



5 October 2020

PLANNING COMMITTEE - 14 OCTOBER 2020

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 14 October 2020 via Microsoft Teams.

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

Mannie Ketley
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 16 September 2020.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Diversion of part of Bridleway RB30 Ashlawn Road.
7. Delegated Decisions – 20 August – 23 September 2020.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

Membership of the Committee:

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

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

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

Planning Committee – 14 October 2020

Report of the Head of Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

Item	Application Ref Number	Location site and description	Page number
1	R20/0496	68, Church Street, Rugby, CV21 3PT Change of Use of from A2 Financial Services to A3 Restaurant and A5 Takeaway including the installation of an external flue and external door	3

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	R20/0172	Wolston Allotments, Stretton Road, Wolston Reconfiguration of existing allotment plots including the demolition of the existing sheds and storage facilities, erection of a new allotment management and storage building along with enhanced access, parking and landscaping in association of 48 dwellings on land south of Warwick Road.	14
3	R19/1411	Wolston Allotments, Stretton Road, Wolston Erection of up to 48 dwellings with associated open space, landscaping and infrastructure (Outline - principle and access only).	33

Reference: R20/0496

Site Address: 68, CHURCH STREET, RUGBY, CV21 3PT

Description: Change of Use of from A2 Financial Services to A3 Restaurant and A5 Takeaway including the installation of an external flue and external door

Case Officer Name & Number: Thomas Leech, 01788 533762

Recommendation
Refusal

Introduction

This application is being reported to Planning Committee by request of Councillor Shera

Description of site

The application site sits within Rugby Town Centre and the designated Conservation Area. The 68 Church Street is a Victorian four-storey Grade II Listed building with a rounded window at the corner providing frontage along Church Street and Church Walk. The building has a three storey element that has been previously extended to the rear which faces towards Church Walk.

68 Church Street is noted within its listing by Historic England and the Conservation Area appraisal for its stucco lintels and keyblocks. It forms part of the Georgian influenced character area of the Rugby Town Centre in particular along Church Street.

Intersected by its church yard and Church Walk footpath, the landmark Grade II* Listed St Andrews Church sits to the east of 68 Church Street. The Grade II Listed Herbert Grey college sits to the south west from across Church Walk

The ground floor of 68 Church Street is vacant and was last occupied by The Money Shop, a financial services use. Historically the building was a building society. Occupied flats known as Church Walk apartments are now above the proposed unit on the first, second and third floors of the building and introduced following consents granted in 2003/04.

A shop known as Rugby Unwrapped is occupied at ground floor next door at 66 Church Street with occupied flats above this unit. A block of residential apartments is set to the rear of 66 Church Street

The building is within Rugby Town Centre area, defined in the Local Plan and Town Centre Policies Maps as the Primary Shopping Area and as Secondary Shopping Frontage. It is also in Air Quality Management Area.

Description of proposals

The proposal is for the change of use of the ground floor from financial and professional services to a restaurant and takeaway. The proposal also involves the installation of a

ventilation flue, and external alterations involving an external opening to the side of the building to provide an alternative access to a bin storage area.

The floor plans provided indicate the ground floor would have a table area for patrons to the front of the building, with the kitchen and amenity area would be positioned towards the rear. The layout indicates a use which would be associated more with a dine-in restaurant than a takeaway. The application form provided with the application suggests a mixed-use proposed of a restaurant and a takeaway with ancillary elements

The flue has been indicatively sited to the side (east facing) elevation in an alley between 68 Church Road and 66 Church Road. The flue would be affixed to the external wall, next to residential flats, and terminate 0.4 metres above the eaves level. Its termination point would be as such below the ridge of the host building.

An external alteration has been indicated on the floor plan to suggest an external access into the alleyway to a proposed bin store from the proposed kitchen area. This follows concerns raised regarding the originally proposed access the bin store which involved access from the front of the building and around to the rear. No elevation plans have been provided with the positioning of the external door providing access.

A heritage statement has been provided with the application. It identifies that:

- the building has been vacant for at least three years,
- it would bring a vacant building back into use improving its present appearance
- the building is showing signs of neglect
- the proposed use would provide 3 full-time and 3 part-time jobs

An accompanying letter has been submitted by the applicant. This suggests:

- the building is not presently contributing, visually or economically to the area or the Town Centre that it should
- that George and Co have not received interest in the property from retailers but there has been interest from the restaurant and coffee shop sector.

No accompanying Listed Building Consent application has been submitted for consideration at this stage for the proposed alterations.

Planning History

The building has been in historic use as financial and professional services, previously as Nationwide Building Society and most recently as The Money Shop. There are historic applications relating to such use.

Since the turn of the century, the building has been subject to applications relating to the conversion and extension of upper floors into residential use. The extension relates to the rear at second floor level where the proposed flue would be sited.

R02/0570 - Conversion of first, second and third floor into 4no flats and erection of ground floor canopy. Approved.

R03/0558 – Erection of rear extension at second floor level, installation of shop front and window to side elevation. Approved.

R04/0440 – Erection of a second floor extension to form flat and realign roof. Approved.

Of recent note, the application before committee is a resubmission of a previously withdrawn application. It was considered the proposal would have an unacceptable impact on designated heritage assets and residential amenity.

R19/1401 – Change of use to restaurant/takeaway. Withdrawn

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development

GP2: Settlement Hierarchy

TC1: Development in Rugby Town Centre

TC3: Primary Shopping Area and Shopping Frontages

HS5: Traffic Generation and Air Quality

SDC1: Sustainable Design

SDC3: Protecting and Enhancing the Historic Environment

National Planning Policy Framework, 2019 (NPPF)

Rugby Town Centre Conservation Area Character Appraisal (June 2010)

Relevant to determination of the application is the statutory requirement for local planning authorities to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (section 16 and 66 of The Town and Country Planning Act.

Also relevant is the statutory duty of section 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving and enhancing the character or appearance of Conservation Areas.

Technical consultation responses

Rugby Borough Council (Environmental Services)

Having considered the details provided, Environmental Services recommend refusal of this application as an unsuitable development. In other locations these could be addressed by condition however, the nature and extent of the works would be such that Environmental Services do not consider that the proposed use suitable.

Recommend refusal by reason of detrimental impact on residential occupiers above and adjacent to the proposed use due to exposure to noise and inadequate odour dispersal from the proposed flue and use.

Rugby Borough Council (Work Services)

No objection

Warwickshire County Council (Highways)

No objection following submission of further information relating to bin storage access and arrangements.

Warwickshire County Council (Ecology)

No objection

Third party comments

Ward Councillors: Cllr Shera requests the application to be called before planning committee for discussion and decision.

Neighbours notified and a site and press notice have been displayed. No public comments have been received.

Assessment of proposals

The key issues to this proposal are the proposed use as a restaurant and takeaway and associated alterations its impact on the Town Centre, Residential Amenity and Designated Heritage Assets.

1 Principle of Development

- 1.1 The Rugby Borough Council Local Plan 2011-2031, within Policy GP1 – Securing Sustainable Development, states that the LPA, when considering development proposals, will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions, which mean that proposals can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 1.2 Policy GP2 (Settlement Hierarchy) of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.
- 1.3 The building is within the Rugby town area, the most sustainable area throughout the Borough. The principle of development is acceptable subject to all other material planning considerations.
- 1.4 The proposal complies with Local Plan policy GP2.

2 Town Centre

- 2.1 Local Plan Policy TC1 focuses on the requirement for new proposals within the Town Centre to be of a high quality design which complement and enhance the existing environment and townscape in a manner which contributes to local distinctiveness and a sense of place.
- 2.2 The Council will seek to ensure that such proposals are compatible with the scale, the nature and character of the town centre. This is important given the historic nature of the

town centre and proposals will have to be of an appropriate scale and design quality to be successfully integrated.

- 2.3 The unit sits within the Rugby Town Centre. Local Plan Policy TC3 Primary Shopping Area and Shopping Frontages states within the Secondary Shopping Frontage, proposals for main town centre uses (Use Class A1-A5, D1 and D2) will only be permitted where the proposed use maintains and enhances its vitality and viability.
- 2.4 Regard will also be had to the coalescence and concentration of uses; and the effect on the amenity of other surrounding properties and uses.
- 2.5 The proposed unit is within the Secondary Shopping Frontage of the Primary Shopping Area. Proposals will only be permitted for A3 and A5 uses where the proposed use maintains and enhances its vitality and viability.
- 2.6 The unit is presently vacant with an existing lawful use of the building is for financial and professional services and not as a retail unit. The change of use would not represent a loss of a retail unit. It would not harm the retail function of the Town Centre.
- 2.7 The application sits to the south side of Church Street forming the bookend of a Victorian terrace with mixed use of units with shopfronts at ground floor level. This terrace consists of four distinct ground floor units.
- 2.8 The ground floor of 66 Church Street immediately adjacent is occupied by a retail premises called Rugby Unwrapped. Further to this the restaurant known as Titash occupies the ground floor unit of 65 Church Street with Papa Johns, a takeaway, occupying 63 Church Street.
- 2.9 On the north side, it is noted that directly opposite the application building are two high street banks (Lloyds and HSBC) as financial services use at ground floor level. There is an absence of existing A3 or A5 uses along Church Street between the junctions of Regent Street and Albert Street in its entirety.
- 2.10 It is considered the proposal would not represent an over-concentration or coalescence of restaurant and takeaways given its surrounding context and its designation as Secondary Shopping Frontage within the Primary Shopping Area.
- 2.11 The unit would potentially provide an existing vacant building back into use which would enhance the vitality of the Town Centre. The applicant states within their submitted supporting information that the real estate agents on acting on their behalf George and Co has not received any interest in the building as a retail unit. It has been stated that there has been expressed interest as a café and a restaurant.
- 2.12 A fundamental component of design is the ability of a proposal to assimilate with its surroundings. A flue would be necessary for a restaurant or takeaway to adequately function. It is recognised within TC1 That proposals will have to be of an appropriate scale and design quality to be successfully integrated.
- 2.13 The flue would be sited within an alley between 66 and 68 Church Street. Whilst it would appear inconspicuous within the street scene and context of the host Grade II listed building, the St Andrews Church and wider conservation area, in practice the positioning

of the flue would not adequately disperse odours given its low termination point relative to the roof ridge of the host building. This represents poor design.

- 2.14 The flue cannot be successfully integrated into the fabric of the building in conjunction with surrounding uses and its historic designated context without significant modification of the building.
- 2.15 Whilst the proposal would result in the use of an empty ground floor shop and would add vitality to the town centre. The proposed ventilation flue would have a significant detrimental impact to residential amenity in conflict with policies for the town centre and thus poor design.
- 2.16 The proposed use fails to assimilate with surrounding scale and nature of its surrounding residential context.
- 2.17 It is considered that the proposal would comply with TC3 (Primary Shopping Area and Shopping Frontages). However, it would represent conflict with TC1 (Development in Rugby Town Centre), which seeks appropriate scale and design quality be successfully integrated with proposals and historic nature of the town centre.

3 Character and Appearance

- 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.
- 3.3 The ventilation flue has been indicated to be sited within a narrow alley of the east facing elevation of the building. This was considered the preferred design option given the limitations of the more widely publicly visible Church Walk side and rear facing elevations of the host building. The flue in these instance would have greater impact in terms of impact on designated heritage assets and setting.
- 3.4 The proposed flue has been indicated to terminate below the ridge of the building. Given this siting, it would not be visible in context of the Grade II* listed St Andrews Church or the wider Town Centre Conservation Area.
- 3.5 The external door and ventilation flue would not impact in particular the special architectural character of the host building or other designated heritage assets given its siting.
- 3.6 Whilst the flue would not appear unduly prominent, its siting and design would expose odour and noise pollution to nearby residential occupiers. A more utilitarian functional flue has been considered but this would present far greater unacceptable impact on designated assets including the host building, the St Andrews Church and wider conservation area.
- 3.7 Whilst the proposed flue would not unacceptable impact the character of the area, it is considered the proposal would represent conflict with SDC1 with the proposed flue

unable to be practically assimilated with regards to designated heritage assets, nearby surrounding residential uses and design referred to within Section 4.

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 Section 12 of the NPPF states that development will provide a high standard of amenity for existing and future users.
- 4.3 The upper floors of the host building are in use as flats. There are in addition flats within the upper floors of the adjacent building of 66 Church Street.
- 4.4 The flue has been indicated to be affixed to the side elevation of a party wall belonging to flats above the proposed use. The use, in conjunction with the proposed siting of the flue would result in more users late at night in connection with the night time economy this would result in noise and disturbance from both the users and occupants of the ground floor, as well as noise and odour of the ventilation flue on the side of the building.
- 4.5 The ventilation flue would be sited in an alley with a tight width of 1.7 metres. This is considered inadequate with regard to odour dispersal. It is noted that there is a window on this elevation serving a flat on the second floor of the host building. It would lead to having a significant detrimental impact on the residential amenity of occupiers to these flats by reason of exposure to odour and noise in comparison to the existing context.
- 4.6 Due to the lower height of the ventilation flue in relation to the roof of the host building, as well as the proximity of the ventilation flue to the residential windows of the upper-floor flats and its affixation to the sidewall of the flats, the proposal would likely cause significant detriment to residential amenity by reason of unacceptable exposure to odour and noise pollution.
- 4.7 It has not been demonstrated that the flue could assimilate in the context of the host building, designated heritage assets and surrounding residential uses otherwise, and nonetheless represents poor design.
- 4.8 it is considered the proposal would conflict with Local Plan Policy SDC1, With an unacceptable impact on residential amenity.

5 Impact on Heritage Assets

- 5.1 The NPPF also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The NPPF considers that where a proposed development will lead to substantial harm to the significance of a heritage asset it should be refused and where a proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 5.2 Local Plan Policy SDC3 reiterates this and states that new development needs to preserve or enhance the significance of both designated and non-designated heritage assets.
- 5.3 The application site is a Grade II Listed Building and is also located within a Conservation Area. It is adjacent to the Grade II* Listed St Andrews Church and close to the Grade II Listed Herbert Grey College.
- 5.4 The proposal would potentially bring an otherwise vacant building back into a more commercially viable proposed use and wider public benefit through a more flexible use.
- 5.5 The proposed use would provide a potentially more flexible viable use of the building. This according to the applicant would potentially provide the equivalent of 4.5 full time jobs being created. The applicant has suggested here has been no interest expressed for retail use of the premises.
- 5.6 It is accepted that a more flexible use could provide a more viable and attractive use of the unit that would enhance the building and Conservation Area than an otherwise vacant building for a prolonged period.
- 5.7 The proposed use requires the installation of the ventilation flue and the new external access being created in order to properly function as a restaurant and takeaway. This would result in less than substantial harm to the Grade II Listed Building. The external door and outlet for the flue would cut through the historic building's original fabric to the side elevation at ground floor level. Given this, the harm presented should be weighed against the public benefits of the proposal.
- 5.8 The flue has been identified as having unacceptable detrimental impact on residential occupiers by reason of exposure to odour and noise.
- 5.9 Whilst there would be clear public benefit derived from the use, it would not outweigh the harm identified regarding residential amenity of the flats above and adjacent to the proposed unit.
- 5.10 The proposal therefore conflicts with Local Plan Policy SDC 3 the harm identified would not outweigh the benefit of bringing the site back into use

6 Highway Safety

- 6.1 The Local Plan 2011-2031 Policy D1 Transport states that development should address, amongst other things, whether safe and suitable access to the site can be achieved.
- 6.2 The building is within the Primary Shopping Area with available close access to public transport and car parking facilities.
- 6.3 Following receipt of information relating to the provision and access to bin storage, Warwickshire County Council have no objection to the proposal.
- 6.4 Rugby Borough Council Work Services unit have no objection to the proposal.
- 6.5 The proposal is considered to comply with Policy D2 of the Local Plan.

7 Air Quality

- 7.1 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.
- 7.2 The host building is within the Air Quality Management Area.
- 7.3 In the event of the proposal had been considered acceptable, Environmental Health would have recommended that measures be incorporated to assist in reducing the impact on air quality by way of an informative.
- 7.4 The proposal would be considered to comply with policy HS5 in such instance.

8 Ecology

- 8.1 Part 15 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things.
- 8.2 In addition, Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Council Local Plan 2011-2031 states that the Council will protect designated areas and species of international, national, and local importance for biodiversity and geodiversity.
- 8.3 WCC Ecology were consulted have no objection to the application.
- 8.4 It is considered the proposal will not have an adverse impact on protected species in accordance with the Local Plan Policy NE1.

9 Other matters

- 9.1 It is noted that the revised Use Class Order 2020 which come into effect on 1 September 2020 allows for the permitted change of use of financial services use to a restaurant café. The proposal was submitted prior to this enactment and has been considered as a planning application in line with all adopted local and national policies in force.
- 9.2 Operational development such as the flue and external alterations still require planning permission and accompanying Listed Building consent application in the case of this unit.
- 9.3 Whilst the details of flue siting could be secured by condition in the event of approval, it is considered the constraints to the site by way of nearby residential occupiers and designated heritage assets could not be readily achieved.

Planning Balance and Conclusion

Whilst the proposal would provide a benefit in likely increasing the occupation of a commercial building that has been vacant for around three years, it is considered that the significant detriment to residential amenity identified would outweigh this benefit. The proposal would have an unacceptable impact on residential amenity given the siting and positioning of the proposed flue by reason of inadequate odour dispersal and exposure to noise.

I therefore recommend refusal of the proposed application for the reason as detail within the attached decision notice.

Recommendation

Refusal

Report prepared by Thomas Leech

DRAFT DECISION

REFERENCE NO:
R20/0496

DATE APPLICATION VALID:
29-Jun-2020

APPLICANT:
Mashuk Ali The Ruby, 33 Rothwell Drive, Solihull, B91 1HG

AGENT:
Phil Godden, 9, Park cottages, Harborough Magna, Rugby, CV23 0HA

ADDRESS OF DEVELOPMENT:
68, CHURCH STREET, RUGBY, CV21 3PT

APPLICATION DESCRIPTION:
Change of Use of from A2 Financial Services to A3 Restaurant and A5 Takeaway including the installation of an external flue and external door

CONDITIONS, REASONS AND INFORMATIVES:

REASON FOR REFUSAL:

The proposed ventilation flue, by reason of its design, siting and positioning, would likely cause significant odour and noise pollution to the detriment of neighbouring residential occupiers and an inert ability to assimilate with designated heritage asset. The harm identified would not outweigh the public benefit of the proposal. The proposed development is therefore contrary to policies SDC1, SDC3 and TC1 of the Rugby Borough Local Plan 2019.

Reference: R20/0172

Site Address: WOLSTON ALLOTMENTS, STRETTON ROAD, WOLSTON

Description: Reconfiguration of existing allotment plots including the demolition of the existing sheds and storage facilities, erection of a new allotment management and storage building along with enhanced access, parking and landscaping in association of 48 dwellings on Land South of Warwick Road.

Case Officer Name & Number: Jo Orton, 01788 533549

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 full planning permission for the reconfiguration of the existing allotment site, consisting of 76 new allotment plots, in a mix of standard, half and quarter sizes, served by a single access point off Stretton Road. The proposal includes an increase in off street parking provision comprising of 21 days and 17 layby spaces.

The proposed storage building would have a maximum height of 4.8 metres with a height of 2.6 metres to the eaves; a length of 10.8 metres and a width of 17.1 metres. The table below shows a breakdown of the mix and size of allotments as proposed within the application:

	<u>Total</u>	<u>Percentage</u>	<u>Dimensions (LxW)</u>	<u>Area (Sq. M)</u>
Standard Allotments	46	61%	25m x 10m	250 Sq. M
Half Allotments	20	26%	12.5m x 10m	125 Sq. M
Quarter Allotments	10	13%	10m x 6m	60 Sq. M

It has been confirmed that the existing site off Stretton Road comprises of 2.2 hectares of land which has a total of 118 pitches (including the northern parcel of land outside of the application redline boundary); 62 pitches are to be lost through the proposed residential development of the site which will result in 56 pitches to be retained. The reconfiguration of the site seeks to provide 76 allotment pitches therefore resulting in a loss of 42 pitches currently provided to the village of Wolston.

This application has been submitted in conjunction with planning application R19/1411 which seeks outline planning permission for the erection of 48 dwellings with associated open space, landscaping and infrastructure (outline – principle and access only).

Site and Surrounding Area

The application site is located within the village boundary of Wolston and comprises 2.2 hectares of allotment land with the West Midlands Green Belt immediately adjoining the site to the south which comprises further allotment land. The site is bounded by Warwick Road to the north, Stretton Road to the east with residential properties located to the west along with further allotment land to the south.

Ground levels within the application site are generally level, with the highest point being located at its southern boundary with the highest datum point being 81.37 metres falling by approximately 2.77 metres towards the lowest datum point of 78.6 metres at the north-eastern boundary.

Relevant Planning History

Application Number	Description	Decision	Date
1333/7	Housing development.	Refused	31 st August 1953
836/8	Residential development.	Refused	25 th July 1955
61/9	Residential development.	Refused	7 th January 1957
1406/11	Seven dwellings.	Refused	20 th April 1964
R79/1947	Erection of storage hut.	Approved	10 th March 1980
R81/0437	Erection of storage hut.	Approved	24 th July 1981
R82/0334	Retention of storage hut.	Approved	14 th July 1982
R93/0620	Erection of new storage building.	Approved	7 th September 1993
R13/0252	Replacement of existing storage shed.	Approved	15 th April 2013

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 (Arboriculture Officer)
 Environment Agency
 Warwickshire Police

No comments have been received from:

Rugby Borough Council (Parks and Cemeteries)
 Environment Agency
 Seven Trent Water

Third Party Responses

Wolston Parish Council have commented on the application and confirmed that they support the application in principle subject to a number of caveats:

1. There is a need for separate temporary holding and storage facility for plot holders to use for their produce and tools during transition;
2. There is concern that the proposals do not provide adequate number of car parking spaces at the central building and or near individual plots;
3. No mention about raised beds to ensure the site will be DDA compliant;
4. No details on the load bearing capacity of the access road to the central building and turning area; and
5. Concerns over the Flood Risk Assessment submitted with the application.

Neighbours notified and a site and press notice have been displayed with nineteen letters of objection received raising the following:

1. The application is contrary to Rugby Borough Council Local Plan Policy NE3 as informed by the Development Plan Document Landscape Sensitivity Study and also to NPPF Paragraph 170;
2. The allotments are an essential part of the community and should be preserved, especially as there will be a lack of open space in the village if building goes ahead;
3. The allotments are a community asset, not only aesthetic but a real positive difference to the village life;
4. Allowing provision of a trading shed should come with many conditions;
5. Existing storage building is the subject to covenants applied when securing grant funding;
6. The application will be withdrawn if application R19/1411 should be refused and is therefore speculative rather than definitive;
7. The capacity for the allotment's facility should be increased;
8. Disturbing the landfill and contaminants buried beneath would be a risk to the village and natural environment;
9. Due to an influx in residents in Coventry demand for allotments has massively increased recently;
10. The application is contrary to Wolston Neighbourhood Development plan where 98% of the community wished for it to remain as Local Green Space; and
11. The proposed development lacks detail and the environmental impact that this proposal would have on allotment holders and the people of Wolston.

In addition to the letters of objection, two letters of support has been received, raising the following:

1. The proposal for the rearrangement and upgrade of the southern portion of the allotment gardens at Wolston is supported in conjunction with caveats set out within Section 8 of the Officer Report entitled Other Matters.

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 Policies – 2011 – 2031

Policy GP1: Securing Sustainable Development
Policy GP2: Settlement Hierarchy
Policy GP5: Neighbourhood Level Documents
Policy HS1: Healthy, Safe and Inclusive Communities
Policy HS2: Health Impact Assessments
Policy HS4: Open Space, Sports Facilities and Recreation
Policy HS5: Traffic Generation, Air Quality, Noise and Vibration
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 SDC5: Flood Risk Management
Policy SDC6: Sustainable Drainage
Policy D1: Transport
Policy D2: Parking Facilities

Supplementary Planning Documents – 2012

Planning Obligations
Sustainable Design and Construction

Open Space, Playing Pitch and Sports Facilities Study – November 2015

National Planning Policy Framework – 2019

Section 2: Achieving Sustainable Development
Section 8: Promoting Healthy and Safe Communities
Section 9: Promoting Sustainable Transport
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 Appearance,
3. Impact on Residential Amenity;
4. Highway Safety;
5. Flooding;
6. Landscape
7. Ecology;
8. Other Matters;
9. Planning Balance; and
10. 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.
- 1.2 The application site is located within the West Midlands Green Belt and as such new development will be resisted and only where National Policy on Green Belt allows will development be permitted. Section 13 of the NPPF state that the provision of appropriate facilities (in connection with the existing use or a change of use) for allotments would constitute appropriate development; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 1.3 Annex 2 of the NPPF defines previously developed land as being land which is or was occupied by a permanent structure, including the curtilage of the development land [...] and any associated fixed surface infrastructure. This specifically excludes land that is or was last occupied by agricultural or forestry buildings [...] and allotments.
- 1.4 As the provision of allotments constitutes appropriate development within the Green Belt the key consideration is whether the provision of the associated access, parking and storage building would have an adverse impact on the openness of the Green Belt.
- 1.5 The proposed storage facilities would replace the existing storage building which is in a state of disrepair and would be sited within the centre of the application site would be sited to the North West of the application site and circa 26 metres from the defined village boundary.
- 1.6 The remainder of the site will encompass the allotments, access and landscaping with no built development with the removal of temporary sheds/green houses and providing a single communal building. Whilst the proposal also adds a volume of 683.32 cubic metres to the Green Belt through the provision of the storage building, which would result in some impact on the openness of the Green Belt, the proposals are not uncommon with this type of development and would therefore not be sufficient to warrant refusal of the application.

- 1.7 Furthermore, when considering the NPPF definition outlined in Paragraph 1.3 the allotment site is located outside of the village boundary and they do not constitute previously developed land therefore any future applications would by definition would be inappropriate development.
- 1.8 Whilst this applications results in a loss of 42 pitches Section 8 of the 'Open Space, Playing Pitch and Sports Facilities Study' (November, 2015) which shows that based on current adopted standards (0.8ha of allotments / 1000 persons) that Wolston has a surplus of 2.63ha. This surplus is further evidenced on the site by the large number of vacant plots along with the current provision of unsuitably sized plots that are difficult to maintain.
- 1.9 The redevelopment of the site would enable the Allotment Association to remain on the existing site and retain their plots. This will maintain the existing community cohesion and social networks and ensure that the historical association and sentimental value between allotment members and their plots will not be lost.
- 1.10 It is therefore considered appropriate that should planning application R19/1411 be approved by members that any S106 Agreement contains provision for the allotments to be delivered first ensuring that the replacement provision is provided to ensure that there is no loss of community facility.
- 1.11 This application is therefore considered to be in accordance with Local Plan Policies GP2; and HS4 along with Section 13 of the NPPF.

2. Character and Appearance

- 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 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.
- 2.3 The proposed building replaces the existing structures around the current allotment site, with the footprint, eaves and ridge height of the proposed building kept to a minimum to reduce the impact on the character and appearance of the surrounding area and openness of the Green Belt.
- 2.4 The storage building has been well designed to have the appearance of an agricultural building ensuring that it is read in context with the surrounding area and countryside. Appropriate materials have been proposed which would be in keeping with the setting of the allotments and surrounding agricultural land.
- 2.5 When taking into consideration the appropriate design and construction of the proposed storage building it is considered that there would be no materially adverse impacts on the character and appearance of the surrounding area.

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

3. Impact on Residential Amenity

3.1 Local Plan Policy SDC1 state that the living conditions of existing and future neighbouring occupiers should be safeguarded.

3.2 The nearest residential dwellings which may be affected by the proposed storage and maintenance building, would be those proposed under planning application R19/1411, who would be located approximately 40 metres away. Given the separation distances to the neighbouring properties it is therefore considered that no adverse impact on residential amenity will arise.

3.3 This application is therefore considered to be in accordance with Local Plan Policy SDC1.

4. Highway Safety

4.1 Local Plan Policy D2 along with the SPD on Planning Obligations states that planning permission will only be granted for development incorporating satisfactory parking arrangements.

4.2 As the application is for allotment land there are no parking standards contained within Appendix 5 of the Local Plan or the Planning Obligations SPD. The application site however located within walking distance of Wolston which is a Main Rural Settlement as defined within the Local Plan and are therefore considered to be a sustainable settlement.

4.3 The existing parking arrangements at the allotment site on Stretton Road currently comprises of an area of hard standing, at the entrance of the allotments, which consists of an area of approximately 9 metres x 40 metres. When equating the width of the car park to the size of a parking space the existing site would be able to cater for approximately 13 unmarked spaces.

4.4 The proposal seeks to provide accommodation for 21 car parking spaces along with an additional 17 layby spaces. In terms of the parking provision provided as the Local Plan does not contain any standards for this type of development and taking into consideration that the size of the site and parking provision provided between the two sites, along with the sustainable location, it is not considered that there will be any adverse impacts on parking within the locality.

4.5 Warwickshire County Council (Highways) have confirmed that they have no objection to the proposal subject to appropriate conditions and informatives (Conditions 6 – 8).

4.6 This application is therefore considered to be in accordance with Local Plan Policy D2 and Appendix 5 along with the Planning Obligations SPD.

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. During the COVID-19 Pandemic 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 run on the issue of flood risk within the application site.
- 5.3 Warwickshire County Council (Flood Risk Management) have confirmed that at the detailed design stage, infiltration testing is required in the vicinity of the proposed soakaway to demonstrate whether this approach is suitable. The applicant has proposed an alternative means of draining the development should infiltration not be feasible, through an indirect connection to the adjacent development. If this option is taken forward, further information will be required at detailed design stage on any required attenuation and flow control to prevent an increased flood risk.
- 5.4 It is therefore considered that given the scale of development, the Lead Flood Authority is satisfied that this can follow later subject to the inclusion of appropriate conditions and informatives (Conditions 9 and 10).

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 Authorities Arboriculture Officer has confirmed that there are no objections to the removal of the small low quality trees within the site along with no objection to the principle of the development. The Design and Access Statement makes reference to proposed planting throughout the site, however no landscaping plan has been submitted, as such it is considered appropriate to condition a tree planting plan along with an Arboricultural Method Statement (Condition 11 and 12).

6.3 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 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 Warwickshire County Council (Ecology) have been consulted on the application and have confirmed that the existing site is not subject to a nature conservation designation with the nearest statutory site of nature conservation interest is Wolston Gravel Pit SSSI located 350m to the south of the site. There are a number of non-statutory sites of nature conservation in the local area, however the site is located at a significant distance such that the proposals are not expected to have any adverse impacts. There are known records of protected species including badger, bat, great crested newt, grass snake, slow worm in the local surrounding area and Species of Principal Importance the European hedgehog.

7.3 The site itself largely comprises of existing allotment gardens (some of which are overgrown with scrub), which are divided by species-poor grassland between the plots, with a community orchard in the eastern part of the site which has been seeded with a wildflower seed mix. There are a number of sheds and outbuildings present and the site is bounded by species poor hedgerows to the south and east.

7.4 A Biodiversity Impact Assessment (BIA) calculation has been submitted with the application which indicated a biodiversity net gain as a result of the reconfiguration of the allotments, due to enhancement of the grassland within the existing community orchard to a species-rich wildflower grassland in good condition. This type of grassland is considered unlikely to be achievable at a small scale and has been recommended that the target condition of moderate condition in 15 years is more achievable. An updated BIA including this amendment, indicates the proposals will result in a biodiversity gain of 0.24 units. However as individual trees cannot be mapped and calculated as part of the BIA, this does not take into account loss of trees.

7.5 Allotments often provide suitable habitats for reptiles such as slow-worm, grass snake and common lizard and habitats on site which are suitable for reptiles include rough grassland, bramble, scrub, hedgerows and refugia. The WBRC holds records of grass snake and slow worm in the local area with all reptiles being protected species under the Wildlife and Countryside Act (1981). It has therefore been requested that a reptile survey has been requested and a re-consultation has been carried out with colleagues within County Ecology.

7.6 Confirmation has been received that the reptile survey included seven survey visits in line with the standard guidelines (Froglife) and mats were allowed to 'bed in' for 3 weeks, however two surveys were undertaken in July which is a sub-optimal time of year to carry out reptile surveys and all surveys were carried out over a short time frame of 11 days. On another occasion in June the temperature was 22oC which is above the

suitable temperature to survey as such; there are limitations to the survey which should have been discussed in the report however; no reptiles were recorded during the survey.

- 7.7 Whilst there are limitations to the report, given the results it is considered by colleagues with County Ecology that reptiles are unlikely to be present in large numbers on site, however there is still a risk of reptiles being present in small numbers due to the habitat type. As such; it has been recommended that precautionary measures to ensure no killing/injury are put in place, including ecological supervision during site clearance works at a suitable time of year. It is therefore considered appropriate that a Construction Ecological Management Plan is conditioned as part of this application (Condition 4).
- 7.8 As the BIA results in a small biodiversity net gain of +0.24 units it is recommended that a Landscape and Ecological Management Plan (LEMP) is secured by condition to detail the long-term habitat enhancement measures and management prescriptions. The LEMP should specify the responsible organisation for implementing and funding the long-term management for biodiversity, in order to ensure a net gain is achieved. It should also include the ecological enhancements outlined in Section 4.4. of the Preliminary Ecological Appraisal report, including such as enhancement of existing hedgerows with native species planting, installation of bird and bat boxes on trees and log piles for amphibians and reptiles (Condition 13).
- 7.9 This application is therefore considered to be in accordance with Local Plan Policy NE1.

8. Other Matters

- 8.1 As detailed within the comments of support the Wolston and Brandon Allotment and Gardens Association are supportive of the application based on the following caveats:
- Security of tenure 15 years with 5 year rolling year break;
 - Improved site design and lay out to improve access, including easy access to all plots. All redesigned plots should be cultivation ready with fresh topsoil;
 - Rental holiday, currently for six months but to be renegotiated should timescales dictate;
 - Timescales of development to link in with the growing season, for example vacate in October and return following redevelopment in March the following year;
 - Association compensation package, currently £42K is being discussed but Rosscroft had not confirmed this was viable, however the Association feel this should be a minimum;
 - New storage/growing unit's full plots should receive a shed or greenhouse 8x6, half plots should receive a shed with the 4x3 garden plots receiving a storage box or cold frame, all on hard standing;
 - New Association management building to include social room/retail area/garage/workshop/cleaning cupboard/store with toilets all to comply with DDA;
 - The building should be as eco- friendly and self -sustaining as possible, using the options of solar wind and soil heat exchange technologies;
 - Roadways and pathways should be porous but DDA compliant with no loose gravel, if gravel is used it must be bound/bonded to a hard surface;
 - Water trough (cattle trough) on both the south and north side of the plots ideally linked to each block of plots;

- The association expressed concerns about the security of the fencing design on the northern side of the plots. This should ideally be a secure fence, with an access gate for members only;
- Provision of a separate temporary holding and storage facility for the plot holders to use for their produce and tools during the transition period; and
- No details are provided about the load bearing capacity of the access road from the entrance to the central building and turning area. This will need to be specified in detail as it needs to be adequate in order to allow access by HGVs making deliveries to the Trading Shed.

8.2 A number of the points raised within Section 8.1 are not material planning considerations and would be civil matters which would need to be addressed by the applicants and members of the Allotment Association.

8.3 Matters in relation to the security fencing has been addressed through the inclusion of a condition ensuring that the Local Planning Authority is able to ensure that appropriate security fencing is installed within the application site (Condition 14).

8.4 In relation to the final point concerning the detail requirement for the front entrance ensuring that it is suitable for HGV deliveries this would have been considered by Warwickshire County Council (Highways) through the formal consultation process who have recommended appropriate conditions and informatives.

9. Planning Balance

9.1 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.

9.2 From an economic perspective the proposed allotment site would result in money being invested in construction on the site, employment relating to construction jobs over the build period, along with increased spending in the Borough, albeit for a temporary period. 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.

9.3 From a social perspective the application site is located within a sustainable location within the Borough located adjacent to the village boundary of Wolston. The reconfiguration of the site allows for the inclusion of a communal area enhancing opportunities for community activities and providing a greater social cohesion. The allotment site promotes improvements to physical and mental health, resulting in the improvement of well-being and the quality of life through good food, outdoor exercise and social interaction. These matters consequently weigh in favour of the application. As such, the proposed development would satisfy the social role of sustainable development.

- 9.4 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, biodiversity, 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.
- 9.5 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.

10. Conclusion

- 10.1 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.
- 10.2 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.

Report prepared by: Jo Orton, Principal Planning Officer

DRAFT DECISION

REFERENCE NO:
R20/0172

DATE APPLICATION VALID:
03-Mar-2020

APPLICANT:
c/o Agent Rosconn Strategic Land

AGENT:
Mark Rose, Define Planning & Design Ltd Define Planning & Design Ltd, Unit 6, 133-137
Newhall Street, Birmingham, B3 1SF

ADDRESS OF DEVELOPMENT:
WOLSTON ALLOTMENTS, STRETTON ROAD, WOLSTON

APPLICATION DESCRIPTION:
Reconfiguration of existing allotment plots including the demolition of the existing sheds and storage facilities, erection of a new allotment management and storage building along with enhanced access, parking and landscaping in association of 48 dwellings on Land South of Warwick Road.

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

- Site Location Plan, 3380-35;
- Allotment Site Plan, 3380-33K;
- Hardstanding and Boundaries, 3380-34E;
- Management and Storage Building, 3380-42B;
- Root Protection Areas Plan, WARPA-FEB20;
- Theoretical Shading Plan, WASH-FEB20;
- Tree Crowns Plan, WATR-FEB20;
- Tree Retention and Protection Plan, WATRP-25FEB20;
- Flood Risk Assessment Rev B, 20018;
- Flood Risk Assessment Rev B, Supporting Email dated 14th April 2020 11:04am;
- Historic Environment Desk-Based Assessment, February 2020;
- Preliminary Ecological Appraisal, January 2020; and
- Tree Constraints, Tree Impacts and Tree Protection Method Statement for reconfiguration; February 2020.

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

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 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 details.

REASON: 3

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

CONDITION: 4

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) Pre-commencement checks for badgers, reptiles, amphibians, bats, nesting birds and hedgehogs;
- (i) 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); and
- (j) Details of measures to protect habitats, including the prevention of pollution.

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

REASON: 4

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

CONDITION: 5

No burning of associated allotment waste on site shall be permitted.

REASON: 5

In the interest of residential amenity and air quality.

CONDITION: 6

The development shall not be occupied until the existing vehicular access to the site has been widened so as to provide an access of not less than 5 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

REASON: 6

In the interest of highway safety.

CONDITION: 7

The access to the site for vehicles shall not be used in connection with the development hereby permitted until it has been surfaced with a bound macadam material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway.

REASON: 7

In the interest of highway safety.

CONDITION: 8

The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. 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: 8

In the interest of highway safety.

CONDITION: 9

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

- Provide Ground Investigation details and infiltration testing in accordance with the BRE 365 guidance to establish the feasibility of using infiltration to manage the surface water runoff from the site. Where infiltration is feasible this should be used as a primary means of outfall from the development site.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100

year plus climate change return periods. The calculations should be supported by a plan of the drainage network with all manholes and pipes labelled accordingly.

- Provide plans and details showing the allowance for exceedance flow and overland flow routing. Water must not be directed toward properties nor flow onto third party land. Overland flow routing should look to reduce the impact of an exceedance event.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network (if applicable).

REASON: 9

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

CONDITION: 10

No occupation and subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan.

REASON: 10

To ensure the future maintenance of the sustainable drainage structures.

CONDITION: 11

No above ground 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: 11

In the interests of biodiversity and visual amenity.

CONDITION: 12

All tree protection measures and tree works identified within the Arboricultural method statement and tree protection plan relating to the approved design details must be implemented prior to the construction phase and to the satisfaction and written approval of the LPA including the erection of protective fencing. 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: 12

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

CONDITION: 13

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/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: 13

To ensure a net biodiversity gain in accordance with NPPF.

CONDITION: 14

No above ground development shall commence unless and until details of all proposed 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: 14

In the interest of visual amenity and crime prevention measures.

CONDITION: 15

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

REASON: 15

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

CONDITION: 16

No development shall commence unless and until:

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

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

REASON: 16

In the interest of archaeology.

INFORMATIVE: 1

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: 2

Suitable drainage provision and method of foul sewage disposal should be applied during the design and construction phase.

The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition)- Drainage and Waste Disposal .

INFORMATIVE: 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.

If work at other times is required permission should be obtained from the Local Planning Authority.

INFORMATIVE: 4

Condition numbers 6 and 7 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.

DRAFT

Reference: R19/1411

Site Address: WOLSTON ALLOTMENTS, STRETTON ROAD, WOLSTON

Description: Erection of up to 48 dwellings with associated open space, landscaping and infrastructure (Outline - Principle and Access Only).

Case Officer Name & Number: Jo Orton, 01788 533549

Recommendation

Approve 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 constitutes major development.

Application Proposal

This application seeks outline planning permission for the erection of up to 48 dwellings. The main considerations in this application are the principle of development along with matters relating to access. Layout and landscaping along with matters relating to scale and appearance are being considered in detail at reserved matters stage. The vehicular access to the site will be taken from Warwick Road and incorporates provision for two pedestrian crossings along with a public footpath.

There is an area of open space proposed which would be located to the north east of the development with the access off Warwick Road and Stretton Road running through. The area of open space incorporates a SuDS attenuation whereas the remainder of the proposal also incorporates swathes of green infrastructure.

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 Design and Access Statement and Masterplan (3380-02F).

This application has been submitted in conjunction with planning application R19/1384 which seeks full planning permission for the construction of allotments and associated access, parking and storage facility (replacement of allotments lost in association with proposed development of 48 dwellings on Land South of Warwick Road).

Site and Surrounding Area

The application site is located within the village boundary of Wolston and comprises 2.2 hectares of allotment land with the West Midlands Green Belt immediately adjoining the site to the south which comprises further allotment land. The site is bounded by Warwick Road to the north, Stretton Road to the east with residential properties located to the west along with further allotment land to the south.

Ground levels within the application site are generally level, with the highest point being located at its south-western corner with the highest datum point being 79.8 metres falling by approximately 1.3 metres towards the lowest datum point of 78.5 metres at the north-eastern boundary.

Relevant Planning History

<u>Application Number</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
1333/7	Housing development.	Refused	31 st August 1953
836/8	Residential development.	Refused	25 th July 1955
61/9	Residential development.	Refused	7 th January 1957
1406/11	Seven dwellings.	Refused	20 th April 1964
R79/1947	Erection of storage hut.	Approved	10 th March 1980
R81/0437	Erection of storage hut.	Approved	24 th July 1981
R82/0334	Retention of storage hut.	Approved	14 th July 1982
R93/0620	Erection of new storage building.	Approved	7 th September 1993
R13/0252	Replacement of existing storage building.	Approved	15 th April 2013

Technical Responses

No objections have been received from:

Warwickshire County Council (Flood Risk Management)
Warwickshire County Council (Infrastructure)
Warwickshire County Council (Archaeology)
Warwickshire County Council (Highways)
Warwickshire County Council (Ecology)
Rugby Borough Council (Environmental Services)
Rugby Borough Council (Parks and Cemeteries)
Rugby Borough Council (Arboriculture Officer)
Rugby Borough Council (Work Services)
Rugby Borough Council (Housing)
Warwickshire Fire and Rescue
Environment Agency
Warwickshire Police
Seven Trent Water
UHCW NHS Trust

Third Party Responses

Councillor Bearne and Councillor Poole have objected to the application on the following grounds:

1. The site of the Wolston & Brandon Allotment Association is classified as Public Open Space and an Asset of Community Value. Besides being a much loved, and long standing, allotment site the Association also plays an integral part in the 'day-to-day' fabric of the two villages, in the following ways: -
 - 1.1 Running the village school allotment site (located in the school grounds);
 - 1.2 Participating in the annual village Flower & Veg. Produce show;
 - 1.3 Engages with, and participates in, the bi-annual Garden Walk About competition;
 - 1.4 Has set-up in recent years a Memory Garden to help residents (allotmenters' and/or other residents) to remember their now departed friends and relatives; and
 - 1.5 The Allotment Association periodically distributes excess produce from the allotment site to local charity organisations, FOC. This includes a Rugby based charity that helps homeless people.
2. The proposed pedestrian crossing location (from the proposed development site to the pavement on Warwick Road) would actually cross directly into the existing dropped kerb area used for vehicular access to Nos. 76 & 78 Warwick Road;
3. The Bell Mouth area of the access road to the proposed site could create major traffic congestion issues on that stretch of Warwick Road. This scenario could occur when large vehicles (eg: refuse collection lorries) were trying to enter the proposed site at the same time as resident's vehicles were trying to leave the site;
4. The traffic issue mentioned above would be compounded as there is a road chicane situated just to the east of the proposed pedestrian crossing area. This chicane area (by design) experiences traffic build-up, at both ends, as vehicles await passage through the chicane. So, any additional vehicles trying to move onto Warwick Road from the proposed site would only exacerbate the congestion;
5. In view of the road safety & congestion concerns mentioned immediately above, should not a Stage 2 (or a combined stage 1 & 2) Road Safety Audit have been conducted on this stretch of road? I feel there are real road safety dangers inherent in the very concept, design and layout of the plans, as proposed;
6. STW have said that there is adequate capacity in the foul water network to receive the foul water from the site however the underground piping system periodically has to be flushed through by STW to ensure the ageing system remains unblocked and free flowing, hygienic and odour free (which it often is certainly not); and
7. The field immediately to the south of the whole allotment site (on Stretton Road) is actually an old waste disposal facility. Will a full survey of this site (soil samples etc) be taken to establish there is safe containment of any toxic substances buried & capped there? This is relevant as the Environment Services Association (ESA) have called for housing developments to be prevented from encroaching within 200 yards of an existing waste management facility.

Councillor Bragg has objected to the application on the following grounds:

1. The application site is located on public open space and as such is considered a community asset as per Councillor Bearne and Poole's objections;
2. Whilst the contributions the allotment holders give to the village could be provided from an alternative site the memorial garden and splitting the allotment community in half cannot be moved or mended; and
3. Access and volume of traffic on Warwick Road is a major concern especially when the traffic survey was carried out on an afternoon in August traditionally a quiet time with holidays and the School closed. The chicanes were installed for a reason.

Wolston Parish Council have commented on the application and confirm that they do not object to the development on the following grounds:

1. The provision of housing will meet the local need identified in a recent Housing Needs Survey;
2. There will be no adverse impact on the landscape; and
3. With the provision of infrastructure results in an appropriate community planning gain.

Neighbours notified and a site and press notice have been displayed and forty-five letters of objection has been received raising the following:

1. The proposed development would result in significant traffic generation and result in the lack of a safe access to the site;
2. The proposed development is not in accordance with the Local Plan and the site is designated Local Green Space in the Neighbourhood Plan;
3. The pedestrian crossing
4. The allotments and Trading Shed are well located with good parking facilities enabling them to be enjoyed by other villages;
5. The proposal is far above the villages housing needs and obligations as required by the Local Plan;
6. The village will lose its village status should any more houses be built on the site;
7. Previous applications for development on the site have been rejected for good reason;
8. The historic site gives appeal with the openness when travelling in and out of the village;
9. It should not be possible to allow additional occupation of the villages without improving the local amenities to avoid further traffic and adding to climate change;
10. The junction of Warwick Road and Stretton Road is already very busy with extra traffic generated in excess of 60-80 cars at this junction should permission be granted;
11. There is no information submitted with the application regarding the appearance of any development on the Warwick Road site;
12. There has been enough development in the village already with no more houses being needed;
13. The traffic is already extremely busy and roads will not be able to cope with any additional vehicle movements;

14. Destroying the hedgerow would be the complete opposite of the planned Central Government Strategy;
15. The pedestrian crossing drops directly onto the dropped kerb outside of No. 76 and No. 78 Warwick Road;
16. Whilst there is a 30mph speed limit in place this is rarely adhered to;
17. The loss of view and visual impact on the village would affect the character of the area and residential amenity;
18. Should the proposal go ahead this would undermine the Local Plan and all the hard work put into creating the document;
19. The proposal would result in overlooking on the dwelling and back garden of the property resulting in an effect on price and the peace experience over the preceding years;
20. If a village increases in size it will eventually become a small town;
21. Housing has already been turned down on this highly valued community asset which is a designated open space nothing has changed except the level of urgency;
22. there are significant concerns with the environment, conservation, knowledge of the benefits to mental and physical health and nothing said regarding the benefit of communal activity;
23. The Neighbourhood Development Plan has designated the allotments as a local green space and the plan should be respected;
24. The current allotment holders do not deserve to have their hard work removed and should be preserved for future generations with a split site not being practical;
25. The north of the allotment site is subject to flooding at the western end should the proposal be built water would be dispersed into the local drainage system which cannot cope;
26. The attenuation basin would not alleviate the problem as seen from Coalpit Land flooding since the development at Arderne De Grey site;
27. There are no public transport links from Wolston to Ryton or Stretton;
28. Children need to travel to Rugby or Leamington to receive Secondary Education;
29. Splitting the site would be the end of the Wolston Allotments Association;
30. The Public Meeting called by and chaired by Wolston Parish Council Chairman voted unanimously to oppose the applications;
31. Would the water treatment plant be capable of handling the increased capacity required;
32. There is very little parking within the village centre but the shops, doctors surgery, or the school entrance resulting in people parking in dangerous and obstructive places;
33. The proposal results in the loss of half of the current allotment site which is unacceptable as members wish to remain on the existing single site together;
34. Result in overlooking and loss of privacy to dwellings on the north side of Warwick Road and the east side of Stretton Road;
35. Result in additional demands on scarce local facilities in particular:
 - Wolston School;
 - Wolston Surgery;
 - Drainage and Sewage Services;
 - Broadband and Telecommunication Services;
 - Post Office;
 - Shop; and
 - Chemist;
36. The proposal will have an adverse impact on the wellbeing of the people within the community;

37. Recent years have seen two large developments in the village all of which have very small gardens;
38. We should be encouraging growing your own food and cutting our carbon footprint and to assist with the reduction in global warming;
39. Would not adhere to the Local Plan and not deliver any planning gain;
40. It is recognised by the medical profession that to be in the open air and working an allotment/garden is to help nervous disorders and depression;
41. We should be looking forward and to expand not to reduce for all of our futures;
42. Other areas and services should be considered before the application is even considered;
 - Many brownfield sites around the village to accommodate small numbers of dwellings;
 - The water supply to the village and the surrounding villages – When was the latest assessment made on the requirement for the area and if recent what was the percentage contingency allowed above the forcible requirement;
 - The sewage water from the village to include the pumping station/macerate and the sewage farm - When was the last assessment made on the requirement for the village as is, and was the percentage contingency allowed for above the foreseeable requirements for the village? In line with the collapse of the high-pressure main pipe all bringing about concern and distress for the villagers;
 - The storm water disposal for the village - When was this last evaluated and the load placed on it considered in the light of further development. Along with the flooding over recent weeks putting yet another threat to the residents in Main Street with the brook at a dangerous level again, it also left only one safe route out of the village via Warwick Road;
 - The gas supply to the village and the surrounding villages – When was the latest assessment made on the requirement for the area as is, and if recent what was the percentage contingency allowed above the foreseeable requirement;
 - The broadband supply to the village and the surrounding villages – When was the latest assessment made on the requirement for the area as is, and if recent what was the percentage contingency allowed above the foreseeable requirement;
 - The entrance to the allotment being a single track and therefore, with parking to both sides of School Street it will bring about queuing to enter the site and severely obstructed views to the site;
43. Profitmaking companies, and therefore have little interest in the villages wellbeing;
44. All public open spaces together with the Green Belt should be protected;
45. The allotments are being halved removing the green spaces; activity and the social aspect of gardening from the community;
46. Village sewage system cannot cope in the village with more development making it worse;
47. The proposal would result in at least an additional 82 parking spaces resulting in at least an additional 156 vehicle journeys not allowing for multiple trips;
48. Occupiers would use Warwick Road to travel to Rugby and the surrounding area and Stretton Road to join the A45 rather than the congested School Street;
49. Stretton Road is unsuitable for the following reasons:
 - Stretton Road is reduced to single track road due to residential parking;
 - Children play on the pavement and pets wonder around in the road;
 - Existing of a Livery Yard with horses being ridden in the road; and

- Stretton Road is the only road in and out of Wolston without traffic calming measures with traffic exceeding speed limits.
50. Considerable amount of noise and disruption with lorries and HGV traffic through narrow roads;
 51. The proposal results in a number of environmental impacts;
 - The allotment site is a natural soakaway for water and losing a natural resource would be extremely short sighted;
 - Whilst attenuation basis is shown is states that location are size are still to be determined; and
 - Who will be paying for the upkeep of the open space and attenuation basin.
 52. Adverse impact on the whole village with the school and doctors practice already stretched;
 53. The proposal would result in a number of impacts on the local community;
 - Wolston has recently been subjected to the recent approval of 96 dwellings at the Priory Road site; and
 - There is very little employment within Wolston and there is no employment opportunities planning for the local area.
 54. It was thought that allotments were to be held for the village to benefit from and not to be developed;
 55. The loss of the allotment area would have an adverse impact on the well-being of the entire village;
 56. Local Plan allocated 15 homes for Wolston which would accommodate affordable homes and accommodation including the elderly;
 57. The site and potentially wider area may come under serious threat of toxic waste contamination building on land adjacent to a former tip;
 58. The school within Wolston will not be able to cope with anymore dwellings and children of school age;
 59. The natural soakaway will be lost and as the ditch and inadequate sewage system will create issues;
 60. Wolston infrastructure already has many issues with sewage, flooding and power cuts a third estate would add to this;
 61. Only 14 of the 48 houses proposed (30%) in this application are to be affordable, therefore 34 would not be affordable to local citizens. This defeats the whole purpose of development;
 62. The highway for the proposed housing is already over stretched and dangerous, access from the mini roundabout is an accident waiting to happen with pedestrian crossing being very difficult;
 63. Along with the extra cars there would also be extra pollution to the village;
 64. Planning Inspector agreed that Wolston doctors and school could only cope with additional 15 dwellings the proposal would mean the village could not accommodate the dwellings with existing amenities and facilities;
 65. The application site is located on contaminated land which could enter the watercourse;
 66. Nature conservation and biodiversity would be greatly affected as wildlife corridors would be disrupted with the extra movements upsetting the balance in hedgerows; and
 67. The application site should be made into Wolston Nature Reserve.

Six letters of support have been received raising the following:

1. The proposed location would have minimal impact to the character of the area and should not have a major impact on privacy;
2. As Wolston needs to provide 100 new dwellings the proposal should be kept as close to this number as possible to reduce the need for further development;
3. The proposal retains the current village boundaries and could be extended to include the whole site meeting the village housing target;
4. The land has not been properly maintained in recent years mostly caused by the following:
 - People are no longer forced to grow their own food;
 - Lack of time for gardening; and
 - Insufficient people interested in maintaining high standards of husbandry.
5. It will have minimum effect on neighbouring properties;
6. The proposal would remove the eyesore on one of the main entrances to the village;
7. Local people need access to affordable accommodation to enable them to remain within the village;
8. It would remove the problem of allotment users reaching the stage they cannot maintain their plots;
9. The remaining allotments would be a better size and overlooked by natural surveillance from the neighbouring properties;
10. The proposal meets the Housing Needs for the village following the Housing Needs Survey in 2017;
11. Allotments can be organised on a much smaller area and would prevent selfishness from allowing others a home in Wolston;
12. The developer is willing to deliver a housing mix and planning gain for the benefit of the community;
13. The landowners are offering Wolston Parish Council a 15-year lease on the remaining allotments providing long term security;
14. The area is within the village boundary and therefore eligible for development;
15. The visual impact will be improved as the current allotments are an eyesore;
16. Smaller plots within the village will be available for social and sheltered housing;
17. Relocating the allotments will allow allotment holders the opportunity to negotiate improved facilities with the developer; and
18. Concerns still existing in relation to extra demand on the school and doctors' practice along with the traffic generated by the proposal.

In addition to the above-mentioned letters of objection and support received one letter of comment has been received raising the following:

1. The village needs small low-cost dwellings;
2. The pedestrian crossing on Warwick Road is poorly placed, as the houses opposite 76/78 Warwick Road have a shared driveway and dropped curb spanning both houses;
3. The pathway exiting the proposed development on the far right of the site, exits directly onto a roundabout, cars approaching from the A45 do not reduce their speed;
4. The main vehicular entrance to the site on Warwick Road needs to be wide enough for large lorries to turn in and out without mounting the curb.

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 Policies – 2011 – 2031

Policy GP1: Securing Sustainable Development
Policy GP2: Settlement Hierarchy
Policy GP4: Safeguarding Development Potential
Policy GP5: Neighbourhood Level Documents
Policy DS1: Overall Development Needs
Policy H1: Informing Housing Mix
Policy H2: Affordable Housing
Policy HS1: Healthy, Safe and Inclusive Communities
Policy HS2: Health Impact Assessments
Policy HS4: Open Space, Sports Facilities and Recreation
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 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

Open Space, Playing Pitch and Sports Facilities Study – November 2015

Neighbourhood Plans Roadmap: A Step-by-Step Guide – 2018 Edition

Neighbourhood Planning: Local Green Spaces

National Planning Policy Framework – 2019

Section 2: Achieving Sustainable Development
Section 5: Delivering a Sufficient Supply of Homes
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

Determining Considerations

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

1. The Principle of Development;
2. Character and Design,
3. Impact on Residential Amenity;
4. Highway Safety;
5. Flooding;
6. Landscape
7. Ecology;
8. Impact of Archaeology;
9. Air Quality;
10. Planning Obligations;
11. Heads of Terms;
12. Planning Balance;
13. Conclusion; and
14. 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 In addition to this Policy GP5 of the Local Plan states that once a neighbourhood plan forms part of the Development Plan for the Borough. The policies contained within a made neighbourhood plan will be used alongside the policies of the Local Plan to determine decisions on planning applications.

Neighbourhood Plan Designation

- 1.2.1 It is outlined within the Neighbourhood Plans Roadmap that a number of basic conditions for neighbourhood plans need to be followed are as follows:
 - Have regard to National Policy;
 - Contribute to the achievement of sustainable development;
 - General conformity with the strategic policies in the development plan for the local area; and
 - Compatible with EU obligations.
- 1.2.2 A number of objections put forward to the Local Planning Authority state that the allotments are designated open space and as such contrary to the Neighbourhood Plan.

- 1.2.3 With the Neighbourhood Planning: Local Green Spaces document it clearly states that evidence needs to be submitted to the Local Authority which not only identifies existing green spaces, including:
- Where it is;
 - What type it is;
 - Statutory designation or status;
 - Quality and condition of the space; and
 - Value and benefit to the community.
- 1.2.4 This evidence would be used in determining whether there is a need to improve existing green space or whether new green space should be provided. In all cases the Local Authority should be approached in the first instance to provide or signpost existing evidence.
- 1.2.5 Discussions with colleagues within Planning Strategy have confirmed that the Wolston Neighbourhood Plan is in the early stages of being formed. As required by regulations, a 'submission version' is yet to be submitted to the Local Planning Authority which would then need to be subject to a public consultation. Following this, it would be necessary for the Neighbourhood Plan to be examined by an independent Examiner, taking into account any representations received.
- 1.2.6 Until the Neighbourhood Plan has progressed through the relevant consultation and examination stages as detailed above, only very limited weight can be given to this document and therefore the key documentation for the determination of the application is the Rugby Borough Council Local Plan.
- 1.3 The application site is located within the Main Rural Settlement of Wolston as defined in Policy GP2 of the Local Plan which states that development will be permitted within the existing boundaries of all Main Rural Settlements.
- 1.4 As the application site is located within the village boundary of Wolston it is considered that there is a principle in favour of sustainable development, subject to all planning matters being appropriately addressed.
- 1.5 In addition to the above Policy HS4 (C) states that public open space should not be built upon unless it can be demonstrated that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location.
- 1.6 A secondary application has been submitted in conjunction with this application which seeks the reconfiguration of the allotment site following negotiations with the Allotment Association who stated that there was an oversupply of allotment provision within Wolston.
- 1.7 This is highlighted within Section 8 of the 'Open Space, Playing Pitch and Sports Facilities Study' (November 2015) which shows that based on current adopted standards (0.8ha of allotments / 1000 persons) that Wolston has a surplus of 2.63ha. This surplus is further evidenced on the site by the large number of vacant plots along with the current provision of unsuitably sized plots that are difficult to maintain.

- 1.8 The redevelopment of the site would enable the allotment association to remain on the existing site and retain their plots. This will maintain the existing community cohesion and social networks and ensure that the historical association and sentimental value between allotment members and their plots will not be lost.
- 1.9 The construction of a 185m² community storage facility will consolidate the existing buildings scattered across the site into a brand-new facility that will provide a communal workshop, kitchen, garage, toilet facilities and a meeting space. This will result in the delivery of a high-quality community facility, the benefits of which can be viewed in their own right, as follows:
- 1.9.1 A significant improvement in condition of the storage and management facilities currently present on site;
 - 1.9.2 A more efficient use of land and building footprint by consolidating the built form into a single building;
 - 1.9.3 An increase in security of the storage facility with all windows and doors fitted with security shutters and alarms;
 - 1.9.4 The use of materials are sensitive to the site's context, improving the buildings appearance and reducing its visual impact on the surrounding area;
 - 1.9.5 The reconfiguration of the site will result in a more efficient use of the site that will enable the delivery of shared open spaces, including a communal BBQ area enhancing opportunities for community activities, and resulting in greater social cohesion; and
 - 1.9.6 It will enhance the opportunity for people to grow their own produce in a way which promotes improvements to physical and mental health, resulting in the improvement of well-being and the quality of life of the community by providing a cheap source of good food, healthy outdoor exercise and social interaction.
- 1.10 When taking the above into consideration it is clear that the reconfiguration of the allotments allows would result in a significant improvement to the provision within Wolston. It is therefore considered appropriate that should planning application R19/1411 be approved by members that any S106 Agreement contains provision for the allotments to be delivered first ensuring that the replacement provision is provided to ensure that there is no loss of community facility.
- 1.11 This application is therefore considered to be in accordance with Policy GP2 and HS4 of the Local Plan.

2. Character and Appearance

- 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 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.
 - 2.3 The illustrative masterplan submitted with the application indicates provision for SuDS, pedestrian routes, informal open space with dwellings set back from the main road frontage. A significant amount of landscaping to the frontage and throughout the development has been indicated creating an attractive and welcoming sense of place which reflects that of the development within the locality.
 - 2.4 Whilst appearance; layout; scale and landscaping is not to be considered until reserved matters stage indicative details provided with the application indicate that an attractive street scene could be created by this proposal.
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 As previously identified the main considerations under this application are for the principle of development and access matters only, as such design, scale and massing details would be reserved for full consideration at a later date.
 - 3.4 The indicative layout submitted has identified that up to 48 dwellings can be accommodated on the site with the Design and Access Statement making reference to single storey dwellings being located along the western boundary to respect the amenity of the neighbouring property sited off the western boundary.
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. 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.
 - 4.2 The Housing Mix Plan submitted with the application provides a breakdown of the amount of 1 – 4-bedroom properties proposed within the application site with the associated parking provision clearly identified on both the Housing Mix and Masterplan submitted for consideration.
 - 4.3 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 provided.

Parking Provision						
House Type		No. Beds	No. of Units	SPD Requirements	Parking Provided	Complies Yes/No
House Type 1		1	4	6	6	Yes
House Type 2		2	4	6	8	Yes
House Type 3		2	14	21	27	Yes
House Type 4		3	11	22	21	No
House Type 5		3	2	4	4	Yes
House Type 6		3	4	8	8	Yes
House Type 7		2	1	2	2	Yes
House Type 8		4	3	9	9	Yes
House Type 9		4	4	12	13	Yes
<u>Total Requirements</u>				90	98	Yes

- 4.4 Whilst House Type 4 is considered to be 1 space below the requirement it is considered that sufficient parking provision is being provided throughout the proposal as to not result in an adverse impact on parking provision within the development. Notwithstanding this as layout is not a matter for consideration a request will be made by officers that the scheme is policy compliant in terms of parking provision provided at reserved matters stage.
- 4.5 Rugby Borough Council (Work Services) have been consulted on the application and confirmed that they have no objection to the proposal.
- 4.6 Warwickshire County Council (Highways) have confirmed that they have some concerns with regard to the layout indicated for the proposed estate roads on the Masterplan drawing. However, it has been noted that the application is in outline form with only access being discharged at this stage, and as such this does not form a matter for a formal objection. Having carried out an assessment and appraisal of the development the Highways Authority have no objections subject to appropriate conditions and informatives (Conditions 8 – 13).
- 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. The Environment Agency have responded to the consultation and confirmed that having reviewed the information submitted it has confirmed that the proposal is assessed as to having a low environmental risk.

5.3 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 (Conditions 14 and 15).

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 Authorities Arboricultural Officer it has been confirmed that the trees within the application site comprise mainly of small fruiting varieties associated with individual plots and sporadic deciduous trees located around the site boundary. This includes a self-setting Ash emerging from native boundary hedging, elm, birch, hawthorn, sycamore and western red cedar to the east.

6.3 Trees within the site will be required to be removed to facilitate the development. These trees, given their stature are relatively insignificant within the context of the wider area with minimal/no visual amenity value. However, to maintain and enhance continuity of tree cover within the application site, provision must be made for new tree/hedge planting at the reserved matters stage. Indeed, there is scope for additional planting to the site frontage (adjacent to Warwick Road), within the proposed new public open space to the east, along the southern boundary and within the street scene/garden spaces.

6.4 On the existing allotment site the southern half is to be retained with existing boundary hedging and trees (combined with the natural rise in topography to the south) providing natural screening to the application site. This will be further enhanced with tree planting alongside the southern boundary of the application site. In the existing site there are untidy/unkept areas and overall, the site is contained within the existing village context. Given the existing setting/site use it has been highlighted that there will not be a negative impact upon the landscape and there is an opportunity to improve the site/development through a comprehensive a landscape scheme as discussed. Emphasis should be given to fruiting trees and fruit production (Condition 16 and 17).

6.5 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 Warwickshire County Council (Ecology) have been consulted on the application and have confirmed that a site survey was carried out along with a data search for biological records within 2km on the site. The allotment plots are described as varied, some plots are managed regularly, and others have become overgrown, with areas of bramble and grassland between the plots. A small number of scattered trees are present, some of which are fruit trees with a species-poor hedgerow is present along the northern and eastern boundary. Although the survey was undertaken at a sub-optimal time of year, in this case this is not considered to be a significant constraint as the habitats could be identified.
- 7.3 A Biodiversity Impact Assessment (BIA) has been submitted with the application which is in the whole considered to be acceptable. It has however been noted that the habitat target of inundation vegetation in good condition in 5 years is not considered acceptable. Inundation vegetation is a high distinctiveness habitat and the design of the attenuation pond is unknown due to the outline stage of the application and it will be subject to run-off from the development. The pond will be "planted with marshland species tolerant of periodic flooding" and therefore the target habitat to marshy grassland in medium distinctiveness and moderate condition in 10 years is advised on a precautionary basis given the outline stage and that no detailed landscape plans are available and in line with other similar applications where attenuation features have been proposed.
- 7.4 The amended BIA shows an estimated biodiversity net loss of -1.15 units. Based on the above it has been recommended that in line with the NPPF and Local Plan Policy NE1, a biodiversity offsetting scheme will be required to ensure no net loss of biodiversity as a result of the proposals. At the reserved matters stage, this biodiversity loss could potentially be reduced as more detail becomes available about the landscaping plan and management details. An updated BIA will need to be carried out at the reserved matters stage of the development to re-assess the biodiversity impact. The loss of -1.15 units can be offset for a financial contribution it has therefore been recommended that the offsetting scheme is secured via S106.
- 7.5 It has been recommended that Condition 13 and 18 have been included for the submission of a CEMP (Condition 13) and LEMP (Condition 18) be attached to any approval granted to safeguard protected species and existing habitats during construction, and secure a long-term management plan for the site.
- 7.6 This application is therefore considered to be in accordance with Policy NE1 and NE2 of the Local Plan.

8. Impact on Archaeology

- 8.1 Section 16 of the NPPF states that Local Planning Authorities should consider the impacts which cause any harm to; or loss of; the significant 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.
- 8.2 The proposed development lies within an area of significant archaeological potential as highlighted within the Historic Environment Desk-Based Assessment submitted with the supporting information to this application the proposed development is located within close proximity to the following:
- To the north of the site of a Bronze Age cremation cemetery Warwickshire Historic Environment Record MWA3407);
 - Approximately 250 m to the east of the proposed development is the site of two undated enclosures, a pit alignment and two pit clusters of unknown, but of possible prehistoric, date (MWA3420 and MWA5410);
 - Iron Age settlement activity is recorded approximately 500 m to the north west of the proposed development (MWA4002 and MWA19888);
 - A Bronze Age or Early Iron Age pit and a scatter of Romano British Pottery (MWA7479) was identified by archaeological fieldwork undertaken approximately 150 m to the north of the proposed development; and
 - In addition, field walking undertaken to the west of the site identified scatters of Mesolithic to Iron Age flints (MWA12450 and MWA6403).
- 8.3 An initial programme of archaeological trial trenching was carried out in accordance with an agreed Written Scheme of Investigation across those parts of the site to which access could be obtained. A report detailing the results of the evaluation has confirmed that other than evidence of previous agricultural activity no significant archaeological features was identified by the trial trenching. In light of the results of this phase of fieldwork it is unlikely to contain archaeological remains of such significance that they would constitute sufficient reason to recommend refusal of this application.
- 8.4 Due to the fact that this site is currently in active use by allotment holders' access to some areas could not be gained at this stage. Consequently, there are some parts of the site that have yet to be evaluated. It is therefore recommended, should consent for this scheme be granted, that a further phase archaeological evaluation by trial trenching be undertaken across the remainder of the application site. This will help to define the character, extent, state of preservation and importance of any archaeological remains present. This information would inform an assessment of the impacts that the development may have upon any archaeological features present, and the development of an appropriate strategy to mitigate any such impacts (Condition 19).
- 8.5 This application is therefore considered to be in accordance with Local Plan Policy SDC3 and Section 16 of the NPPF.

9. Air Quality

- 9.1 Local Plan Policy HS5 states that development proposals should promote a shift to the use of sustainable transport modes and low emission vehicles to minimise the impact on air quality, noise and vibration caused by traffic generation.
- 9.2 Rugby Borough Council (Environmental Services) initially objected to the application on the grounds that insufficient information was submitted in relation to traffic movements based on current site use and traffic movements following the proposed development to establish whether an air quality assessment will be required for this application.
- 9.3 Further information was submitted which considered the change from the assumed current traffic movements to the predicted traffic generation as a result of this development. Environmental Services have considered this to be acceptable and concludes that the increase in a total movement for a 24-hour period to around 240 is accepted.
- 9.4 This figure falls below the threshold for a Stage 2 Air Quality Assessment with regard to the IAQM Land-Use Planning and Development Control: Planning for Air Quality, dated January 2017. It is therefore considered that a condition to meet air quality neutral standards would be acceptable in this instance.
- 9.5 This application is therefore considered to be in accordance with Policy HS5 of the Local Plan.

10. Planning Obligations

- 10.1 Local Plan Policy H1 states that a wide choice of high-quality market housing must provide a mix of types and sizes with Policy H2 stating that affordable homes should be provided on all sites of at least 0.36 hectares or capable of accommodating 11 dwellings or more.
- 10.2 Policy D4 of the Local Plan Policy along with the Planning Obligations SPD states that the type, amount and phasing of contributions sought from developers will be necessary to make the development acceptable, directly related, and fairly and reasonably related in scale to the development proposed. Policy HS4 states that residential development of 10 dwellings and above shall provide or contribute towards the attainment of the Council's open space standards.
- 10.3 The SPD on Planning Obligations states that an off-site contribution is required, subject to negotiation with the Council, in this instance a contribution is required towards the costs of the open space provision. It has been confirmed that the contribution would be used to provide the following:
 - Upgrade of facilities at the Dyers Lane Recreation Ground;
- 10.4 In terms of affordable housing Rugby Borough Council (Housing) have confirmed that the proposal would seek 30% affordable housing with 84/16% split for 12 social and 2 intermediate dwellings. It has been highlighted that the rented properties need to be capable of being let at the full occupancy rate. So, a 2-bed property should be for 4

persons, a 3 bed for 5 persons and a 4 bed for 6 persons with the technical space standards being used as a reference to property sizes.

- 10.5 Policy H2 of the Local Plan requires 30% affordable housing provision on green field sites. Therefore, the requirements for this application proposal are for an amount up to 48 dwellings, 14 affordable at a level of 30%, this would require a mix of the following housing provision:

<u>Local Plan</u>	<u>1-Bed Properties</u>	<u>2-Bed Properties</u>	<u>3-Bed Properties</u>	<u>4-Bed Properties</u>
	30-35%	30-35%	20-25%	5-10%
<u>Mix as Submitted</u>	<u>1-Bed Properties</u>	<u>2-Bed Properties</u>	<u>3-Bed Properties</u>	<u>4+Bed Properties</u>
	4 (30%)	5 (35%)	4 (25%)	None

- 10.6 As clearly identified within the table above it is clear that the affordable housing mix submitted with the application is compliant with Policy H2 of the Local Plan. Whilst no provision has been provided for 4 bedroomed properties this has not been highlighted as an area of concern by Rugby Borough Council (Housing).

- 10.7 Policy H1 of the Local Plan states that developments to deliver a wide choice of high-quality market homes across the Borough with proposal being required to form a mix of market housing house types and sizes compliant with the latest Strategic Housing Market Assessment (SHMA). Therefore, the requirements for this application would be an amount up to 34 dwellings being provided as market homes, this would require a mix of the following:

<u>Local Plan</u>	<u>1-Bed Properties</u>	<u>2-Bed Properties</u>	<u>3-Bed Properties</u>	<u>4-Bed Properties</u>
	5-10%	25-30%	40-45%	20-25%
<u>Mix as Submitted</u>	<u>1-Bed Properties</u>	<u>2-Bed Properties</u>	<u>3-Bed Properties</u>	<u>4+Bed Properties</u>
	None	13 (38%)	14 (41%)	7 (20%)

- 10.8 The most up to date evidence of housing need in the village is reflected in the Wolston Housing Needs Survey (2017) which demonstrates that there is no local demand for 1 bed market properties within Wolston. It does however highlight a significant demand for 3-bedroom dwellings. It has also been confirmed by the applicants that whilst there might be a need for 1 bed properties in villages such as Wolston, market demand is still commonly for 2 or 3 bed properties with households requiring flexibility to address their changing space needs without having to move home, allowing for this helps to ensure social cohesion within the community. As such it is therefore considered that the application is in accordance with Local Plan Policy H1.

- 10.9 The University Hospitals for Coventry and Warwickshire NHS Trust have been in contact advising that they are looking to put forward its representation in respect of the impact that the development has on health and wellbeing in particular in relation to the impact that the development has on the acute service provided by the Trust. Following there

advises they have confirmed that they require a contribution to be used directly to provide health care services to meet patient demand.

- 10.10 Warwickshire County Council (Planning) have confirmed that a Sustainable Travel Packs are required per dwelling in order for the County Council to allow for the provision of information packs for owners and occupiers of the dwellings which include information on sustainable modes of transport and to help promote sustainable travel and road safety in the local area.
- 10.11 Likewise, colleagues with Education have requested a contribution towards the provision of new education places required as a result of the development. The contribution collected will be used towards additional secondary school provision through either temporary or permanent expansion at Bilton High School or Harris C of E Academy.
- 10.12 Furthermore a contribution is required from colleagues within Libraries due to improve, enhance and extend the facilities or services of a specified library service point where local housing development will mean an expected increase in numbers of people using those facilities. This may include purchase of additional stock, targeted collections, additional seating/study spaces or related facilities, improved family facilities and targeted promotions to inform new residents of services available to them.
- 10.13 In addition to this Warwickshire County Council have confirmed they are keen to promote sustainable travel and request a contribution towards the cost of providing the information in the form of a welcome pack. Along with supporting road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area.
- 10.14 Warwickshire County Council (Ecology) have confirmed that due to the net loss of -1.15 in biodiversity units a contribution is required as any net loss is contrary to the NPPF and would need to be addressed through an offsetting agreement to create habitats further afield.

11. Heads of Terms

- 11.1 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>
Play and open Space	Improvements to Jubilee Street Recreational Ground.	Commencement of Development.
Affordable Housing	14 dwellings with an 84%/16% split between 12 social and 2 intermediate dwellings.	To Be Confirmed.
NHS Trust	Meet patient demand for access to health care services.	To Be Confirmed.

Warwickshire County Council (Traffic and Road Safety)	To help the promotion of sustainable travel and road safety.	Commencement of Development.
Warwickshire County Council (Education)	To contribute towards the provision of new education places required as a result of the development.	To Be Confirmed
Warwickshire County Council (Libraries)	To contribute towards increased demands of the libraries as a result of the development.	To Be Confirmed
Warwickshire Country Council (Highways)	To contribute towards educating on sustainable modes of transport and to support road safety initiatives.	Commencement of Development.
Warwickshire County Council (Ecology).	Biodiversity offsetting due to mitigate a loss of on-site biodiversity.	To Be Confirmed.

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

12. Planning Balance

- 12.1 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.
- 12.2 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.
- 12.3 From a social perspective the proposed development of up to 48 dwellings, of which 30% would be affordable dwellings, would consequently make a significant and positive contribution towards meeting this housing need. Aside from this, the provision of onsite open space, the contribution towards improvements to Jubilee Street Recreational Ground, would provide social benefits. The financial contributions toward education and health care provisions are also considered to be promoting positive social benefits.

These matters consequently weigh in favour of the application. As such, the proposed development would satisfy the social role of sustainable development.

- 12.4 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.
- 12.5 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 Local Plan and the NPPF.

13. Conclusion

- 13.1 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.
- 13.2 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.

14. Recommendation

- 14.1 Planning Application R19/1411 be granted subject to:
 - 14.1.1 The conditions and informatives set out in the draft decision notice appended to this report; and
 - 14.1.2 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.
- 14.2 The Head of Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

Report prepared by: Jo Orton, Principal Planning Officer

DRAFT DECISION

REFERENCE NO:
R19/1411

DATE APPLICATION VALID:
05-Nov-2019

APPLICANT:

c/o Agent, Rosconn Strategic Land Rosconn Strategic Land, n/a

AGENT:

Mark Rose, Define Planning & Design Ltd Define Planning & Design Ltd, Unit 6, 133-137 Newhall Street, Birmingham, B3 1SF

ADDRESS OF DEVELOPMENT:

WOLSTON ALLOTMENTS, STRETTON ROAD, WOLSTON

APPLICATION DESCRIPTION:

Erection of up to 48 dwellings with associated open space, landscaping and infrastructure (Outline - Principle and Access Only).

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 [of that plot/phase] is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout,
- b - Scale,
- c - Appearance, and
- 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 are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- Site Location Plan, 3380-01A;
- Proposed Masterplan, 3390-02G;
- Proposed Housing Mix, 3380-03;
- Root Protection Areas Plan, WARPA-FEB19;
- Theoretical Shading Plan, WASH-FEB19;
- Tree Plan, WATR-FEB19;
- Sketch Layout Plots 33-48, 3380-SK10;
- POS and LAP Provision Plan, DEF357_001;
- Archaeology Evaluation, July 2020;
- Outline Surface and Foul Water Drainage Strategies, December 2019;
- Geotechnical Survey, October 2019;
- Historic Environmental Desk Based Assessment, August 2019;
- Flood Risk Assessment, October 2019;
- Landscape and Visual Appraisal; October 2019;
- Preliminary Ecological Appraisal; January 2019;
- Reptile Survey Report; June and July 2020;
- Stage 1 Road Safety Audit, August 2019;
- Transport Statement, October 2019;
- Transport Statement Appendix A, August 2019;
- Transport Statement Appendix B, August 2019;
- Transport Statement Appendix C, August 2019; and
- Tree Constraints, Impact Assessment & Tree Protection Method Statement; October 2019.

REASON: 4

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

CONDITION: 5

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

REASON: 5

In the interests of sustainability and water efficiency.

CONDITION: 6

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

REASON: 6

In the interest of visual and residential amenity.

CONDITION: 7

No above ground development shall commence before samples of the block provisions to be used in the surfacing of the estate roads, private drives, individual access drives, turning and manoeuvring areas as indicated on the approved layout drawing shall be submitted to and approved by the Local Planning Authority.

REASON: 7

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

CONDITION: 8

The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. Minor alterations to the approved vehicular access layout may be required during the technical approval process.

REASON: 8

In the interest of highway safety.

CONDITION: 9

The development shall not be occupied until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 47 metres to the near edge of the public highway carriageway. 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: 9

In the interest of highway safety.

CONDITION: 10

The development shall not be occupied until the public highways C207 Warwick Road and D2139 Stretton Road have been improved so as to provide for footway connections from each of the proposed pedestrian accesses to the site to the existing footways north of Warwick Road or east of Stretton Road, incorporating dropped kerbs and tactile paving where it is required for pedestrians to cross the public highway carriageway, in accordance with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: 10

In the interest of highway safety.

CONDITION: 11

The development shall not be occupied until all parts of the existing accesses within the public highway not included in the permitted means of access have been closed and the kerb and verge have been reinstated in accordance with the standard specification of the Highway Authority.

REASON: 11

In the interest of highway safety.

CONDITION: 12

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

REASON: 12

In the interest of highway safety.

CONDITION: 13

No development shall commence, including any site clearance and construction work (but excluding demolition of buildings), until a Construction Management Plan 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 routing plan;
- c. Timing of heavy goods vehicle movements during the construction phase;
- d. Loading and unloading of plant and materials;
- e. Hours of work and deliveries;
- f. Storage of plant and materials used in constructing the development.
- g. The parking of vehicles of site operatives and visitors;
- h. Cut and fill level and re-profiling works;
- i. Pre-commencement checks for badgers, reptiles, amphibians, bats, nesting birds and hedgehogs;
- j. 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);
- k. Details of measures to protect habitats, including the prevention of pollution;
- l. 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;
- m. 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
- n. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

Development shall be carried out in compliance with the approved Construction Management Plan unless otherwise agreed in writing with the Local Planning Authority.

REASON: 13

In the interests of health and safety, amenities of the area, to ensure the development does not have impacts off-site to flood risk and that the watercourse downstream can function as intended and to ensure that protected species are not harmed by the development.

CONDITION: 14

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

- a. Provide an assessment of flood risk from all sources of flooding including fluvial, pluvial and groundwater flooding
- b. Infiltration testing, in accordance with BRE Digest 365 Soakaway Design guidance, to be completed and results submitted to demonstrate suitability (or otherwise) of the use of infiltration Sustainable Drainage Systems (SuDS) or sufficient evidence to demonstrate that infiltration is not viable.
- c. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753 The SuDS Manual.
- d. Evidence that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm has been limited to the QBAR runoff rates for all return periods.
- e. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storms durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- f. Where discharging to a drainage system maintained/operated by other authorities (Environment Agency, internal drainage board, highway authority, sewerage undertaker, or Canals and River Trust), evidence of consultation and the acceptability of any discharge to their system should be presented for consideration.
- g. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing.

REASON: 14

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

CONDITION: 15

No occupation and subsequent use of the development shall take place until a detailed maintenance plan is implemented and provided to the Local Planning Authority giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the Local Planning Authority within the maintenance plan.

REASON: 15

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

CONDITION: 16

No works or development shall take place until a final arboricultural method statement/tree protection plan for the protection of the retained trees (section 5.5 & 6.1, BS5837:2012) has been agreed in writing with the LPA. This scheme must include details and positioning of tree protection fencing for all retained trees and hedges, ground protection measures, root pruning/access facilitation pruning specification, project phasing and an auditable monitoring schedule.

REASON: 16

To ensure all retained trees/hedges are not damaged during the development phase.

CONDITION: 17

No above ground 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 5 years from the date of planting of any tree/hedge/shrub that tree, or any tree/hedge/shrub 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/hedge/shrub 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: 17

To maintain and enhance continuity of tree cover within the site.

CONDITION: 18

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/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: 18

To ensure a net biodiversity gain in accordance with NPPF.

CONDITION: 19

No development shall commence unless and until:

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

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

REASON: 19

In the interest of archaeology.

CONDITION: 20

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: 20

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

CONDITION: 21

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

REASON: 21

In the interests of air quality.

CONDITION: 22

Unless non-material variations 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: 22

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

CONDITION: 23

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

A validation/verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that successful remediation has been carried out.

REASON: 23

To ensure the protection of controlled waters.

INFORMATIVE: 1

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If the applicant proposes to divert the sewer, the applicant will be required to make a formal application to the Company under Section 185 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

INFORMATIVE: 2

Condition numbers 8 - 11 require works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

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

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

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

INFORMATIVE: 3

The estate roads including footways, verges and footpaths shall be designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads.

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

An application to enter into a Section 38 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 Street Works 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: 4

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: 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.

If work at other times is required permission should be obtained from the Local Planning Authority.

INFORMATIVE: 6

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

INFORMATIVE: 7

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: 8

This development is subject to a s106 legal agreement.

AGENDA MANAGEMENT SHEET

Report Title: Diversion of part of Bridleway RB30 Ashlawn Road

Name of Committee: Planning Committee

Date of Meeting: 14 October 2020

Report Director: Executive Director

Portfolio: Growth and Investment

Ward Relevance: Dunsmore

Prior Consultation:

Contact Officer: Marian Allen Tel 3556

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

Corporate Priorities: This report relates to the following priority(ies):

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

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

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

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

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

Ensure that the council works efficiently and effectively (CR)

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

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

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

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

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

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:	Town and Country Planning Act 1990
Summary:	Confirmation of public path order
Financial Implications:	There are no financial implications arising from this report.
Risk Management Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	There are no legal implications arising from this report.
Equality and Diversity:	There are no equality or diversity implications arising from this report.
Options:	Confirm unopposed Diversion Order
Recommendation:	The Borough of Rugby (Part of Bridleway RB30 Rugby) Public Path Order (2) 2020 be confirmed.
Reasons for Recommendation:	No objections

Planning Committee - 14 October 2020

Diversion of part of Bridleway RB30 Ashlawn Road

Public Report of the Head of Growth and Investment

Recommendation

The Borough of Rugby (Part of Bridleway RB30 Rugby) Public Path Order (2) 2020 be confirmed.

On 10 July 2017 outline planning permission R13/2102 was approved on appeal by the Secretary of State for the demolition of existing buildings and erection of 860 dwellings and associated infrastructure. Part of the development requires the diversion of part of bridleway RB30.

On 26 August 2020 an Order under the provisions of Section 257 of the Town and Country Planning Act 1990 was made and advertised. The effect of the Order is to stop up part of bridleway RB30 and create a replacement bridleway as shown on the attached plan (Appendix 1) and described in the attached Order (Appendix 2).

The Committee is therefore asked to confirm the Public Path Order unopposed.

Name of Meeting: Planning Committee
Date of Meeting: 14 October 2020
Subject Matter: Diversion of part of Bridleway RB30
Originating Department: Executive Director

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



Key

	Existing PROW
	Proposed PROW

Distances

A to B = 22m
 B to C = 89m
 C to D = 122m
 D to E = 23m
 A to X = 38m
 Z to E = 122m
 X to Y = 24m
 Y to Z = 60m

All measurements are approximates and are to be used as guides only.

Scale: 1 inch = 100 feet

DAVID WILSON CONSULTANTS
 CIVIL ENGINEERING
 100, 101 & 102, BURNHAY PARK, BRISTOL, AVON, GL7 2DT

1:25000

Scale 1:25000

0 10 20 30 40 50 60 70 80 90 100

Metres

RUGBY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
THE BOROUGH OF RUGBY
(PART OF BRIDLEWAY RB30 RUGBY)
PUBLIC PATH ORDER (2) 2020

This Order is made by the Rugby Borough Council (“the Council”) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up part of **bridleway** RB30 and create a new **bridleway** to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by the Council for demolition of existing buildings, erection of up to 860 dwellings Reference Number R13/2102 and approval of reserved matters for spine road, secondary access road, cycle/footway to Norton Leys, urban drainage works and strategic landscaping Reference number R19/0854

BY THIS ORDER

1. Part of the bridleway RB30 shown by a continuous black line on the attached map and described in Part 1 of the Schedule to the Order (“the Schedule”) shall be stopped up as provided below
2. There shall be created to the reasonable satisfaction of the Council an alternative **bridleway** for use as a replacement for the said part of bridleway RB30 provided in Part 2 of the Schedule and shown by black dashes on the attached map
3. The stopping up of the **bridleway** shall have the effect on the date on which the Council certify that the terms of Article 2 above have been complied with

4. Where immediately before the date on which the **bridleway** to be stopped up there is apparently under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they had
5. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule

The Bridleway will have a width of 4 metres, with 2 metres Tarmac surface with concrete edgings – full specifications to be confirmed in advance of construction by Warwickshire County Council Highways Division and 2 metres firm level grass surface which will run consistently on the same side of the bridleway for the full length between points Z and E.

The order will not come into effect until the new route has been constructed to the stated specifications and to the satisfaction of the Highway Authority

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING BRIDLEWAY Between Points A-B-C-D-E on the Order Plan

Stop up part of Bridleway RB30 from Point A (Grid Reference 450297,272671) running southerly for approximately 22 metres to Point B (Grid Reference 450301,272650) turning south westerly for approximately 89 metres to Point C (Grid Reference 450235,272589) and then turning southerly for approximately 122 metres to point D (Grid Reference 450312,272494) turning south easterly for approximately 23 metres to Point E (Grid Reference 450308,272472)

PART 2

DESCRIPTION OF SITE OF NEW BRIDLEWAY

Between Points A-X-Y-Z-E on the Order Plan

Create a new **bridleway** from Point A (Grid Reference 450297,272671) turning westerly for approximately 38 metres to Point X (Grid Reference 450267,272647) then southerly for approximately 24 metres to Point Y (Grid Reference 450279,272631) curving south westerly for approximately 60 metres to point Z (Grid Reference 450253,272581) and southerly for approximately 62 metres to Point E (Grid Reference 450308,272472)

THE COMMON SEAL OF
RUGBY BOROUGH COUNCIL
was hereunto affixed
the 26 day of August 2020 in
the presence of

On behalf of Legal, Democratic and Electoral Services Manager

DATED 26 August 2020

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

THE RUGBY BOROUGH COUNCIL
(PART OF BRIDLEWAY RB30 RUGBY)
PUBLIC PATH ORDER (2) 2020

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 20th August 2020 to 23rd September 2020

Name of Committee: Planning Committee

Date of Meeting: 14 October 2020

Report Director: Head of Growth and Investment

Portfolio: Please select

Ward Relevance: All

Prior Consultation: None

Contact Officer: Dan McGahey 3774

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

Corporate Priorities: This report relates to the following priority(ies):

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

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

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

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

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

Ensure that the council works efficiently and effectively (CR)

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

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

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

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

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

Protect the public (EPR)

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

Statutory/Policy Background:	Planning and Local Government Legislation
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
Financial Implications:	There are no financial implications for this report
Risk Management Implications:	There are no risk management implications for this report
Environmental Implications:	There are no environmental implications for this report
Legal Implications:	There are no legal implications for this report
Equality and Diversity:	There are no equality and diversity implications for this report
Options:	
Recommendation:	The report be noted.
Reasons for Recommendation:	To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers

Planning Committee - 14 October 2020

Delegated Decisions - 20th August 2020 to 23rd September 2020

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 14 October 2020

Subject Matter: Delegated Decisions - 20th August 2020 to 23rd September 2020

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

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

Report Run From 20/08/2020 To 23/09/2020

APPENDIX 1

Delegated

8 Weeks PA Applications

Applications Refused

R20/0081
8 Weeks PA
Refusal
16/09/2020

231, RUGBY ROAD, BINLEY
WOODS, COVENTRY, CV3 2BB

2 Storey Front, Side and Rear
Extension and raising the roof
ridge

R20/0582
8 Weeks PA
Refusal
18/09/2020

STAVE HALL FARM, FOSSE
WAY, MONKS KIRBY, RUGBY,
CV23 0RL

Retrospective application for the
erection of two outbuildings
(gymnasium/games room and
gate house/annexe)

R20/0424
8 Weeks PA
Refusal
23/09/2020

58, AVENUE ROAD, RUGBY,
CV21 2JN

Erection of a single storey rear
extension.

Applications Approved

R20/0303
8 Weeks PA
Approval
20/08/2020

38, BULKINGTON ROAD,
SHILTON, COVENTRY, CV7 9JT

Erection of a detached dwelling
(bungalow) - Reserved matters
application for Appearance,
Landscaping and Scale -
(following outline planning
approval under R18/1793 -
approved on the 21st November
2018).

Delegated

8 Weeks PA Applications Applications Approved

12, VICARAGE ROAD, RUGBY,
CV22 7AJ

R20/0381
8 Weeks PA
Approval
20/08/2020

Dormer extension to rear and
alterations to the roof of the
dwelling house (Amended Plans)

R20/0465
8 Weeks PA
Approval
20/08/2020

NEWNHAM PADDOX HOUSE,
NEWNHAM PADDOX, MONKS
KIRBY, RUGBY, CV23 0RX

New sewage treatment plant

R20/0471
8 Weeks PA
Approval
20/08/2020

FURLONG, COALPIT LANE,
WOLVEY, HINCKLEY, LE10
3HD

Demolition of existing
garage/workshop and store
(comprising of three buildings)
and erection of one replacement
building comprising of a
garage/workshop and garden
store

R20/0492
8 Weeks PA
Approval
20/08/2020

57, HEATH LANE, BRINKLOW,
RUGBY, CV23 0NR

Single storey rear extension 4.1m
to the rear x 6.25m across the
back of the house 3.83m max
height Sloping roof with velux
windows Extension to be
rendered

Demolition of existing farmhouse
and erection of replacement

Delegated

8 Weeks PA Applications Applications Approved

R20/0269 8 Weeks PA Approval 21/08/2020	THE WHITE HOUSE, GRANDBOROUGH ROAD, GRANDBOROUGH, RUGBY, CV23 8DB	dwelling
R20/0331 8 Weeks PA Approval 21/08/2020	STANLEY VILLA, LIVINGSTONE AVENUE, LONG LAWFORD, RUGBY, CV23 9BU	Erection of one detached dwelling and associated works.
R20/0495 8 Weeks PA Approval 21/08/2020	34 , Johnson Avenue, New Bilton, Rugby, CV22 7BX	Two-storey rear extension
R20/0507 8 Weeks PA Approval 26/08/2020	PAILTON RADIO STATION, MONTILO LANE, PAILTON, CV23 0HD	Improvements to 3no. existing vehicular accesses onto Montilo Lane
R20/0526 8 Weeks PA Approval 26/08/2020	2, LOWER ROAD, BARNACLE, COVENTRY, CV7 9LD	Erection of single storey annexe to rear garden
	NELSONS WHARF, RUGBY ROAD, STOCKTON, SOUTHAM,	

Delegated

8 Weeks PA Applications Applications Approved

CV47 8AA

R19/1513
8 Weeks PA
Approval
28/08/2020

Change of use of land from agricultural use to land used as a camping area for camping pods, caravans and tents; the laying of hard surfaces to provide bases for the camping pods as well as for access, vehicle circulation and parking areas across the site; the installation of a LPG tank and a below-ground Klargest system.

R20/0517
8 Weeks PA
Approval
28/08/2020

52, GRENDON DRIVE, RUGBY,
CV21 1UB

Erection of lean to garage

R20/0544
8 Weeks PA
Approval
28/08/2020

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

Proposed Temporary Marquees

R20/0351
8 Weeks PA
Approval
31/08/2020

16 BENCHES FURLONG,
COTON PARK, RUGBY, CV23
0GE

Proposed single storey
extension, conservatory & garage
conversion

Re-submission of R16/1861;
Single storey rear extension to

Delegated

8 Weeks PA Applications Applications Approved

R20/0524 8 Weeks PA Approval 31/08/2020	18 PINWOOD DRIVE BINLEY WOODS COVENTRY WARWICKSHIRE CV3 2BX	dwellinghouse
R20/0503 8 Weeks PA Approval 01/09/2020	333, NEWBOLD ROAD, RUGBY, CV21 1EH	Single storey rear extension
R20/0511 8 Weeks PA Approval 01/09/2020	277, ALWYN ROAD, RUGBY, CV22 7RP	Erection of a single storey rear extension with access to garage and replacement cladding and windows
R20/0528 8 Weeks PA Approval 01/09/2020	5, SILVERDALE GARDENS, RUGBY, CV22 5BU	Erection of outbuildings and structures, and provision of hard surfacing in the rear garden (partially retrospective).
R20/0508 8 Weeks PA Approval 02/09/2020	16, BOW FELL, RUGBY, CV21 1JF	Single storey front extension with new garage roof.
	LAND ADJACENT TO LOMOND	

Delegated

8 Weeks PA Applications Applications Approved

HOUSE, FAIR CLOSE,
FRANKTON

R20/0541
8 Weeks PA
Approval
02/09/2020

Erection of one new dwelling (Re-submission of previously approved application R19/1202 to include a rear dormer and internal alterations)

R19/0796
8 Weeks PA
Approval
03/09/2020

BURTON HOUSE FARM,
BURTON LANE, BURTON
HASTINGS, NUNEATON, CV11
6RJ

Demolition of existing dwelling and workshop and erection of replacement dwelling and workshop (Resubmission of previously approved scheme under R15/0677 dated 01/07/2015).

R20/0530
8 Weeks PA
Approval
03/09/2020

4, Tennant Close, Rugby, CV21
3UH

Variation of condition 2 in relation to proposed remodeling of ground floor and first floor side extension (previously approved under R20/0119)

R20/0246
8 Weeks PA
Approval
04/09/2020

64, BAWNMORE ROAD,
RUGBY, RUGBY, CV22 6JP

PROPOSED NEW WROUGHT
IRON GATES AND RAILINGS IN
THE FRONT GARDEN

R20/0514
8 Weeks PA

16A, WESTGATE ROAD,
RUGBY, CV21 3UD

Erection of a single-storey rear extension.

Delegated

8 Weeks PA Applications Applications Approved

Approval
04/09/2020

R19/0711
8 Weeks PA
Approval
07/09/2020

THE PADDOCKS, STATION
ROAD, STOCKTON, CV47 8HA

CHANGE OF USE OF LAND TO
ALLOW STATIONING OF A
MOBILE HOME IN
CONNECTION WITH A RURAL
ENTERPRISE FOR A
TEMPORARY PERIOD OF 3
YEARS, INCLUDING PARTIAL
DEMOLITION OF ANCILLARY
BUILDINGS .

R20/0551
8 Weeks PA
Approval
07/09/2020

256 ALWYN ROAD, BILTON,
RUGBY, CV22 7RR

Replacement summerhouse in
the rear garden of dwelling house

R20/0128
8 Weeks PA
Approval
08/09/2020

THE OLD BARN, CAWSTON
OLD FARM BARNS,
WHITEFRIARS DRIVE, RUGBY,
CV22 7QR

Change of use of existing garage
to a study together with proposed
front extension for a double
garage

R20/0397
8 Weeks PA
Approval
08/09/2020

LOWER FARM, BRANDON
LANE, BRANDON, COVENTRY,
CV3 3GW

Proposed detached garage

Delegated

8 Weeks PA Applications Applications Approved

R20/0545 8 Weeks PA Approval 08/09/2020	4 , Watts Lane, Hillmorton, Rugby, CV21 4PE	Single storey rear extension
R19/1319 8 Weeks PA Approval 09/09/2020	48, RUGBY ROAD, DUNCHURCH, RUGBY, CV22 6PW	Resubmission of Planning Approval R16/1663- erection of one detached dwelling including new vehicular access to Rugby Road
R20/0477 8 Weeks PA Approval 09/09/2020	67, LOWER STREET, RUGBY, CV21 4NT	Erection of proposed single storey side and rear extension
R20/0483 8 Weeks PA Approval 09/09/2020	6, BADBY LEYS, RUGBY, CV22 5RB	Erection of a single storey rear extension and two storey side extension to dwelling, plus alterations to existing access onto road
R20/0489 8 Weeks PA Approval 09/09/2020	Meadowlands, Oxford Road, Ryton on Dunsmore, Coventry, CV8 3EG	Extension to existing agricultural building for agricultural purposes.

Delegated

8 Weeks PA Applications Applications Approved

14 CRICK ROAD,
HILLMORTON, RUGBY, CV21
4DX

R20/0549
8 Weeks PA
Approval
09/09/2020

Demolition of existing detached
garage and erection of single
storey annexe to include link to
host dwelling.

R20/0519
8 Weeks PA
Approval
10/09/2020

84, MALVERN AVENUE,
RUGBY, CV22 5JW

Erection of single storey side and
rear extension

R20/0523
8 Weeks PA
Approval
11/09/2020

SPARROW HALL BARN,
COMBE FIELDS ROAD,
COOMBE FIELDS, COVENTRY,
CV7 9JP

Proposed single-storey rear
extension

R20/0533
8 Weeks PA
Approval
11/09/2020

14, RAINSBROOK AVENUE,
RUGBY, CV22 5HB

Two-storey side extension and
single storey rear extension (and
associated works)

R20/0527
8 Weeks PA
Approval
14/09/2020

34, WESTFIELD ROAD, RUGBY,
CV22 6AS

Erection of single storey rear
extension and rendering of
property (Resubmission of
previously approved scheme
R17/1012 dated 04/09/2017).

Delegated

8 Weeks PA Applications Applications Approved

48, WOODLEIGH ROAD, LONG
LAWFORD, RUGBY, CV23 9FB

R20/0547
8 Weeks PA
Approval
14/09/2020

Retrospective application for the
erection of a summerhouse and
pergola

R20/0574
8 Weeks PA
Approval
14/09/2020

54, CRICK ROAD, RUGBY,
CV21 4DY

Erection of first floor level side
extension above existing garage,
single storey rear extension,
garage conversion and various
other external and internal
alterations.

R20/0546
8 Weeks PA
Approval
15/09/2020

10, CLINTON CRESCENT,
CHURCHOVER, RUGBY, CV23
0FS

Garage conversion and erection
of metal entrance gates

R20/0568
8 Weeks PA
Approval
15/09/2020

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

Single storey front extension and
two storey side extension

R20/0569
8 Weeks PA
Approval
15/09/2020

9, CLINTON CRESCENT,
CHURCHOVER, RUGBY, CV23
0FS

Garage conversion and erection
of glass verandah to patio area

Delegated

8 Weeks PA Applications Applications Approved

R20/0598 8 Weeks PA Approval 15/09/2020	32, COVENTRY ROAD, BRINKLOW, RUGBY, CV23 0NE	Proposed part demolition and construction of a single storey rear extension
R20/0491 8 Weeks PA Approval 16/09/2020	UNIT 3 (PLOT 2) RUGBY GATEWAY EMPLOYMENT, WAVER WAY, RUGBY, CV23 0XF	Extension to canteen and locker room at existing warehouse together with associated plant and alterations to the car park.
R20/0557 8 Weeks PA Approval 16/09/2020	14 , Myers Road, Hillmorton, Rugby, CV21 4BY	Single-storey rear extension
R20/0577 8 Weeks PA Approval 16/09/2020	TREVEK, CHURCH LANE, THURLASTON, RUGBY, CV23 9JY	Conversion and alterations of the existing double garage into a annex to the original house.
R20/0529 8 Weeks PA Approval 17/09/2020	29 , Gentian Way, Brownsover, Rugby, CV23 0XH	Single storey rear extension and two-storey side extension
		Replacement entrance gates and

Delegated

8 Weeks PA Applications Applications Approved

R20/0606
8 Weeks PA
Approval
18/09/2020

Long Lawford Memorial Hall, 9
RAILWAY STREET, LONG
LAWFORD, RUGBY, CV23 9BA

railings.

R20/0427
8 Weeks PA
Approval
21/09/2020

COTON HOUSE, LEICESTER
ROAD, CHURCHOVER,
RUGBY, CV23 0UT

Construction of an outbuilding

R20/0591
8 Weeks PA
Approval
21/09/2020

52 , Monks Road, Binley Woods,
CV3 2BS

Erection of a single storey front
extension and loft conversion

R20/0378
8 Weeks PA
Approval
22/09/2020

242, Norton Leys, Rugby, CV22
5RE

Erection of a single storey rear
and side extension

R20/0576
8 Weeks PA
Approval
22/09/2020

29 , Main Street, Wolston, CV8
3HH

Demolition of existing
consevratory and erection of a
single-storey rear extension with
flat roof.

13, SIR WINSTON CHURCHILL
PLACE, BINLEY WOODS, CV3

Delegated

8 Weeks PA Applications Applications Approved

2BT

R20/0583
8 Weeks PA
Approval
22/09/2020

Part two storey and part single
storey rear extension; single
storey front extension and
associated alterations to
dwellinghouse

R20/0590
8 Weeks PA
Approval
22/09/2020

4, LANGTON ROAD, RUGBY,
RUGBY, CV21 3UA

2 storey rear extension

R20/0605
8 Weeks PA
Approval
22/09/2020

FIELD HOUSE FARM,
BROADWELL LANE,
BROADWELL, RUGBY, CV23
8HP

Erection of a 1.5 storey side
extension (resubmission of
approved scheme R20/0177 with
basement removed and window
and door amendments)

R20/0609
8 Weeks PA
Approval
22/09/2020

14, BARNWELL CLOSE,
DUNCHURCH, RUGBY, CV22
6QH

Extension to front of house, part
render of the front elevation and
a change of colour of the front
elevation and garage doors

R20/0610
8 Weeks PA
Approval
22/09/2020

SUNNYVIEW, FOSSE WAY,
BRETTFORD, CV23 0JX

Erection of front extension

Delegated

8 Weeks PA Applications Applications Approved

DROVERS HOUSE, DROVER
CLOSE, RUGBY, CV21 3HX

R20/0705
8 Weeks PA
Approval
22/09/2020

Provide new timber cabin to
create a safer environment for
residents to meet relatives and
friends to help minimise the
possibility of Covid-19 infection.

R20/0554
8 Weeks PA
Approval
23/09/2020

44, SELBORNE ROAD, RUGBY,
CV22 7QA

Erection of a single storey side
and two storey rear extension
together with front canopy and
bay window

R20/0604
8 Weeks PA
Approval
23/09/2020

43 Vernon Avenue, RUGBY,
CV22 5HP

Proposed loft conversion, single
storey rear extension & internal
alterations

R20/0613
8 Weeks PA
Approval
23/09/2020

99, HAWLANDS, RUGBY, CV21
1JR

Proposed erection of a single
storey front and second storey
rear extension

Certificate of Lawfulness Applications Applications Approved

THE OLD VICARAGE, BURTON

Delegated

Certificate of Lawfulness Applications Applications Approved

FIELDS, BURTON HASTINGS,
HINCKLEY, LE10 3HA

R20/0024
Certificate of
Lawfulness
Approval
14/09/2020

Certificate of Lawfulness for the
proposed development of a
single storey side extension,
partial conversion of existing
garage and erection of pool
house and retractable external
powder coated telescopic pool
enclosure

Discharge of Conditions Applications Approved

R19/1454 165, OXFORD STREET,
RUGBY, CV21 3LY

20/08/2020

Erection of two dwellings.
Substituting the HMO element of
Planning Approval R17/1869

R20/0055 Land adjacent to 177, OXFORD
STREET, RUGBY, CV21 3LY

20/08/2020

Proposed Coach House at land
adjacent to 177 Oxford Street

R19/1071 THE LODGE, 29, COVENTRY
ROAD, BRINKLOW, RUGBY,
CV23 0NE

21/08/2020

Listed Building Consent for
internal and external alterations.

Delegated

Discharge of Conditions Applications Approved

R20/0232	3, LOWER HILLMORTON ROAD, RUGBY, CV21 3ST	Conversion of outbuilding into one residential unit
21/08/2020		
R17/0899	THE OLD STABLES, WATLING STREET, RUGBY, CV23 0AQ	Change of use and operational works to convert part of the existing stable/ storage building to a dwelling
24/08/2020		
R16/0960	The Stables, Green Lane, Brinklow, Rugby, CV23 0NU	Demolition of existing buildings and construction of 7No. residential bungalows and associated works.
26/08/2020		
R19/0969	125, KINGSLEY AVENUE, RUGBY, RUGBY, CV21 4JZ	Erection of a 2 bedroom detached dwelling house together with formation of a new vehicular access from Kingsley Avenue and associated works
01/09/2020		
R19/1484	Land At Rear Of The White House, Main Road, Ansty, Coventry, CV7 9HZ	Demolition of existing buildings and erection of a dwellinghouse, along with the change of use of land to associated residential garden.
02/09/2020		

Delegated

Discharge of Conditions Applications Approved

R13/2089	The Old Post Office, Marton Road, Birdingbury, Rugby, CV23 8EJ	Conversion of former post office to a 2 bedroom ground floor flat.
07/09/2020		

R19/0929	LAND SOUTH OF, EASENHALL ROAD, HARBOROUGH MAGNA	Erection of stables and formation of new field access and driveway
16/09/2020		

Listed Building Consent Applications Applications Approved

R20/0439	31, THE CRESCENT, Listed Building Consent BRINKLOW, RUGBY, CV23 0LG Approval	Listed Building Consent for replacement flush window instead of existing bay window in ground floor rear elevation.
07/09/2020		

R20/0522	14, CHURCH STREET, RUGBY, Listed Building Consent RUGBY, CV21 3PL Approval	Listed Building Consent for the Replacement of defective flooring to Ground Floor Banking Hall.
10/09/2020		

Delegated

Major Applications

Applications Approved

R19/1375 Major Application Approval 07/09/2020	RUGBY RADIO STATION, WATLING STREET, CLIFTON UPON DUNSMORE, RUGBY, CV23 0AS	Substitution of house types for 13 dwellings in Phase 3 Parcels A and B of approved planning permission ref: R18/1177 dated 21/12/2018. Submission of reserved matters appearance landscape, layout and scale pursuant to outline planning permission ref.no R17/0022, dated 28/06/2017.
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R20/0238 Major Application Approval 11/09/2020	RUGBY RADIO STATION, WATLING STREET, CLIFTON UPON DUNSMORE,	Substitution of house types for 29 dwellings in Phase 2 Parcel D of approved planning permission ref: R16/2195 dated 21/12/2018. Submission of reserved matters appearance landscape, layout and scale pursuant to outline planning permission ref.no R17/0022, dated 28/06/2017.
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Non Material Amendment Applications

Applications Approved

R16/0303 Non-Material Amendment agreed 27/08/2020	RUGBY RADIO STATION (KEY PHASE 2), CRICK ROAD, HILLMORTON, RUGBY,	Urban extension to Rugby under ref. no R11/0699 approved on 21 May 2014 - Application for reserved matters approval outside of a key phase for approval of appearance,
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Delegated

Non Material Amendment Applications Applications Approved

landscape, layout and scale in respect of advanced strategic green infrastructure and associated works for the future Key Phase 2 of the Radio Station Rugby development comprising: areas of common or strategic green infrastructure including structural landscaping, great crested newt habitats, hibernacula and crossings/tunnels, productive landscape, sustainable drainage features, engineered drainage works, footways, planting, lighting, any necessary ground remodelling and demolition, connections to existing ditch courses and areas for temporary stockpiling, haul routes and construction purposes. (GREEN INFRASTRUCTURE - Conditions 14 and 15 in part of the Outline Planning Permission - R11/0699)

R19/1284	RUGBY RADIO STATION, A5 WATLING STREET, CLIFTON UPON DUNSMORE, RUGBY, CV23 0AQ
Non-Material Amendment agreed 15/09/2020	

Key Phase 2 Parcel E -
Submission of reserved matters comprising access, appearance, landscaping, layout and scale for the erection of 352 dwellings together with garages, access roads, parking and associated works pursuant to outline

Delegated

Non Material Amendment Applications Applications Approved

planning permission ref.no
R17/0022 dated 28th June 2017.

R19/1309	15, BILTON LANE, DUNCHURCH, RUGBY, CV22 6PY	Demolition of No. 15 and erection of 5 new dwellings with associated access.
Non-Material Amendment agreed 22/09/2020		

R18/0544	LAND AT WHARF FARM, CRICK ROAD, HILLMORTON, RUGBY,	Erection of 380 dwellings with associated works and landscaping. (Approval of reserved matters in relation to outline planning permission R15/1702)
Non-Material Amendment agreed 23/09/2020		

Prior Approval Applications

Prior Approval Applications

R20/0603	Land off Peter Hall Lane, Coombe Fields, Walsgrave on Sowe, CV2 2DR	Prior Notification for the erection of an agricultural building for the purpose of storing hay and straw bales
Agriculture Prior Approval Not Required 24/08/2020		

R20/0599	18, BULKINGTON ROAD, WOLVEY, HINCKLEY, LE10 3LA	
Prior Approval		

Delegated

Prior Approval Applications

Prior Approval Applications

Extension

Not Required

02/09/2020

PAX - Single-storey rear extension that will extend to a depth of 4m beyond the existing rear wall. Total height of 4m and an eaves height of 2.8m which will form a monopitched roof.

R20/0607
Prior Approval
Extension
Not Required
09/09/2020

37, SHAKESPEARE GARDENS,
RUGBY, CV22 6ES

Prior Approval Extension -
Erection of a single storey rear
extension.

R20/0631
Prior Approval
Extension
Not Required
16/09/2020

44, ASHMAN AVENUE, LONG
LAWFORD, RUGBY, CV23 9AG

Prior Approval Application for the
erection of a single storey rear
extension projecting 5.3 metres
from the original rear elevation of
the dwelling, 2.4 metres to the
eaves height, with a maximum
height of 3.5 metres.