.

REASON:

In the interests of highway safety.

CONDITION 21:

The units hereby approved shall not be occupied until the access road carriageway and footways have been constructed in general accordance with the Site Layout Plan (PAP1B-MSA-ZZ-ZZ-DR-A-20002-PL4, received 18-11-2021).

REASON:

In the interests of highway safety.

CONDITION 22:

The units hereby approved shall not be occupied until measures demonstrating that the buildings achieve a BREEAM very good standard or above in terms of carbon reduction has 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 measures and details.

REASON:

To ensure energy efficiency is achieved through sustainable design and construction and to reduce carbon emissions.

CONDITION 23:

Within three months of a unit being occupied a detailed Travel Plan and Car Parking Management Plan and Strategy (CPMPS) shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of: a Travel Plan Coordinator to be appointed for the development hereby approved; mode share targets; measures to achieve the targets; a programme of monitoring and review; and other supporting incentives to promote the use of sustainable transport over single occupancy car journeys. The CPMPS shall include details of how off-site car parking on estate roads and the car parking areas will be monitored, managed and reviewed to promote the use of sustainable transport over single occupancy car journeys, protect the use of spaces identified for car share users and electric vehicle charging, and prevent inappropriate and hazardous parking on

roads across Prospero Ansty and Ansty Park. Within three months of the unit being occupied the approved Travel Plan and CPMPS, and associated measures, shall be implemented in full. The approved Travel Plan and CPMPS, and approved measures, shall thereafter be implemented in full at all times in perpetuity.

REASON:

In the interests of highway safety, traffic flows, reducing vehicular emissions and promoting the use of sustainable transport.

CONDITION 24:

No external lighting, other than that shown on the External Lighting Layout Unit 1B1 (210376-CPW-XX-XX-DR-E-EXT01-T02, received 18-11-21), External Lighting Layout Unit 1B2 (210376-CPW-XX-XX-DR-E-EXT02-T02, received 18-11-21) and External Lighting Layout Unit 1B3 (210376-CPW-XX-XX-DR-E-EXT03-D2-T03, received 08-02-22) and as detailed in the External Lighting Strategy (210376-P04 and as amended by External Lighting Layout Unit 1B3 (210376-CPW-XX-XX-DR-E-EXT03-D2-T03, received 08-02-22)), shall be provided or erected on the site unless full details of the type, design and location of the additional lighting, together with a lighting report including details of fixtures and fittings, associated angle, fall, spread and intensity, have first been submitted to and approved in writing by the Local Planning Authority. No external lighting shall be erected until full details of measures, such as the use of photocell and time clocks, to control all obtrusive lighting for each unit has first been submitted to and approved in writing by the Local Planning Authority. No additional external lighting shall be erected and installed other than in accordance with the approved details.

REASON:

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

CONDITION 25:

The rating level of any fixed plant or equipment installed, provided and operated at the site shall not exceed a plant noise limit of 49.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 41.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (19-2004-02-1, received 18-11-2021).

REASON:

In the interest of residential amenity.

CONDITION 26:

The individual and cumulative noise generated by vehicle movements and activities within and around the building shall not exceed 49.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 41.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (19-2004-02-1, received 18-11-2021).

REASON:

In the interest of residential amenity.

CONDITION 27:

Upon occupation of the buildings hereby approved, no part of the application site, other than within the proposed buildings, shall be used for storage purposes unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

In the interests of visual amenity.

CONDITION 28:

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) there shall be no change of use permitted from the approved use class to a different use class (except between Class B2 (General Industrial) and Class B8 (Storage and Distribution) of The Town and Country Planning (Use Classes) Order 1987 (as amended)).

REASON:

In the interests of sustainable development, economic growth, protection of employment land, traffic movements and highway safety.

CONDITION 29:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no plant, equipment or development/extension shall be installed/undertaken that would increase the overall height of the building hereby permitted.

REASON:

To reduce the impact on the Green Belt. In the interests of visual amenity, heritage and landscape impact.

CONDITION 30:

The buildings hereby approved shall not be occupied until an Off-Site Landscape Improvement Scheme (OSLIS) relating to land to the immediate north of the site and up to the edge of the existing boundary with MTC has been submitted to and approved in writing by the Local Planning Authority. The OSLIS shall include planting plans with 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 creation/enhancement); a timetable for the implementation of all of the works; and a scheme securing future maintenance and retention. The approved OSLIS and associated measures shall be implemented in full.

REASON:

In the interests of visual amenity and to mitigate the impact of development on the landscape.

INFORMATIVES**INFORMATIVE 1:**

Warwickshire Fire and Rescue Authority advise that the development needs to comply with Approved Document B, Volume 2, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at; www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.

INFORMATIVE 2:

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

INFORMATIVE 3:

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

INFORMATIVE 4:

Highways England advise that the highway mitigation work associated with this consent involves works within the public highway, which is land over which you have no control. National Highways therefore requires you to enter into a suitable legal Section 278 agreement to cover the design check, construction and supervision of the works. Contact should be made with National Highways Section 278 Service Delivery Manager, Mary Otemu to discuss these matters at mary.otemu@highwaysengland.co.uk.

INFORMATIVE 5:

Environmental Health advise that to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: Monday – Friday 7.30 a.m. – 6.00 p.m.; Saturday 8.30 a.m. – 1.00 p.m.; and No work on Sundays and Bank Holidays.

INFORMATIVE 6:

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

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

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

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

INFORMATIVE 7:

WCC Highways advise that Section 39 of the Road Traffic Act 1988 requires local authorities to take such measures as appear to the Authority to be appropriate to reduce the possibilities of accidents when new or improved roads come into use. In submitting plans for the discharge of planning condition 5 above the applicant/developer is advised that an independent stage 2 safety audit of the proposals must be provided to satisfy the requirements of the Act.

INFORMATIVE 8:

WCC Highways advise that the County Council will not be held liable for any delays in the execution of any works carried out under the provisions of any Highway Works Agreement, issue of any licence, or permit which may be incurred as a result of the applicant/developer's failure to make an application for such an agreement / licence / permit sufficiently in advance of the works requiring to be executed or for any delays which may be incurred as a result of service or plant alterations required by the public utility companies.

INFORMATIVE 9:

WCC Highways advise that pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is

not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

INFORMATIVE 10:

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

INFORMATIVE 11:

WCC Highways advise that should any trees or hedges within the adopted highway, not identified as being required for removal as part of the submitted information, but are subsequently required to be removed in order to facilitate the approved development, an assessment will be carried out on behalf of the Highway Authority and a biodiversity offsetting contribution may be levied. In addition, liaison with the Forestry Team will be necessary.

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:	Delegated Decisions - 20 January 2022 to 16 February 2022
Name of Committee:	Planning Committee
Date of Meeting:	9 March 2022
Report Director:	Chief Officer - Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey Search and Systems Officer 01788 533774, daniel.mcgahey@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
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 - 9 March 2022

Delegated Decisions - 20 January 2022 to 16 February 2022

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 9 March 2022

Subject Matter: Delegated Decisions - 20 January 2021 to 16 February 2022

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

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

Report Run From 20/01/2022 To 16/02/2022

APPENDIX 1

Delegated

8 Weeks PA Applications

Applications Refused

R21/0761 8 Weeks PA Refusal 28/01/2022	15 BULKINGTON ROAD, SHILTON, CV7 9JS	The existing plot to be split into two to build a new 2 bedroom detached property in the smaller section of land to the north along with 2 parking spaces.
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R21/1033 8 Weeks PA Refusal 31/01/2022	SUNNYCREST HOUSE, RUGBY ROAD, PRINCETHORPE, RUGBY, CV23 9PN	Erection of a 2-storey side extension to provide a pool building with two bedrooms above.
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R21/1250 8 Weeks PA Refusal 31/01/2022	BAYTON LODGE, WITHYBROOK ROAD, WOLVEY, BEDWORTH, CV12 9JW	Formation of new access serving Bayton Lodge and the erection of a brick wall and gates (retrospective).
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R20/0166 8 Weeks PA Refusal 04/02/2022	11, THE LOCKS, RUGBY, RUGBY, CV21 4PP	Proposed 2no. 3 bedroom dwellings
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R21/1025 8 Weeks PA Refusal	53, ALWYN ROAD, RUGBY, CV22 7QU	Erection of double storey side extension to existing dwelling house.
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Delegated

8 Weeks PA Applications

Applications Refused

08/02/2022

Applications Approved

<p>R21/0140 8 Weeks PA Approval 20/01/2022</p>	<p>31, NORMAN ROAD, RUGBY, CV21 1DP</p>	<p>PROPOSED ADDITION OF FIRST FLOOR ABOVE EXISTING SHOP TO CREATE A RESIDENTIAL UNIT</p>
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<p>R21/0499 8 Weeks PA Approval 20/01/2022</p>	<p>55A, CRICK ROAD, RUGBY, CV21 4DU</p>	<p>Erection of 1 no. dwellinghouse with detached garage and part demolition with alterations to existing dwellinghouse along with subdivision of plot to provide separate access, parking, and amenity space.</p>
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<p>R21/1014 8 Weeks PA Approval 20/01/2022</p>	<p>COOMBE ABBEY COUNTRY PARK, BRINKLOW ROAD, COOMBE FIELDS, COVENTRY, CV3 2AB</p>	<p>Construction of replacement children's play equipment</p>
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<p>R21/0942 8 Weeks PA Approval 21/01/2022</p>	<p>6, MARKET PLACE, RUGBY, CV21 3DY</p>	<p>Change of use of 6/6A Market Place, Rugby, CV21 3DY from (A1 / E use class) to betting shop (sui generis use class)</p>
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Delegated

8 Weeks PA Applications Applications Approved

R21/1023 8 Weeks PA Approval 21/01/2022	NETHERWOOD, HALL LANE, WOLVEY, HINCKLEY, LE10 3LF	Rear extension and garage conversion with 2 no. bow windows to front ground floor elevation. Loft alterations to create first floor bedrooms and bathroom to include, rear dormer and glazed balcony area. Replace north and west gable elevations first floor windows with french doors and juliet balconies. New detached double garage. Render external walls.
R21/1072 8 Weeks PA Approval 21/01/2022	1, GREAT BALANCE, BRINKLOW, RUGBY, CV23 0NL	Erection of a two storey side extension and internal alterations
R21/0938 8 Weeks PA Approval 25/01/2022	92, BILTON ROAD, RUGBY, CV22 7AT	Two storey rear extension and porch with internal reconfiguration
R21/0642 8 Weeks PA Approval 27/01/2022	THE ACRE, LAWFORD HEATH LANE, LONG LAWFORD, RUGBY, CV23 9EU	Construction of a two storey modular office & welfare accommodation.

Delegated

8 Weeks PA Applications Applications Approved

R21/1131 8 Weeks PA Approval 27/01/2022	12, MAIN STREET, RUGBY, CV21 1HW	Single storey rear and side extension.
R21/1013 8 Weeks PA Approval 28/01/2022	109, TOWNSEND LANE, LONG LAWFORD, RUGBY, CV23 9DG	Two Storey Side and rear Extension along with a flat roof side/rear extension to dwelling.
R21/1031 8 Weeks PA Approval 28/01/2022	Secret Cottage, Brownsver Lane, Rugby, CV21 1HY	Erection of a two storey dwelling with associated parking and access. Variation of condition 2 of R17/0928 dated 25/09/2017 to amend the previously approved landscaping scheme and retain areas of hard-standing.
R21/0276 8 Weeks PA Approval 31/01/2022	8, SPINNEY CLOSE, BINLEY WOODS, COVENTRY, CV3 2SE	The removal of an old conservatory. Then the building of a single storey side extension.
R21/0712 8 Weeks PA Approval 31/01/2022	ROOF OF, BLOCK 5, AVON INDUSTRIAL ESTATE, RUGBY, CV21 3UY	Replacement of antennas on new support poles along with ancillary development and ground based equipment.

Delegated

8 Weeks PA Applications Applications Approved

R21/0993 8 Weeks PA Approval 31/01/2022	15, MONTROSE ROAD, RUGBY, CV22 5PB	Double and single storey rear extensions
R21/1097 8 Weeks PA Approval 31/01/2022	29, GATE FARM HOUSE, BROCKHURST LANE, MONKS KIRBY, RUGBY, CV23 0RA	Replacement windows.
R21/1134 8 Weeks PA Approval 31/01/2022	1, MOOR FARM CLOSE, STRETTON-ON-DUNSMORE, RUGBY, CV23 9NE	Proposed rear extension and garage conversion to dwelling.
R21/1185 8 Weeks PA Approval 31/01/2022	51, TOWER ROAD, RUGBY, CV22 5NA	Two storey rear extension
R21/0939 8 Weeks PA Approval 01/02/2022	THE OLD SCHOOL, MAIN STREET, BRANDON, COVENTRY, CV8 3HW	Demolition of side structure. Construction of single storey side extension. New detached car port, removal of T1 Hawthorn.
	FARTHING, FAIR CLOSE,	

Delegated

8 Weeks PA Applications Applications Approved

R21/1161 8 Weeks PA Approval 01/02/2022	FRANKTON, RUGBY, CV23 9PL	Erection of a porch to the front elevation (permitted development single storey rear extension)
R21/1187 8 Weeks PA Approval 01/02/2022	UNIT 6, STEPNELL PARK, LAWFORD ROAD, RUGBY, CV21 2UX	New fencing
R21/1012 8 Weeks PA Approval 02/02/2022	THE HALL, PRIORY HILL, RUGBY ROAD, WOLSTON, COVENTRY, CV8 3FZ	Change of use from residential to office (Use Class E) together with an increase in height of an existing building to provide first floor accommodation
R21/1049 8 Weeks PA Approval 02/02/2022	116, ASHLAWN ROAD, RUGBY, CV22 5ER	PROPOSED SECOND STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION RESUBMISSION OF PREVIOUSLY APPROVED R21/0082
R22/0029 8 Weeks PA Approval 02/02/2022	10, FOXWOOD DRIVE, COVENTRY, CV3 2SP	(Resubmission of R21/0569) Ammendment to Proposed Single Storey Front Porch

Delegated

8 Weeks PA Applications Applications Approved

R21/1218 8 Weeks PA Approval 03/02/2022	1, BLYTH CLOSE, RUGBY, CV22 7GY	Single storey side extension (Retrospective)
R21/1221 8 Weeks PA Approval 03/02/2022	4, SISKIN CLOSE, RUGBY, CV23 0WJ	Conversion of garage to habitable room including internal & external alterations
R21/1224 8 Weeks PA Approval 03/02/2022	177, LOWER HILLMORTON ROAD, RUGBY, CV21 3TR	Erection of a two storey side extension, loft conversion and rear dormer (amendments to previously approved R21/0426)
R21/0035 8 Weeks PA Approval 04/02/2022	COOMBE ABBEY COUNTRY PARK, BRINKLOW ROAD, COOMBE FIELDS, COVENTRY, CV3 2AB	Operation of miniature electronic vehicles on marked trails in the woodland to the North West of Coombe Abbey adjacent to and beneath the Go Ape High Ropes Course.
R21/0473 8 Weeks PA Approval 04/02/2022	16, COAL YARD ROAD, RYTON- ON-DUNSMORE, COVENTRY, CV8 3QF	Erection of garden shed (Retrospective).

Delegated

8 Weeks PA Applications Applications Approved

128, ASHLAWN ROAD, RUGBY,
CV22 5EP

R21/0855
8 Weeks PA
Approval
04/02/2022

PROPOSED OUTBUILDING
WITH A GYM AND HOME
OFFICE

R21/1038
8 Weeks PA
Approval
07/02/2022

32, St Leonards Walk, Ryton-On-
Dunsmore, Coventry, CV8 3FD

We would like to convert the garage into an open plan kitchen and living room. The works will include: - removal of garage door, - building up the wall under the window and installing a new window, - installing patio door on the other external wall, - new water supply pipes for new kitchen, - new drainage pipe connection to the main drainage, - wall and floor insulation, - electrics alerted, - new ceiling boarded and plaster skimmed

R21/1085
8 Weeks PA
Approval
07/02/2022

1A, Rosewarne, St Johns
Avenue, Rugby, CV22 5HR

Rear single storey extension measuring out by 4631mm x 5500mm with a glazed gable rear elevation. It will contain an eaves height 2480mm and a ridge height of 5000mm.

32, NEWLAND STREET,

Delegated

8 Weeks PA Applications Applications Approved

R21/1247 8 Weeks PA Approval 07/02/2022	RUGBY, CV22 7BJ	RESUBMISSION OF PREVIOUSLY APPROVED R21/0232 Double storey side extension above the properties existing garage.
R21/0465 8 Weeks PA Approval 08/02/2022	LEICESTER GRANGE, HINCKLEY ROAD, WOLVEY, HINCKLEY, LE10 3FT	Change of use of two outbuildings to form a winery and shop serving a viticulture enterprise, and associated works
R21/0948 8 Weeks PA Approval 08/02/2022	93, High Street, Ryton-On- Dunsmore, Coventry, CV8 3FJ	Erection of a two storey rear extension and roof alteration
R21/1079 8 Weeks PA Approval 08/02/2022	4, LEICESTER ROAD, WOLVEY, HINCKLEY, LE10 3HJ	Erection of single storey side and rear extension to main house, existing shed to be used as Art Studio and conversion of existing garage to Granny Annexe.
R21/1125 8 Weeks PA Approval 08/02/2022	88, YATES AVENUE, RUGBY, CV21 1DG	New build Garage with Annexe on first floor

Delegated

8 Weeks PA Applications Applications Approved

R21/1229 8 Weeks PA Approval 08/02/2022	1, MALLOW WAY, RUGBY, CV23 0UE	Demolition of existing conservatory and erection of a single storey rear / side extension to property.
R21/1044 8 Weeks PA Approval 09/02/2022	REAPERS COTTAGE, CASTLE LANE, GRANDBOROUGH, RUGBY, CV23 8DE	Extension to existing house
R21/1053 8 Weeks PA Approval 09/02/2022	SMEATON PADDOCKS, SMEATON LANE, STRETTON UNDER FOSSE, RUGBY, CV23 0PS	Variation of Condition 2 of planning permission reference R21/0374 (Change of use from a day room to a dwelling, no external alterations, dated 05 August 2021) to remove time limitations.
R21/1133 8 Weeks PA Approval 09/02/2022	6, Willow Gardens, Rugby, CV22 5LW	Proposed single storey rear extension with raised decking area.
R21/1215 8 Weeks PA Approval 09/02/2022	SHORT HOLLOW, HALL ROAD, WOLVEY, HINCKLEY, LE10 3LG	Erection of a single storey front extension and alterations to existing roofs

Delegated

8 Weeks PA Applications Applications Approved

R21/1090 8 Weeks PA Approval 10/02/2022	THE HAY LOFT, MANOR FARM BARNES, DAVENTRY ROAD, WOOLSCOTT, RUGBY, CV23 8AH	Erection of Garden Shed
R21/1107 8 Weeks PA Approval 10/02/2022	9, WARING WAY, DUNCHURCH, RUGBY, CV22 6PH	Demolition of existing conservatory and erection of a single storey rear / side extension
R21/1237 8 Weeks PA Approval 10/02/2022	145, Islwyn House, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AY	Extension of existing garage, alterations to front elevation and erection of new driveway wall and gates
R21/0829 8 Weeks PA Approval 11/02/2022	SOUTH EASTERN PART OF ZONE D - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON	Provision of an energy centre
R21/1199 8 Weeks PA Approval 11/02/2022	163, Clifton Road, Rugby, CV21 3QN	Single storey side return extension and replacement garage
	MILLBOARD, OXFORD ROAD, RYTON-ON-DUNSMORE,	

Delegated

8 Weeks PA Applications Applications Approved

R21/1077 8 Weeks PA Approval 14/02/2022	RUGBY, CV8 3EJ	Change of use of 0.215 hectares of agricultural land to form a staff parking area; laying of porous surface
R21/1113 8 Weeks PA Approval 14/02/2022	20, CALDECOTT STREET, RUGBY, CV21 3TH	Retrospective application for conversion of plumbing shop into 4 flats.
R21/1143 8 Weeks PA Approval 14/02/2022	THE COTTAGE, VICARAGE LANE, DUNCHURCH, RUGBY, CV22 6QP	Proposed two storey side extension to dwelling
R21/1198 8 Weeks PA Approval 14/02/2022	10, CRITCHLEY DRIVE, DUNCHURCH, RUGBY, CV22 6PJ	Proposed Replacement of Flat roof to Garage & existing single storey front extension with pitched roof
R21/1231 8 Weeks PA Approval 14/02/2022	3, Monarch Close, Rugby, CV21 1NX	Single storey side extension and alteration to ground floor kitchen window.
R22/0033 8 Weeks PA	9, BLOXAM GARDENS, RUGBY, CV22 7AP	Erection of a single storey rear extension.

Delegated

8 Weeks PA Applications Applications Approved

Approval
14/02/2022

R22/0053
8 Weeks PA
Approval
14/02/2022

71, WAVERLEY ROAD, RUGBY,
CV21 4NN

Erection of a single storey side
and rear extension.

R21/1114
8 Weeks PA
Approval
15/02/2022

2, Cypress Road, Rugby, CV21
1SA

Installation of pedestrian access
door to rear of garage

R21/1109
8 Weeks PA
Approval
16/02/2022

ROBINS NEST, RUGBY ROAD,
BRANDON, RUGBY, CV8 3GJ

Proposed rear extension and loft
conversion

R21/1137
8 Weeks PA
Approval
16/02/2022

Bilton Grange Prep School,
Rugby Road, Dunchurch, CV22
6QU

Extension infill and internal
alterations to existing nursery
building and external
enhancements

R21/1139
8 Weeks PA
Approval
16/02/2022

THE FURROWS, BIRDINGBURY
ROAD, HILL, RUGBY, CV23 8EA

Double storey rear extension,
front extension, widening of first
floor front window, insert new first
floor side window and render to
whole property

Delegated

8 Weeks PA Applications Applications Approved

1, MEADOW CLOSE,
STRETTON-ON-DUNSMORE,
RUGBY, CV23 9NL

R21/1212
8 Weeks PA
Approval
16/02/2022

Proposed agricultural barn with associated external works. New gate and boundary wall to existing field (re-submission of R20/1054)

R21/1251
8 Weeks PA
Approval
16/02/2022

TEMPLE READING ROOMS,
BARBY ROAD, RUGBY, CV22
5DW

Proposed secondary glazing and main roof recovering to include insulation

Certificate of Lawfulness Applications Applications Approved

R21/1222
Certificate of
Lawfulness
Approval
31/01/2022

8, GOLD AVENUE, RUGBY,
CV22 7FB

Certificate of Lawfulness for
Proposed Single Storey Rear
Extension

R20/0611
Certificate of
Lawfulness
Approval
07/02/2022

UNIT 11 and 12, MUNRO
BUSINESS PARK, MARTON
ROAD, BIRDINGBURY, RUGBY,
CV23 8EH

Original description Certificate of
Lawfulness for existing use of
unit as B1c Light Industrial use.
Amended by Local Planning
Authority to Use of Unit 11 and
Unit 12 for light industrial

Delegated

Certificate of Lawfulness Applications Applications Approved

processes.

R21/0830 Certificate of Lawfulness Approval 09/02/2022	Land rear of Poppy Cottage, Toft Lane, RUGBY, Dunchurch, CV22 6NR	Construction of dwellinghouse in accordance with planning permission R17/1931
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R21/1243 Certificate of Lawfulness Approval 10/02/2022	35, PERCIVAL ROAD, RUGBY, CV22 5JT	Certificate of Lawfulness for proposed hip to gable loft conversion with dormer to rear and velux to front.
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R22/0007 Certificate of Lawfulness Approval 16/02/2022	32, RUGBY LANE, STRETTON- ON-DUNSMORE, RUGBY, CV23 9JH	Application for a Lawful Development Certificate for Proposed Garage Conversion to Habitable Room
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R22/0026 Certificate of Lawfulness Approval 16/02/2022	19, YORK STREET, RUGBY, CV21 2BL	Certificate of Lawful development/use for a proposed loft conversion and redevelopment of 19 York Street from C3 dwellinghouse to a C4 6-bedroom House of Multiple Occupancy.
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Delegated

Discharge of Conditions

Applications Approved

R20/0618	2, TOP ROAD, BARNACLE, COVENTRY, CV7 9LE	Construction of a detached duplex and associated landscaping to serve as a residential annex
03/02/2022		
R21/0071	Adjacent to Forge Cottage, 26, Main Street, Willoughby, Rugby, CV23 8BH	Conversion of redundant barn and outbuildings to create one residential unit. New detached garage structure, driveway and new access onto the highway. Minor works to two adjacent Listed properties.
03/02/2022		
R20/0093	HOME FARM, MAIN STREET, BRANDON, COVENTRY, CV8 3HW	Erection of detached dwelling and formation of new site access
04/02/2022		
R15/2277	RADEA CLUB, 6 CASTLE STREET, RUGBY, CV21 2TP	Change of use from an ex-serviceman's club to Use Class A3 (restaurant) with extension to roof space to provide 4 apartments at first and second floor level
16/02/2022		

Listed Building Consent Applications

Delegated

Listed Building Consent Applications

Applications Approved

R21/1128 27, SOUTHAM ROAD,
Listed Building Consent DUNCHURCH, RUGBY, CV22
Approval 6NL
26/01/2022

Listed Building Consent - All beams in the property had been painted prior to me owning the house. I would like to hire a specialist team to carefully strip the paint off and restore the beams to their natural state.

R21/0767 H M PRISON SERVICE
Listed Building Consent COLLEGE, NEWBOLD REVEL
Approval ROAD, STRETTON UNDER
02/02/2022 FOSSE, RUGBY, CV23 0TH

Listed building consent for internal alterations to replace a retractable concertina style aluminium roof access ladder with a fixed metal ladder; construct a timber stud partition with skimmed finish around the proposed ladder and a fire door to be installed to create a lobby around the ladder.

R21/1225 COOMBE ABBEY PARK LTD,
Listed Building Consent BRINKLOW ROAD, COOMBE
Approval FIELDS, COVENTRY, CV3 2AB
11/02/2022

Repairs to listed ha-ha walling to the west of the hall

R21/1252 TEMPLE READING ROOMS,
Listed Building Consent BARBY ROAD, RUGBY, CV22
Approval 5DW
16/02/2022

Listed Building Consent for proposed secondary glazing and main roof recovering to include insulation

Delegated

Major Applications

Applications Approved

R21/1010 Major Application Approval 20/01/2022	RUGBY RADIO STATION, WATLING STREET, CLIFTON UPON DUNSMORE, CV23 0AS	Erection of health, fitness and racquets club, including 3 no weather protected tennis courts, 3 no outdoor tennis courts, indoor and outdoor swimming pools, gym and studio facilities, spa facilities, child activity area, lounge and food and drink uses, together with ancillary facilities, car parking, servicing, landscaping and associated works. Variation of condition 2 of R19/1391 dated 01/09/2020 to include the installation of Padel Tennis courts, Multi Use Games Area and Battle Box.
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Non Material Amendment Applications

Applications Approved

R20/0520 Non-Material Amendment agreed 26/01/2022	IVY HOUSE, MAIN STREET, FRANKTON, RUGBY, CV23 9PB	Proposed extensions and alterations to existing dwelling.
R21/0403 Non-Material Amendment agreed	247, HILLMORTON ROAD, RUGBY, CV22 5BE	Proposed to erect front porch and extend the living room on rear side of property.

Delegated

Non Material Amendment Applications Applications Approved

16/02/2022

Prior Approval Applications

Prior Approval Applications

R21/1035 17, Kew Road, Rugby, CV21 2QJ
 Prior Approval
 Extension
 Not Required
 07/02/2022

PAX - Erection of a single storey
 side and rear extension.

R22/0069 HILLCREST FARM, CLAYHILL
 Agriculture Prior LANE, LONG LAWFORD,
 Approval RUGBY, CV23 9BG
 Not Required
 14/02/2022

Prior approval for erection of a
 steel framed agricultural storage
 building.

R22/0032 4, Grindal Place, Rugby, CV22
 Prior Approval 7TS
 Extension
 Not Required
 15/02/2022

Prior approval for the erection of
 a conservatory.

R22/0078 STRETTON HOUSE FARM,
 Agriculture Prior FREEBOARD LANE, RYTON-
 Approval ON-DUNSMORE, COVENTRY,
 Not Required CV8 3EQ

Delegated

Prior Approval Applications

Prior Approval Applications

16/02/2022

Prior Approval under Schedule 2
Part 6 of the General Permitted
Development Order for the
erection of an extension to an
existing agricultural storage
building.
