

26 October 2018

## **PLANNING COMMITTEE - 7 NOVEMBER 2018**

A meeting of the Planning Committee will be held at 6.00pm on Wednesday 7 November 2018 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn  
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 10 October 2018.
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. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 13 September 2018 – 10 October 2018.
8. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 1, 2 and 6 of Schedule 12A of the Act.”

## **PART 2 – EXEMPT INFORMATION**

1. Enforcement case - progress.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers (Ref. PLN 2018/19 – 8) are attached.

### **Membership of the Committee:**

Councillors Mrs Simpson-Vince (Chairman), Mrs A'Barrow, Mrs Avis, Bearne, Brown, Butlin, Garcia, Gillias, Miss Lawrence, Lewis, 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](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

*If you wish to attend the meeting and have any special requirements for access please contact the Democratic Services Officer named above.*

*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](http://www.rugby.gov.uk/speakingatplanning)).*

**Planning Committee – 7 November 2018**

**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)
- Applications recommended for approval with suggested conditions (yellow pages)

**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	R18/1041	Yardleys Meadow, Stretton Road, Wolston Erection of a temporary yard manager's dwelling.	3

### Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	R18/0468	Cotesbach Game Limited, Coton Farm, Newton Lane, Newton, CV23 0EB Redevelopment and modernisation of existing farm including the demolition of existing buildings and the re-lay of access and hardstanding. Conversion of existing building to three new rural workers dwellings with associated parking, turning and amenity space. Erection of two new agricultural buildings and creation of office space with associated hatchery.	12
3	R18/1436	Millboard Products, Ryton Lodge, Oxford Road, Ryton-on-Dunsmore, CV8 3EJ Redevelopment and limited infilling of existing structures for new production facilities.	30
4	R18/1478	Victoria House, 50 Albert Street, Rugby CV21 2RH Extension of temporary permission R15/1000 for a further three years for use as offices and vehicle storage.	39

**Reference number: R18/1041**

**Case Officer: Chris Davies 01788 533627**

**Site address: Yardleys Meadow, Stretton Road, Wolston**

**Description: Erection of a temporary yard manager's dwelling.**

This application has been referred to the Planning Committee for consideration at the request of Councillor Bragg.

**Relevant History:**

<b>R77/0943/7844/OP</b>	<b>Erection of 1 dwelling with outbuildings.</b>	<b>Refused 09/01/77</b>
R05/0887/07844/P	Construction of menage, ancillary stables, car park, new vehicular access and associated works.	Approved 19/10/05
R10/1127	Erection of general purpose storage building and 3no. attached isolation loose boxes, and retention of a vehicular access track.	Withdrawn 01/09/10
R10/1644	Retention and completion of a vehicular access track.	Approved 27/10/10
R13/1421	Erection of an agricultural building for the storage of hay and machinery, including the provision three holding/isolation stables.	Approved 29/01/14
<b>R15/1310</b>	<b>Erection of a detached dwelling with car port, tack store and farm office.</b>	<b>Refused 05/11/15</b>

**Proposal:**

The applicants seek planning permission to erect a temporary dwelling on the Yardley's Meadow site, to provide accommodation for a yard manager.

The proposal has been put forward as an essential needs dwelling, with the justification being that someone needs to be on site at all times in connection with a business they intend to develop for breeding horses.

**Setting:**

The site lies South of and immediately adjacent to No.20 Stretton Road, in the village of Wolston. The settlement boundary stops after No.20, meaning that the proposal site is entirely within the West Midlands Green Belt.

The area is predominantly rural (excluding Wolston village).

Adjacent to the highway the site is served by a gated formal vehicular access and there is a vehicle turning/parking area within the site (immediately adjacent to a grassed area where the proposed dwelling would be sited). A purpose-built stable block, yard and ménage are situated on the opposite side of the parking area to the proposal site, approved in 2005.

The proposal site is currently grassed with a few immature trees sparsely planted across it. The rear boundary is currently marked by a 1m high post and rail fence. The front boundary is marked by a beech hedge, with a 2m+ high fence along the side boundary with No.20 Stretton Road.

### Technical Consultation Responses:

- Rural Consultant - Not supportable due to proximity to Wolston village, availability of housing nearby, the fact that the horse breeding business could operate from the applicant's other site at Willow Farm (where there is already a dwelling), and that the business model put forward does not show significant gain for 6 years (well after the temporary period requested for the dwelling).
- Environment Agency - No objection but requested a condition re procedure for discovery of previously unidentified contamination. Also recommended an informative note re groundwater protection.
- WCC Highways - No objections. No conditions or informatives requested.
- WCC Ecology - Informative notes re lighting, native planting, and provision of bat and bird nesting boxes.
- Development Strategy - To be confirmed.

### Parish/Ward Consultation Responses:

- Parish - Objection – inappropriate in Green Belt, negative environmental impact due to contamination (especially as septic tank would require excavation into the tip cap), no proven need for the dwelling, and if approved the development would set a precedent.
- Ward - **Councillor Bragg** called the application in to the Planning Committee on the grounds of residents' concerns over the sustainability and principle of development on the site, and the erection of a dwelling on the site.  
**Councillor Poole** said that he could see no reason under the NPPF why the application should be refused, but that he was neither for or against the proposal.

### Neighbour Consultation Responses:

- Objections (3) - History of contamination on the site arising from its former use for landfill and continued need to monitor gas emissions from this, noise nuisance arising from the vehicle and horse movements on the site, no-one has had to stay overnight on the site before so why would they now (sic), the small retirement venture previously proposed (see R15/1310) has now been escalated, why have applicants not started this building at their land in Bretford where they already live, no need for a dwelling on the site, doubt the horse breeding business will materialise, how could proposed soakaway be installed without breaking the cap over the tip waste, proximity to drainage ditch, if the occupation of the house related to a security concern then more than one person would be required to provide 24/7 cover, hard standing proposed would cause damage to the contamination cap, if approved then an application for a permanent dwelling will follow, proposal is not a special exceptional circumstance and so is inappropriate in the Green Belt, would set a precedent that would then be difficult to control, submitted supporting letter from vet casts doubt on applicant's ability to run a stud, No horse breeding has taken place on the site to date, access is dangerous, previously restricted operating hours have been ignored and these proposed ones would be too, siting of dwelling under overhead power lines would be dangerous to the occupants, no guarantees can be given that the stud business would be established if the dwelling was approved.

## **Planning Policy:**

The National Planning Policy Framework July 2018 Conflicts

Rugby Borough Core Strategy 2011

CS1: Development Strategy Conflicts

CS16: Sustainable Design Conflicts

Rugby Borough Local Plan 2006 Saved Policies

E6: Biodiversity Conflicts

Rugby Borough Local Plan Draft Publication 2011-2031:

GP1: Securing Sustainable Development Conflicts

GP2: Settlement Hierarchy Conflicts

GP3: Previously Developed Land and Conversions Conflicts

SDC1: Sustainable Design Conflicts

NE1: Protecting Designated Biodiversity and Geodiversity Assets Complies

The Main Modifications to the Submission Local Plan have been agreed with the Inspector, subjected to Sustainable Appraisal and Habitats Regulation Assessments, and published for consultation.

In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until the receipt of the Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Coe Strategy, and the NPPF.

## **Considerations:**

### **Principle of Development**

Policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011 states that only when national policy on Green Belt and countryside locations allows will development be permitted. This is reinforced in Emerging Policy GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031. Part 6 paragraph 55 of the National Planning Policy Framework March 2012 (NPPF) states that local planning authorities should avoid new homes in such locations unless there are special exceptional circumstances.

The applicant's case is that the breeding business to be established will mean that someone always needs to be on hand for security purposes and for the welfare needs of the animals. Their stance is that this can only be done through the provision of on-site accommodation.

The reason given for needing the dwelling relates to a business venture that has not yet been established; although the applicants have used the site for equine purposes for some time, they had not diversified into a formal horse breeding operation to date. At present, horses are imported to the site by the applicants (mostly or exclusively from Ireland), and are stabled and cared for on the land before being moved to alternative sites (usually after being sold to a third party). They also stable local people's horses, and provide a menage facility for exercising and schooling the horses as well as grazing land.

The applicants have submitted information on the model for the business they intend to operate, but there is no significant indication that the process of starting up this business has begun in order to enable it to be established by the time the dwelling was ready. The bulk of the financial and commercial justification provided appears to relate to the existing on-site operations, which have already been identified (through the refusal of the dwelling application in 2015) as not being sufficiently justifiable to warrant on-site accommodation provision.

As regards a more general requirement for staff to have ease of access to the site in an emergency, the housing market in Wolston is active, with a property recently being advertised for sale just a few hundred yards along on Stretton Road (No. 18). This property was a three bedroomed bungalow that would have met the accommodation needs and close proximity requirements the applicant has identified. Similar properties are regularly advertised in the village and neighbouring villages. The applicants have not submitted sufficient reasoning as to why such available properties could not meet their needs.

The Rural Consultant has assessed the proposal and has determined that there is no special exceptional circumstance that could justify approval in this instance. This is based on the site being close to the village of Wolston, the availability of housing in the locality, that the proposed business could be operated from their existing property at Willow Farm, and that the business model shows that there would be no profit until 6 years in.

Moving on to impact on Green Belt, the siting of a dwelling (be it temporary or permanent) in a part of the site that does not currently have a structure on it inarguably affects the openness of Green Belt land. When the building in question is not directly agricultural in use or intent (such as a barn or a grain silo) this also affects the rural character of the land and the reasoning for it having been included in the Green Belt designation in the first place.

The information submitted to support the proposal is insufficient to prove there is a special exceptional circumstance for development in this case. The development is therefore considered inappropriate and so would be harmful to the Green Belt.

The proposal therefore conflicts with the elements of policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011 that relate to Green Belt and rural development, and with emerging policies GP1: Securing Sustainable Development and GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031. It also conflicts with guidance set out in the NPPF 2018.

It is acknowledged that the site would be considered to be previously developed land due to the established equine use. Emerging Policy GP3: Previously Developed Land and Conversions of the Rugby Borough Local Plan Draft Publication 2011-2031 is therefore relevant to this case. In its opening statement the policy states that:

*“The Council will support the redevelopment of previously approved land where proposals are compliant with policies within this Local Plan.”*

As detailed above, the principle of developing this site as proposed already conflicts with other emerging policies within the Rugby Borough Local Plan Draft Publication 2011-2031. It therefore, by definition, also conflicts with Emerging Policy GP3.

The other key considerations in determining this application are the impact of erecting a temporary dwelling on the site on a) the character and appearance of the site and the locality, b) neighbouring residential amenity, c) contamination and public health implications, d) highway safety and e) biodiversity.

### **Character and Appearance**

The proposed dwelling would be sited on land immediately adjacent to existing dwellings that form a linear development leading from the village centre to the village boundary (namely Stretton Road). The proposed dwelling would effectively follow on this row of houses, and in so doing follow the established linear pattern of development along Stretton Road. However, the house would be set much further back than the adjacent property (20 Stretton Road). This would result in the proposed dwelling not relating to the pattern of development. The concept of



an addition dwelling in terms of the characteristics of the streetscene may therefore be in keeping in principle, but in practice this new dwelling would not relate at all to the existing dwellings in terms of siting.

The presence of young trees on the site would not provide sufficient screening to the extent that the dwelling would be obscured from view from the adjacent highway (Stretton Road), and as they are only adjacent to the one elevation, would provide no screening at all for views from adjacent land or from Dyers Lane or John Simpson Close.

Now to turn the focus onto the proposed design of the dwelling. Given the fact that the dwelling is proposed to be sited for a temporary period, it is accepted that a modular prefabricated design is the more practical option. The applicants have chosen a design that suggests a log cabin type appearance, rather than something more akin to a modern park home or static caravan. This is realistically probably the best solution possible in the circumstances in terms of appearance and design.

Whilst the functional minimalist design may have been acceptable in planning terms given the intended use, the siting and lack of screening mean that the dwelling would appear incongruous and out of place within the contexts of the site, the setting and the locality. There is insufficient screening provision within the site to mitigate this, and no additional sufficient screening has been proposed as part of the development. Whilst it may have been possible to work with the applicants to improve on-site screening and possibly relocate the dwelling, the LPA did not think it reasonable to ask the applicants to invest in additional plans or commit to additional costs for screening when there is still an in principle objection to the development that cannot be overcome.

The scheme as proposed therefore conflicts with elements of policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to character and appearance, and with policies GP3: Previously Developed Land and Conversions and SDC1: Sustainable Design of the Rugby Borough Local Plan Draft Publication 2011-2031. It also conflicts with guidance set out in the NPPF 2018.

### **Residential Amenity**

When considering new dwellings, we must consider not only the amenities of existing neighbouring residential properties, but also the amenities of the future occupants of the new dwelling.

#### *Neighbouring amenity*

As the proposed dwelling would be located at the end of a string of dwellings, and would face open land on the opposite side, the only existing properties likely to be materially affected by the siting and occupancy of the proposed temporary dwelling would be the adjacent dwelling on Stretton Road (No.20) and the adjacent properties on John Simpson Close (primarily No.'s 42 and 44).

As mentioned previously, the proposed siting of the dwelling places it well to the rear of No.20 Stretton Road, and 13.5m away from the boundary between the two properties at the closest point. The boundary between the two properties is screened by a 2m high fence that would protect privacy issues at ground floor level. This separation and screening, coupled with a lack of side windows facing towards No.20, means that there would be no detrimental loss of privacy or sense of overbearing as a result of siting the temporary dwelling.

As the boundary with the closest of the dwellings on John Simpson Close is some 17m away from the site of the proposed dwelling, it is not considered that its siting or use would have had any material impact on the amenities of the residents of these properties.

Whilst neighbours have raised concerns over the noise and disturbance that may arise from the new business, planning considerations in this case must be restricted to the siting and use of the temporary dwelling, as the new business would not require planning consent as it is within the same use as the existing land use.

#### *Future amenity for residents of the proposed dwelling*

The extents of the site shown within the red edge on the site location plan appear to indicate sufficient space to provide outside garden space for the occupants of the temporary dwelling, although this is not formally allocated as such within the proposal. Primary rooms are not overlooked or overshadowed.

With the exception of the boundary with No.20, the site is surrounded by the equestrian land belonging to the applicant. Privacy could therefore have been easily retained had it been approved.

For the reasons detailed above neither existing nor future residents would have experienced a detrimental loss of amenity should the application have been approved and the dwelling erected. The proposal therefore complies with the elements of policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

#### **Contamination and public health implications**

As the site is on historical landfill, the Environment Agency were consulted on the proposals.

Whilst the Environment Agency did *not* object, they did request a condition regarding what was to happen in the event that previously unidentified contamination was discovered. They also recommended including an informative note re groundwater contamination. The agent was made aware of the condition and agreed to the application of it in the event that the scheme was approved.

Had the principle of development been acceptable, these would have been included in the decision notice.

#### **Highway Safety**

The County Highways Engineer raised no objections to the proposals, and requested no conditions or informative notes be included in the event of an approval.

Highway safety is not therefore considered to be a reason for refusal in this case.

#### **Biodiversity**

WCC Ecology Unit raised no objections to the development, and did not request any restrictive or compensatory conditions relating to habitat protection or regeneration.

They recommended inclusion of advisory notes regarding lighting, native planting, and provision of bat and bird nesting boxes. These would have been included in the decision had the outcome been an approval.

The development would therefore have complied with Saved Policy E6 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats, and with emerging policy NE1: Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Local Plan Draft Publication 2011-2031. It also accords with guidance set out in the NPPF 2018.

#### **Recommendation:**

Refusal due to conflict with prevailing local and national policies.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R18/1041

### **DATE VALID**

08/08/2018

### **ADDRESS OF DEVELOPMENT**

Yardley's Meadow  
Stretton on Dunsmore  
Wolston  
Rugby  
CV8 3FR

### **APPLICANT/AGENT**

Jennifer Whitton  
Howkins And Harrison  
7-11 Albert Street  
Rugby  
Warwickshire  
CV21 2RX  
On behalf of Mr & Mrs P Wilson

### **APPLICATION DESCRIPTION**

Proposed siting of a temporary yard manager's dwelling.

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

#### **REASON FOR REFUSAL 1:**

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to the NPPF not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing buildings and for limited infill in specified villages.

Therefore the proposed temporary dwelling constitutes inappropriate development which is, by definition, harmful to the Green Belt and would have adverse impact on the openness of the Green Belt.

In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for a temporary dwelling on this site in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policy CS1 of the Rugby Borough Core Strategy 2011, emerging policies GP1: Securing Sustainable Development and GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031, and the NPPF.

#### **REASON FOR REFUSAL 2:**

The proposed temporary dwelling, by virtue of its siting and insufficient screening provision, constitutes an incongruous feature within the streetscene of Stretton Road that is detrimental to the visual character of the locality.

The proposed development is therefore contrary to policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011, policies GP3: Previously Developed Land and Conversions and SDC1: Sustainable Design of the Rugby Borough Local Plan Draft Publication 2011-2031, and the NPPF.

#### **STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant and agent in a positive and proactive manner, in accordance with paragraph 38 of the NPPF. Unfortunately it has not been possible to reach a positive conclusion for the applicant in this instance.

#### **RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Rugby Borough Core Strategy 2011 :  
CS1: Development Strategy

CS16: Sustainable Design

Rugby Borough Local Plan 2006 Saved Policies:  
E6: Biodiversity

Rugby Borough Local Plan Draft Publication 2011-2031:

GP1: Securing Sustainable Development

GP2: Settlement Hierarchy

GP3: Previously Developed Land and Conversions

SDC1: Sustainable Design

NE1: Protecting Designated Biodiversity and Geodiversity Assets

The development plan policies referred to above are available for inspection on the Rugby Borough Council's web-site [www.rugby.gov.uk](http://www.rugby.gov.uk) or at the Council Offices.

**Reference number: R18/0468**

**Site address: Cotesbach Game Limited, Coton Farm, Newton Lane, Newton, CV23 0EB**

**Description: Redevelopment and modernisation of existing farm including the demolition of existing buildings and the re-lay of access and hardstanding. Conversion of existing building to three new rural workers dwellings with associated parking, turning and amenity space. Erection of two new agricultural buildings and creation of office space with associated hatchery.**

**Case Officer Name & Number: Jo Orton – 01788 533549**

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 redevelopment and modernisation of the existing farm including the demolition of existing buildings and the re-laying of access and hardstanding. The proposal also incorporates the conversion of the existing barn into three new rural workers dwelling with associated parking, turning and amenity space along with the erection of two new agricultural buildings and creation of office space with associated hatchery.

#### *Agricultural Workers Dwellings*

The proposed barn conversion would be carried out through the reuse of existing, now redundant, buildings to provide three rural workers dwellings. These would replace three mobile homes currently located within the application site for employees to reside within their place of work. The conversion would be carried out utilising the existing openings within the brick built building providing employees with two bedrooms at first floor level and an open plan kitchen; dining and living room to ground floor with separate utility room and toilet. Each property would benefit from a modest amenity space with parking.

#### *Agricultural Buildings*

The proposed feed store and grain store would have a maximum height of 11.5 metres with a height of 8 metres to the eaves; there would be a length of 24 metres and a width of 36.2 metres. It is proposed that these buildings would be constructed from corrugated metal sheeting with a steel portal frame, the two modern fit for purpose buildings, would be used for the storage of grain; the housing and maintenance of machinery and a feed store.

#### *Hatchery, Office and Welfare Buildings*

The proposed barn conversions to facilitate the hatchery and office would be carried out through the reuse of existing buildings currently used for the general storage. This would allow for the provision of a fit for purpose facilities and would replace an existing marquee structure currently being used to provide onsite welfare. The conversion would be carried out utilising openings whilst also incorporating new windows to allow for sufficient light into rooms. The building would incorporate the hatchery; sorting room and incubator; conference room; office; toilet facilities and a canteen.

### Site and Surrounding Area

The application site is located outside of the settlement boundary of Newton within the Open Countryside. Coton Farm is a large holding with an agricultural yard, associated fields and

adjoining land. The site is currently occupied by Cotesbach Game who are pheasant and partridge farmers, rearing and breeding game birds. The site consists of former stock and crop buildings, which are a mixture of traditional red brick, steel and concrete portal buildings, along with fully timber, general purpose buildings within the court yard. As previously identified there are also a number of temporary buildings and steel containers. The application site is accessed off Newton Lane from an existing gateway with the proposal seeking to provide adequate parking provision within the site.

Coton Farm extends to 84.58 hectares with the applicants renting 14.16 hectares of the land which forms part of the rotation and forms part of the applicant's arable rotation which within the future is proposed to be separated from the arable rotation. In terms of the arable function of the application site this currently consists of:

- 40.41 hectares (100 acres) in winter wheat;
- 13.35 hectares (33 acres) in winter barley;
- 7.28 hectares (18 acres) in winter beans; and
- 9.31 hectares (23 acres) in set aside.

### Relevant Planning History

690/10 – Covered cattle yard – Approved – 5<sup>th</sup> December 1960

1109/13 – Farm buildings – Approved – 4<sup>th</sup> March 1968

### **Technical Responses**

Warwickshire County Council (Highways) have objected to the application on the grounds that whilst the principle of development maybe acceptable, implementing the permission may not be possible, as part of the layout includes land as parking, driveway and manoeuvring. This land is open to the public and should not be used for private use further works would require the permissions from the Highway Authority.

Warwickshire County Council (Flood Risk Management) have objected to the application on the grounds that insufficient information has been submitted with the application to allow for an appropriate response to made given the size and scale of the development.

Warwickshire County Council (Ecology) have objected to the application on the grounds that insufficient survey effect to determine the impact of the development on bats and great crested newts as protected species has been carried out.

Rugby Borough Council (Landscaping Officer) has advised that a Landscape and Visual Impact Assessment needs to be submitted with the application due to the consideration expansion in building height and expansion into the existing agricultural land.

No objections have been received from:

Warwickshire County Council (Archaeology)  
Rugby Borough Council (Environmental Services)  
Rugby Borough Council (Work Services)  
Natural England  
Building Control  
Highways England  
Seven Trent Water  
Environment Agency

Following the submission of amended plans a re-consultation has been carried out with the relevant technical consultees.

Warwickshire County Council (Highways) have objected to the application on the grounds that sections of the driveway and manoeuvring area are classified as land highway maintainable at public expense. As such, if the layout was granted permission by the planning authority the Highway Authority could prevent the development being built in accordance with the approved plan. The land highway maintainable at public expense needs to be stopped-up (if allowed) prior to building commencing. So the applicant would not be able to reasonably implement the permission as shown without further permissions.

Warwickshire County Council (Flood Risk Management) have confirmed that there is insufficient information to allow a detailed assessment of the proposals and require further information to be submitted.

No objections have been received from:

Warwickshire County Council (Ecology)  
Warwickshire County Council (Highways)  
Warwickshire County Council (Flood Risk Management)  
Rugby Borough Council (Landscaping Officer)

### **Third Party Responses**

No objections have been received from:

Churchover Parish Council  
Newton and Biggin Parish Council

Neighbours notified and a site and press notice have been displayed. No letters of representation have been received.

### **Relevant Planning Policies and Guidance**

#### National Planning Policy Framework – 2018

Section 5: Delivering a Sufficient Supply of Homes  
Section 6: Building a Strong, Competitive Economy  
Section 12: Achieving Well-Designed Places  
Section 15: Conserving and Enhancing the Natural Environment

#### Core Strategy – 2011

Policy CS1: Development Strategy  
Policy CS16: Sustainable Design

#### Saved Local Plan Policies – 2011

Policy GP2: Landscaping  
Policy E6: Biodiversity  
Policy T5: Parking Provision

#### Supplementary Planning Documents – 2012

Planning Obligations



## Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

The Main Modifications to the Submission Local Plan were agreed with the Inspector, subject to the Sustainability Appraisal and Habitats Regulation Assessments, and consulted upon. The consultation has concluded and the Inspector's report is awaited. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. The Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.

### Emerging Local Plan Policies – 2011-2031

Policy GP2: Settlement Hierarchy

Policy ED4: The Wider Urban and Rural Economy

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets

Policy SDC1: Sustainable Design

Policy SDC2: Landscaping

Policy SDC5: Flood Risk Management

Policy D2: Parking Facilities

### **Determining Considerations**

The main considerations in respect of this application are the principle of development, the impact on the character and appearance of the countryside, environment and biodiversity, the amenities of neighbouring residential properties and highway safety.

#### Principle of Development

Policy CS1 of the Core Strategy and Emerging Local Plan Policy GP2 states that development must comply with the settlement hierarchy and that it must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. Whilst Policy ED4 of the Emerging Local Plan states that proposal would support the ongoing viability of farms and other agricultural operations will be encouraged.

As the application site is located with the open countryside it is therefore considered an unsuitable location for development and only where national policy on countryside locations allows will development be permitted. The NPPF states within Section 6 that policies should support the development and diversification of agricultural and other land-based rural businesses. Whereas Section 5 of the NPPF states that isolated homes within the countryside should be avoided and only be considered acceptable where there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work.

The proposed redevelopment and modernisation of the application site is required in connection with effective management and future operations of the onsite pheasant and partridge farm. Due to the deteriorating condition of the farm buildings currently onsite along with the condition of the farm all produce from the business currently has to be sold or stored off the farm, therefore having an impact on the opportunities available to the occupants. The provision of grain storage buildings would also allow the applicants to effectively store grain prepared for the season's crop and arable farming system currently in operation from the holding. There are further issues currently in place given the lack of suitable buildings and facilities for the safe storage of fuel and chemicals associated with agricultural practices. Fertilizer is stored as a matter of necessity on the farm however the applicants have concerns from a security perspective for the long term provision in this manner.

Rhodes Rural Planning have confirmed that there is clearly an established existing need within the site for rural workers accommodation given the business operation carried out which consists of the dispatch of poult finishes in late August/early September when the last of the partridge poults are moved off the unit. Once this has been completed up to 8,000 breeding pheasant hens are retained on the unit together with cock birds on the ratio of ten cocks to 100 hens. The prefabricated game rearing buildings are cleaned, moved and stored as necessary and the breeding birds are fed, watered and monitored. The breeding stock has to be kept in good condition as they account for two thirds of the poults sold. To this end they are health checked and vaccinated up to four times during the period October to January; this involves catching each individual bird and administering vaccines. Egg collecting for hatching commences mid-March, peaks in early May and continues to early June on a phased basis to reflect end user requirements. Concurrent with this, day old chicks from both home-produced eggs and imported eggs arrive back on the farm for rearing under heat and then in open runs as they feather up and regulate their own temperature. Eggs numbers and birds reared are broadly set out in the agricultural supporting report accompanying the application. Pheasant poults are reared to eight weeks before dispatch to shoots with partridge poults reared to 14 weeks. All birds are moved by CGL to client shoots and 30,000 birds can be moved in two days for large end users. The employees do not have set tasks; all the employees are capable of carrying out all duties required. A rota system is employed as during the peak season (i.e. the egg collecting and rearing period Mid-March to August) the work is a seven-day operation. The use of a rota system allows for an employee to carry out after hour's checks at midnight and 2am, and before the day starts at 5am continuing to dusk.

It terms of whether or not there is a need for a rural worker to be present on site and whether or not more than one unit is required is therefore essential to the operation needs of the business. At present the unit has one permanent dwelling available to house a worker which would continue to be rented in this manner should the three rural workers dwellings be approved. It is the opinion of Rhodes Rural Planning, that given the scope of the business, a second dwelling on the farm over and above the dwelling rented from the applicants on an assured shorthold agreement is essentially required (particularly during the peak period from March to early September) to provide the flexibility for the business to operate successfully from both a welfare and security perspective. That being the case, the proposal to convert the existing agricultural building to three dwellings is not, in my opinion, justified. Whilst taking into consideration the comments made from Rhodes Rural Planning, this would not prevent the applications applying, at a later stage for the conversion of the units under a Prior Notification application, should this be granted this would remove the control from the Local Planning Authority to restrict the use to those employees working in conjunction with the business. As such; it is the professional opinion of the case officer that in this instance, the three rural workers dwellings are considered acceptable in principle, allowing the Local Planning Authority the ability to attach an appropriate condition should the application receive a favourable recommendation.

Moving onto the proposed new buildings consisting of a hatchery building and an office/administrative building utilising and adapting the footprint of the existing rear yard buildings, and a 36m x 24m portal steel framed building for the storage of feed and ancillary game rearing equipment. The new hatchery building is a logical step for the business to consider as it will be more cost effective to move eggs straight into the hatchery and the day-old chicks to their heated rearing quarters. This will lead to efficiencies and should also result in lower chick mortality which occurs when chicks are moved from a remote hatchery to rearing units. In terms of the office and other ancillary facilities intended to be constructed including washing facilities, and are reasonably required for farm workers and visitors and to provide an area for meeting clients. The proposed feed and storage building is also as the existing buildings on the farm are ill configured, in poor condition and unsuitable for modern agricultural storage. Feed is currently stored in an open fronted portal steel framed building which is far from ideal, being open to the elements and subject to rodent and bird incursion. Materials and equipment essential to the running of the game

business are being kept in a range of buildings unsuitable from cleanliness, hygiene and security perspectives; in addition, the accessing of these items and equipment is difficult and inefficient. The proposed building is therefore reasonably required.

In addition to the new buildings, the applicants wish to construct a 36m x 24m grain store for arable commodities, farm machinery and fertiliser. The applicants' existing grain store does not comply with current arable assured standards; its roof is asbestos and removal and replacement would not be cost effective; furthermore, the building is sited in a low spot and has been subject to flooding. Rhodes Rural Planning have advised that whilst it is not clear why the applicants wish to store farm machinery given that the farming of the unit is contracted out. It makes sense that they would wish to continue to store commodities on-farm in a more suitable building and also be able to store fertiliser leading to easier management of the farm. Basic Payment Scheme compliance regulations require the arable land at Coton Farm to grow three different crops in any one year and each harvested commodity must be stored separately to meet traceability rules.

It is therefore considered that the application is in accordance with Section 5 and 6 of the NPPF; Policy CS1 of the Core Strategy and Emerging Local Plan Policies GP2 and ED4.

### Impact on Character and Appearance of the Countryside

Policy CS16 of the Core Strategy and Emerging Local Plan Policy SDC1 states that development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. Section 11 of the NPPF supports this further by ensuring that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The existing farm complex has been in the existing ownership since 1948 and comprises of 86 hectares of agricultural holding with the proposed development site consisting of 1.50 hectares of land. It is clear following on from the site visit that the farm has fallen into a state of disrepair with the buildings within the farm yard having the appearance of being outdated and dilapidated and in clear need of renovation.

Moving onto the character and design of the proposal, the barn conversion to provide 3 rural workers dwellings has been sympathetically designed to ensure that the character and appearance of the existing barns is maintained. The buildings for conversion appear to be in good condition and lend well for conversion to provide the onsite dwellings which will remain of a modest nature. Any new windows and doors would be provided within existing opens with the exception of the west elevation which sees a new window inserted in place of a sliding door. The rural workers dwellings would benefit from additional landscaping screening the proposal from the yard along with their own outdoor amenity space and gated access leading through to the welfare facilities and office.

As with the barn conversion for the rural workers dwellings, the conversion of the existing barns to provide the hatchery; welfare facilities and office, have been well designed maintaining the character and appearance of the existing barns. Additional work is required to this building to ensure the conversion can be carried out to meet the requirements including the replacement of the existing, dilapidated roof, with a new fibre cement slate roof. New openings are proposed to provide roof lights to the hatchery allowing daylight to enter into the room along with a further 3 windows to the east elevation; two new openings are proposed serving the conference room and office with an existing blocked up opening being reinstated to the canteen.

The proposed feed and machinery store along with the grain store are of traditional, modern, agricultural building design and are required for the efficient working of the agricultural use within the site. The buildings would be constructed from a corrugated metal and transparent roof with vertical green metal cladding with concrete panels. A personnel door is provided to the north

elevation along with the provision of two segmental roller shutter doors. By providing two fit for purpose buildings will allow for the demolition and removal of the lean-to and accumulation of a variety of buildings in the site which have fallen into disrepair.

It is considered that the proposed works to be carried out within the site have been sympathetic carried out and would result in an improvement to the overall character and appearance of the surrounding are. This has also been confirmed that the proposed buildings are required for the reasonable function of the enterprise, concern however has been raised in relation to one of the buildings which would be 36m x 24m and could store grain heaped to 2.4 metres. Nominally it would have a cubic capacity of 2073m<sup>3</sup> and an on-floor area of 864m<sup>2</sup>. The table below shows the crops and the acreage grown for harvest together with the resultant storage requirements for the crops yielded:

Crop	Acreage grown hectares (acres)	Resultant yield in tonnes	m <sup>3</sup> required per tonne	Area required for crop based on storage 2.4m high
Winter wheat	40.41 ha (100 acres)	400	1.35	225
Winter barley	13.35 ha (33 acres)	105	1.45	63
Winter beans	7.28 ha (18 acres)	34	1.17	17

The storage required for all three commodities in total is 305m<sup>2</sup>. The proposed building extends to 864m<sup>2</sup>. It is therefore considered that the proposed building is too large for the commodities proposed to be stored even when allowing for separation of each commodity and fertiliser storage. Further to these comments the agent has advised that whilst the arable calculation on the farm is not considered to be unreasonable, the replacement buildings cover both the game farm and the arable unit, providing a safe working environment meeting current Farm Assurance Standards. In terms of the machinery requirements for the farm whilst cultivation and harvesting equipment is provided by Mr Hopkins there will be other times for material handling maintenance of the farm which also require secure storage for all the game farm machinery.

It is therefore considered that this application is in accordance with Section 11 of the NPPF; Policy CS16 of the Core Strategy and Emerging Local Plan Policy SDC1.

### Impact on the Environment and Biodiversity

Saved Policy E6 of the Local Plan states that the Borough Council will seek to safeguard, maintain and enhance features of ecological importance, in particular priority habitats and species of conversation concern. Whereas Policy NE1 of the Emerging Local Plan states that development will be refused if significant harm resulting from the development affecting biodiversity can not be avoided, mitigated or compensated for. Section 15 of the NPPF also states that new development should protect sites of biodiversity and recognise the intrinsic character and beauty of the countryside.

Further to consultation with Warwickshire County Council (Ecology) it has been confirmed that the site lies circa 270 metres to the south of the Local Wildlife Site River Avon and Tributaries and circa 70 metres to the west of Ecosite 37/57 Caves Inn Farm Pool which are non-statutory sites of conservation interest. As such it would be expected that a Phase 1 Survey map is submitted as part of the report. A number of discrepancies were highlighted within the submitted Ecology Report along with areas where further work needed to be undertaken as such; it has been concluded that the information submitted was insufficient to be able to determine the impact of the development on bats and great crested newts as protected species.

Information was received from the ecologist in an attempt to provide an explanation regarding the surveys previously submitted however confirmation from Warwickshire County Council (Ecology) has confirmed the need for further bat surveys on Building 6. The building is accessible to bats and birds as it stands and there is reasonable potential for this to change within the 3 year timeframe of any planning permission should permission be granted. If the use by bats does not change then the recommendations given in the Protected Species Survey Report could be considered adequate, however as the surveys were undertaken at the end of the survey period in September, as previously highlighted there is a potential that within the next 3 years this position may change. It was also confirmed that a great crested newt survey is still required this information has been received from the agent with Warwickshire County Council (Ecology) confirming that there is no objection subject to appropriate conditions and informatives.

Saved Local Plan Policy GP2 and Emerging Local Plan Policy SDC2 states that landscape aspects of a development proposal will be required to form an integral part of the overall design with proposals ensuring that the landscape character of the area is retained.

An initial email from Rugby Borough Councils (Landscape Officer) has confirmed that a Landscape and Visual Impact Assessment (LVIA) would need to be submitted with this application prior to formal comments being received on the grounds that there is a considerable expansion in building height and also an expansion out into the agricultural land. This information has been requested and received from the agent with confirmation has been received that the proposal will not have a significant visual impact on the local landscape given the existing site setting, topography and surrounding landscape features and therefore has no objection to the proposal.

Following the submission of a LVIA the Local Authorities Landscape Officer has been re-consulted and confirmation has been received that following assessment of the document and having surveyed all surrounding viewpoints the proposal will not have a significant visual impact on the local landscape given the existing site setting, topography and surrounding landscape features.

This application is therefore considered to be in accordance with Section 15 of the NPPF; Saved Local Plan Policies E6 and GP2 and Emerging Local Plan Policies NE1 and SDC2.

#### Impact on Residential Amenity

Policy CS16 of the Core Strategy and Emerging Local Plan Policy SDC1 also states that development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

The nearest residential dwellings are known as No. 1 and No. 2 Newton Lane Cottages who are located to the South East of the application dwelling and are semi-detached properties. There are windows located to the rear elevations of these properties to the ground and first floor the residential curtilages are defined by a close boarded boundary fence. A separation distance exists here of at least 25 metres between the rural workers dwelling; 28 metres between the proposed hatchery and circa 100 metres between the feed store and the rear elevation of the neighbouring properties. Taking into consideration the aforementioned separation distance combined with the addition of improved landscaping, to be submitted and approved at a later stage, it is therefore considered that the proposal would not have an adverse impact on the occupiers of the neighbouring properties in terms of loss of light, overlooking and overbearing impact.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy and Emerging Local Plan Policy SDC1.

## Flooding Risk

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:

1. 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
2. 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.

Whilst the application site is located within Flood Zone 1 as the application constitutes major development Warwickshire County Council (Flood Risk Management) and the Environment Agency have been consulted on the application. It has been confirmed from the Environment Agency that they have no objections to the proposal and do not require the inclusion of any conditions or informatives. Warwickshire County Council (Flood Risk Management) have confirmed that insufficient information has been submitted in support of the application they have confirmed that given the site area and amount of floor space proposed a Flood Risk Assessment and Surface Water Drainage Strategy needs to be submitted. This information has been requested from the agent and received with the Flood Risk Management team confirming that further information needs to be submitted which demonstrates:

1. The existing discharge rate to be recalculated;
2. Hydraulic modelling of the surface water system to include the proposed attenuation storage;
3. Hydraulic modelling that demonstrates the proposals are adequate for the peak design events;
4. Evidence of ownership of the downstream culvert and confirmation in principle that a connection would be approved, including a permissible discharge rate; and
5. Confirmation that the entire surface water drainage scheme proposed fall within land under the control of the developer.

Further to correspondence received from the agent which confirms that the entire surface water drainage scheme is within land in the developer's control, confirmation has been received from the Highways Authority who operate and maintain the culvert, and have stated that they have no objection to the scheme. As such Warwickshire County Council (Flood Risk Management) have confirmed that they have no objection subject to appropriate conditions.

## Highway Safety

Saved Local Plan Policy T5 and Emerging 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.

The proposal incorporates three rural workers dwellings consisting of two bedroom units a minimum of 4.5 parking spaces are required. The proposal indicates parking for 6 vehicles within the application site. As such it is therefore considered there will not be an adverse impact on parking within the vicinity.

Warwickshire County Council (Highways) have objected to the application on the grounds that it may not be possible to implement the layout as the land is open to public use and should not be used for any private use. They have also confirmed that the principle of the development and rural

workers dwellings is acceptable however, the access to the site is in poor condition, with many potholes and a mixture of surface materials, which is having a detrimental impact on the public highway and therefore improvements to the site would be required.

Visibility splays from the vehicular access to the site do not accord with the posted speed limit with splays of 215 metres being recommended, however on site no splay exceeds 162 metres, which could be acceptable if vehicles were travelling at 50mph. During the site visit it appeared that free flowing traffic appeared to be travelling at less than 50mph and as such, the splays could be considered acceptable. In relation to the two new agricultural buildings, whilst the floor area of the buildings may be slightly less than the existing floor area, the volume of the proposed buildings is much greater. As such, more vehicle movements associated with the site could be generated meaning that improvements to the vehicular access, driveway and manoeuvring areas is essential. The driveway will need to be surfaced with a bound material for a distance of 20 metres, as measured from the vehicular access to the site, to reduce the amount of material transfer.

Following the objection received from Warwickshire County Council (Highways) additional information was requested from the agent in an attempt to overcome the objection received and also included a revised site location plan which incorporates the red edge to the public highway and revisions to the application form so that Certificate B has been signed serving notice on the Highways Authority. Additional information was received from the agents which addresses the concerns raised by the Highways Authority with a re-consultation being carried out accordingly which raised the following issue that sections of the driveway and manoeuvring area are classified as land highway maintainable at public expense. As such, if the layout was granted permission by the planning authority the Highway Authority could prevent the development being built in accordance with the approved plan. The land highway maintainable at public expense needs to be stopped-up (if allowed) prior to building commencing. So the applicant would not be able to reasonably implement the permission as shown without further permissions.

Amended plans were submitted which overlaid the highway extent over the proposed site plan. The manoeuvring and parking areas have now been moved away from the highway extent. As such; Warwickshire County Council (Highways) have confirmed that the reasons for objecting to the application have been overcome and have recommended a number of appropriate conditions and informatives.

Highways England have confirmed that they have no objection to the proposal subject to an appropriate condition to identify the number of potential HGV trips during the construction period and to ensure that the proposal would not have any adverse effect on the safe operation of the Strategic Road Network during the construction phases. Rugby Borough Council (Work Services) have confirmed that they have no objections to the proposal.

This application is therefore considered to be in accordance with Saved Local Plan Policy T5; Emerging Local Plan Policy D1 and the SPD on Planning Obligations.

### Conclusion

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. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and the Core Strategy and is therefore recommended for approval subject to conditions and informatives.

Report prepared by: Jo Orton, Senior Planning Officer

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R18/0468

### **DATE VALID**

27/03/2018

### **ADDRESS OF DEVELOPMENT**

COTON FARM  
NEWTON LANE  
NEWTON  
RUGBY  
CV23 0EB

### **APPLICANT/AGENT**

Miss Charlene Hurd  
Roger Coy Partnership  
Bricknells Barn  
32 Lime Avenue  
Eydon  
Daventry  
Northamptonshire  
NN11 3PG  
On behalf of Mr and Mrs Sekwyn Rees, Coton  
Farms C/O Agent

### **APPLICATION DESCRIPTION**

Redevelopment and modernisation of existing farm including the demolition of existing buildings and the re-lay of access and hardstanding. Conversion of existing building to three new rural workers dwellings with associated parking, turning and amenity space. Erection of two new agricultural buildings and creation of office space with associated hatchery.

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

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

Site Location Plan (4138/mapA)  
Existing Site Plan (4138-01)  
Survey Drawing Elevations (4138-04)  
Survey Drawing Ground Floor Plan (4138-02)  
Survey Drawing First Floor Plan (4138-03)  
Survey Drawing Kennels and Barn Elevations (4138/05)  
Scheme Drawing Site Plan (4138/22E)  
Grain Store Floor Plan, Elevations and Section (4138/25B)  
Feed Store Machinery Floor Plan, Elevations and Section (4138/24C)  
Hatchery, Office and Welfare Floor Plans, Elevations and Section (4138/26A)  
Barn Conversion Floor Plans, Elevations and Section (4138/23)

#### 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, together with samples of the facing bricks and roof



titles 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: 3**

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

**CONDITION: 4**

No development shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA.

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 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 LPA. 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.

**REASON: 4**

In the interest of archaeology.

**CONDITION: 5**

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: 5**

In the interest of archaeology.

**CONDITION: 6**

No part of the development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with Highways England. The development shall be carried out in accordance with the approved plan.

**REASON: 6**

To ensure that the A5 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, in the interests of road safety.

**CONDITION: 7**

Prior to any development commencing a full noise survey and assessment by a competent person must be prepared and submitted, with any proposed works, to the local planning authority for approval. The assessment shall include consideration of the prevailing road traffic noise as well as any proposed new plant or machinery to be installed.

**REASON: 7**

To ensure that risks/disturbances from noise to the future residents are minimised.

**CONDITION: 8**

The ownership of the proposed residential properties should be linked to ownership of the farm, as it may not be possible to protect residents of the property from nuisance from the agricultural activities. The residential properties must not be used for renting or leasing for the same reasons unless to an agricultural worker on the site. If linking is not possible, the application should be refused, and no permission given until the applicants have provided sufficient evidence regarding noise and odour to convince the local planning authority that residents will not suffer significant nuisance.

**REASON: 8**

To ensure that risks/disturbances from farms to the future residents are minimised.

#### CONDITION: 9

Unless otherwise agreed in writing by 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.

© 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 ©.

#### REASON: 9

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: 10

No development shall commence unless and until a full Asbestos Survey of buildings to be demolished has been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

#### REASON: 10

In the interest of health and safety.

#### CONDITION: 11

The development permitted by this planning permission shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA) and Drainage Strategy Coton Farm, Rugby\_David Smith

Associates\_18/30182\_Rev A\_August 2018 and in particular the following mitigation measures detailed within the FRA:

- 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 50% of the existing discharge rate for the site.
- Surface water is to be provided via a minimum of two trains of treatment using the proposed drainage features within the drainage design.
- Maintenance of the drainage system in accordance with the submitted maintenance plan, the responsibility for maintenance remains with the landowner as outlined in the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme.

**REASON: 11**

To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

**CONDITION: 12**

No development and subsequent use of the development shall/shall not 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:

- Undertaken infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Where flooding occurs onsite to store the 1 in 100 year climate change event details should be provided of the storage capacity required outside of the proposed formal drainage system. Details of the depths and locations of flooding should also be provided to the LLFA where the depths may be unsafe Hazard mapping may be required to ensure the development remains safe to users of the site.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.

**REASON: 12**

To prevent the increased risk of flooding, ensure appropriate design of sustainable drainage structures and mitigate the impact of overland and exceedance flows.

**CONDITION: 13**

The existing vehicular access to the site from the public highway shall be resurfaced to the specification of the Highway Authority.

**REASON: 13**

In the interest of highway safety.

**CONDITION: 14**

No building shall be occupied until the access, car parking, manoeuvring and service areas have been laid out in accordance with the approved details. Such areas shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public

highway, and shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

**REASON: 14**

In the interest of highway safety.

**CONDITION: 15**

The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

**REASON: 15**

In the interest of highway safety.

**CONDITION: 16**

The development hereby permitted, including site clearance, and any internal works, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition the LPA expect to see results of further bats survey(s) in accordance with BCT Bat Surveys for Professional Ecologists– Good Practice Guidelines and a detailed mitigation plan, plus details concerning precommencement checks for breeding birds, badger and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

**REASON: 16**

To ensure that protected species are not harmed by the development

**CONDITION: 17**

The development hereby permitted shall either:

a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.

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

Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act.

**REASON: 17**

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

**CONDITION: 18**

No part of the development hereby permitted shall be commenced until a scheme for the provision of at least 4 suitable nesting boxes/platforms for swallows to be erected within buildings on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, boxes shall be installed and maintained in perpetuity.

**REASON: 18**

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

**CONDITION: 19**

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of landscaping including details of native planting and installation of bird and bat boxes. The agreed scheme to be fully implemented before/during development of the site as appropriate.

**REASON: 19**

In accordance with NPPF, ODPM Circular 2005/06.

**CONDITION: 20**

The occupation of the dwellings; approved under drawing number 4138/23 received by the Local Planning Authority on 27th March 2018; shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

**REASON: 20**

To restrict the occupancy of the dwelling to those employed in agriculture and forestry and to prevent inappropriate development in the Open Countryside.

**CONDITION: 21**

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

**REASON: 21**

In the interest of residential amenity.

**CONDITION: 22**

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

**REASON: 22**

In the interest of visual amenity.

**CONDITION: 23**

No above ground development shall commence unless and until details of all proposed walls, fences and gates 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: 23**

In the interest of visual amenity.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE: 1**

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

**INFORMATIVE: 2**

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

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

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

No work on Sundays & Bank Holidays.

**INFORMATIVE: 3**

Details are limited with regard to how foul sewage will be removed/treated. The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition)– Drainage and Waste Disposal .

If a septic tank or sewage treatment plant is the chosen method of treatment/disposal the applicant may require a permit. The Environmental Permitting Regulations 2010 for registration of small scale sewage discharges changed as of 1st January 2015 resulting in extra requirements and conditions that need to be met in order to qualify for an exemption.

Where such conditions can't be met or if the sewage is not domestic the applicant will need to apply for a permit from the Environment Agency. If the applicant is not sure if a permit is required they should contact the Environment Agency for more advice on 03708 506 506 or via e-mail on enquiries@environment-agency.gov.u

**INFORMATIVE: 4**

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

**INFORMATIVE: 5**

Odour nuisance is a potential from the activities in the buildings especially the hatchery. The waste material should be dealt with in a way that will prevent odour nuisance to local residents. The use of bonfires to dispose of commercial waste is not an acceptable practice.

**INFORMATIVE: 6**

These type of activities proposed ie agricultural/hatchery can attract vermin and other pests. The buildings should be pest proofed and preventative pest control measures should be undertaken to minimise the potential of a pest infestation.

**INFORMATIVE: 7**

Condition numbers 14 and 15 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

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

**INFORMATIVE: 8**

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

**INFORMATIVE: 9**

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

**INFORMATIVE: 10**

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches,

which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

**INFORMATIVE: 11**

Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089

**INFORMATIVE: 12**

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

**Reference number:** R18/1436  
**Site address:** Millboard Products, Ryton Lodge, Oxford Road, Ryton-on-Dunsmore. CV8 3EJ  
**Description:** Redevelopment and limited infilling of existing structures for a new production facilities  
**Case Officer:** Peter Heath, Principal Planning Officer 01788 533697

### **Introduction**

The planning application is being reported to Planning Committee in accordance with the Council's scheme of delegation as the proposal constitutes major development and requires referral to the National Planning Casework Unit for consideration.

### **Application Proposal**

The proposal seeks to erect two new production facilities to allow the business to cater for the increased demand for the Millboard product (composite decking). Overall, there would be an increase in built development. The existing structures to be replaced are 13,041 cubic metres. The two new units would be 25,162 cubic metres, an increase of 12,121 cubic metres. This represents an increase of 93%. These new industrial units would replace a series of poly tunnels so would not be introducing built development into the Green Belt but replacing existing development in the Green Belt in terms of floor area. The earlier permission (R16/1067) allowed the construction of an industrial unit on site, known as phase 1, these new units would be sited adjacent to that phase 1 unit. The phase 1 unit has been constructed and is now operational.

Unit A (Phase 2) – would be located immediately to the west of the existing phase 1 unit and would be 40m wide by 47m deep by 7.1m high – 13,348 cubic metres

Unit B (Phase 3) – would be located immediately to the south of the existing phase 1 unit and to the east of the proposed phase 2 unit. It would be 64m wide by 26m deep by 7.1m high – 11,814 cubic metres.

The materials used in the construction of both units are indicated to be;

- Roof - Profiled metal sheeting in Goosewing Grey RAL 7038 HPS 200 Ultra finish with Merlin Grey RAL 180 40 05 eaves, fascia and soffit incorporating approximately 10% roof lights.
- Walls - Vertically spanning metal profiled sheet in Goosewing Grey RAL 7038 HPS 200 Ultra finish.
- Doors - Service Access: Metal doors painted Merlin Grey RAL 180 40 05
- Fire Exit/ Personnel Doors: Metal faced doors painted Merlin Grey RAL 180 40 05

These materials match those used in an earlier permission (R16/1067) for the phase 1 production facility.

### **Site and Surrounding Area**

The application site lies within the designated West Midlands Green Belt outside any defined settlement boundary. It is located approximately 300 metres south west of Ryton on Dunsmore village. The site is accessed off the Oxford Road, A423 on the south western side. There are no proposals to alter the access, as this was upgraded under the previous permission R16/1067. Site is surrounded by an existing boundary of trees and hedges that provide good screening of the site in its semi-rural setting.

Ryton Lodge was previously a residential dwelling, before being converted to offices and staff facilities. The buildings were initially converted in 2004 to enable the manufacture of tubs and garden containers associated with a horticultural nursery use on the site. These operations have diversified over time as the business has grown and evolved. The business now manufactures composite decking products for use in external areas and landscape gardening.

The overall site extends to 7.54 hectares (18.63 acres) approximately, of which the proposed development only occupies a small area.

The site comprises buildings of a mixture of styles and scale, including poly tunnels, purpose built production facilities, Ryton Lodge and open storage.

The adjacent site to the north (Stonemarket) also comprises buildings of varying scale, however the heights are comparable, the closest being 7 metres high. This site primarily manufactures paving and other hard



landscape products. To the north east is the Former Peugeot Works site which has received planning permission to be redeveloped for employment purposes. To the south east is the residential property of Lodge Cottage with fields beyond. To the south west is the remaining part of application site where there is open storage.

#### Relevant History

R16/1067 Redevelopment and limited infilling of existing structures for a new production facility. Approved September 2016

R15/0421 Change of Use and extension to existing building for the purposes of manufacturing decking products. Approved November 2015.

#### **Consultation Responses**

Notifications were sent to neighbouring properties, ward councillors and the parish council.

A site notice was posted at the site.

A press notice was published in the local press.

No letters of representation have been received.

#### **Technical Responses**

Natural England No Comment

Highways Agency No Objection

Environment Agency No Comment

WCC – Ecology No objection subject to some notes being appended to decision

WCC – Flood risk No objection subject to a scheme for Sustainable Urban Drainage being submitted and approved.

WCC – Highways No Comment

Environmental Health No Comment

#### Relevant Planning Policies and Guidance

National Planning Policy Framework (NPPF) - July 2018

#### Core Strategy - 2011

CS1: Development Strategy

CS2: Parish Plans

CS11: Transport and New Development

CS14: Enhancing the Strategic Green Infrastructure Network

CS16: Sustainable Design

SPD Sustainable Design and Construction SPD

Ryton on Dunsmore Parish Plan, 2012.

#### Rugby Borough Saved Local Plan Policies;

E6 Biodiversity

GP2 Landscaping

T5 Parking facilities

ED6 Retention of other employment land

#### Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

*The Main Modifications to the Submission Local Plan were agreed with the Inspector, subject to the Sustainability Appraisal and Habitats Regulation Assessments, and consulted upon. The consultation has concluded and the Inspector's report is awaited. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. The Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the*

*emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.*

#### Emerging Local Plan June 2018

GP2: Settlement Hierarchy

GP3: Previously Developed Land

GP5: Neighbourhood Level Documents

DS1: Overall Development Needs

ED1: Protection of Rugby's Employment Land

ED3: Employment development outside Rugby urban area

NE1: Protecting Designated Biodiversity and Geodiversity Assets

NE2: Strategic Green and Blue Infrastructure

NE3: Landscape Protection and Enhancement

SDC1: Sustainable Design

SDC5: Flood Risk Management

SDC6: Sustainable Drainage

D1: Transport

D2: Parking Facilities

Appendix 5: Parking Standards

#### **Determining Considerations**

The determining considerations for this application are, the principle of development in the Green Belt and the effect upon openness, design issues, amenity, biodiversity, highways and flooding.

#### **Principle of development**

The application site lies within the designated West Midlands Green Belt outside any defined settlement boundary.

Adopted policy CS1 and emerging policy GP2 both steer development to the most sustainable locations within Rugby Borough, namely the town centre and urban area of Rugby. As the site lies within the Green Belt this is the least preferred location for new development and both policies CS1 and GP2 state that new development will be resisted in such areas unless national policy on Green Belts would permit such development. National Planning Policy for the Green Belt is set out in the Framework (July 2018). Paragraph 145 states that,

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

Most relevant in the assessment of this proposal is bullet point 6. This is a twofold assessment.

- 1) *whether the site constitutes previously development land.*

The lawful use of the site is for restricted industrial purposes, which has subsisted for many years and continues to thrive (original planning permission 2004). Planning permissions R15/0421 and R16/1067 were both granted consent for manufacturing processes on-site. The red line boundary for the application site is shown on Drawing No. 5820-48 of application R16/1067 and encompasses the existing canopied poly tunnels, which are used for the dry storage of finished products. It can therefore be regarded that the application site as a whole has an established restricted B2 use and is therefore previously developed land and fits within the meaning of such within Annex 2 of the NPPF. In principle, therefore, the proposals would thus comply with the first part of the assessment, and, as a result emerging policy GP3.

2) *whether the proposal have a greater impact upon the openness of the Green Belt and the purpose of including land within it than the existing development?*

The new production facilities are set well back from the public highway and are situated between the existing built structures, which helps to shield their impact in terms of openness. The proposal does not result in any form of outward spread of built form within the Green Belt – but rather confines the built form within the long established framework and building lines of buildings and the adjoining industrial premises. The new buildings will be more bulky and permanent in their appearance compared to the existing poly tunnels. Whilst there will be an increase in volume in floor space terms the structures will be replacing existing poly tunnels. Therefore the effect on openness will not be significant, as the proposal occupies the previous footprint of the poly tunnels. In addition, given that there are surrounding buildings on both this site and the adjacent site to the north of similar heights and massing, and based on the previous planning history of the site, it is considered the increased built form will have on balance a relatively minimal impact on the openness and character of the Green Belt.

It is therefore considered the proposal complies with the second part of the NPPF test set out in bullet point 6, and by default development plan policies because in NPPF terms it is appropriate development in the green belt as defined by bullet point 6, para 145 of the NPPF. It will not cause further harm to the openness and characteristics of the green belt and is acceptable in this respect.

Saved Local Plan Policy ED6 and emerging policies ED1 and ED3 focus on the significance of retaining existing employment land for that purpose. The supporting text advises that it is important to keep the diversity of businesses the Borough currently possesses in order to provide a wide spectrum of employment opportunities. Section D9 of the Ryton on Dunsmore Parish Plan refers to 81% of respondents feeling there should be more encouragement for jobs and home based working. Therefore, it is considered that the proposal does not conflict with the Parish Plan and accords with policy CS2 and emerging policy GP5 as well as saved policy ED6 and emerging policies ED1 and ED3 as the works help secure continued economic growth of this existing business.

The application envisages the creation of an additional 36 jobs on site increasing from 90 jobs currently to 126 (full time equivalents). Paragraphs 80-82 of the NPPF call on local authorities to be flexible in considering the needs of business to help promote investment and paragraphs 83-84 promote the support of the rural economy on previously developed land on sites that are physically well-related to existing settlements. Granting permission would enable the current operator to increase productivity of the processes on the site, helping to safeguard its future, and thus employment, within the borough.

Emerging policy DS1 seeks an additional 208ha of employment land to be developed over the plan period and has a target of an additional 1,327 additional jobs for B2 uses over the 2011-2031 period from the allocated sites. The additional employment proposed represents a 'windfall' gain and helps to contribute to this target.

### **Design and visual issues**

The NPPF states that the creation of high quality buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creating better places in which to live and work and making development more acceptable to communities.

The new units would follow a similar built form to the existing phase 1 unit with comparable ridge and eaves heights. The lower section of the walls will be constructed from concrete blockwork with the upper walls and roof comprising of goosewing grey coloured profile metal sheeting. Entrance doors into the extended part will be finished in a combination of silver and grey along with darker grey cladding to the eaves, fascia's, soffits and edges all to match the existing building.

The proposed new units would replace the existing poly tunnels made of polythene and are considered to be an improvement over the existing poly tunnels in terms of visual appearance.

On this basis the design and appearance of the units are judged to complement the existing building and would lie amongst existing buildings on site and those adjacent to the site and would represent a slight enhancement to the character and appearance of the immediate area.

Overall the proposals would comply with policy CS16, emerging policy SDC1 and the NPPF.

### **Neighbour amenity**

The closest residential property to the site not associated with the premises is Lodge Cottage. This house lies approximately 100 metres to the south east of the site and will be screened/shielded by the existing building and other landscape features on site. Therefore, owing to the size and siting of the proposed works and their distance from the neighbouring residential property, the amenity of Lodge Cottage is not considered to be adversely affected by the intended works.

To the north east and south west of the extended building are other buildings, there is one residential dwelling close to the site, but this on the other side of Ryton Lodge, which has been converted to offices/meeting rooms. To the North West are a collection of buildings and open storage yard associated with the industrial premises, Stonemarket. It is not considered that these buildings/premises would be adversely affected by the proposal.

Overall the proposal would comply with adopted policy CS16 and emerging policy SDC1 given that they would not adversely affect the living conditions of nearby residential properties.

### **Impact on biodiversity**

Saved Local Plan Policy E6 and emerging policy NE 1 both state that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. In addition, paragraph 170 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 and seeking net gains to biodiversity.

WCC Ecology has no objection to the proposal subject to the addition of some informatives. The survey found that the three ponds located approximately 50m, 65m and 120m from the site boundary were of average or good suitability to support great crested newts. However the habitat to be affected by the proposed works is an area of hardstanding and the existing industrial building, which did not contain any suitable foraging or sheltering habitat for newts. Given the known records in the area and proximity of the ponds, Ecology Officers have recommended the addition of two informative notes to ensure the development will proceed in accordance with the method statement for great crested newts and the approved mitigation methods should be implemented in full.

It is therefore considered the proposal complies with policy E6 and emerging policy NE1 and the NPPF and is acceptable in this respect.

### **Impact on Highways**

- **Access** The site will be accessed via the existing entrance to the premises off the A423 Oxford Road opposite a public footpath to Ryton on Dunsmore and opposite the Former Peugeot Works industrial site. The Highway Authority considers the proposed development to be acceptable and it is unlikely that the development proposals will have a detrimental impact on highway safety or the operation of the local highway network, resulting in only 2 additional movements per hour (1 in, 1 out).

Emerging policy D1 seeks a Transport Assessment to accompany major developments so the transport impacts of a proposal can be fully assessed. The proposal will result in an increase in employee numbers to the site; however the supporting information (Transport Assessment) which was submitted with the application has provided evidence to support the proposal. It demonstrates there will be no harmful impact on the existing highways network resulting from the increase in trip generation, which is considered to be not severe enough to warrant refusal.

Highways officers have reviewed the Transport Assessment and plans and have raised no objections.

- **Parking.** Rugby Borough Council's Supplementary Planning Document (August 2011) states in Appendix 2 that for general industrial use outside a controlled parking zone, a space is permitted for every

60m<sup>2</sup> of the development's gross floor area as a maximum. Standards in emerging local plan set out in Appendix 5 no different from adopted standards. Disabled parking for employment generating businesses is required to consist of 3 additional spaces for every 75 standard spaces. As such, a maximum of 58 spaces are suggested, 2 of which are disabled. Saved Local Plan policy T5 and emerging policy D2 both seek to ensure that permission is only granted when parking provision is satisfactory. Space exists onsite to cater for 2 disabled spaces and 54 general parking spaces. Given high percentage of car sharing and shift patterns the shortfall would not merit refusal.

### **Sustainable design, construction and drainage**

Core Strategy policy CS16 refers to sustainable design. Policy CS16 states that sustainable drainage systems (SUDS) should be used and development should meet specified water conservation levels. Sustainable Urban Drainage systems (SuDS) are used to reduce the impact of development on surface water discharge. Opportunities for utilising SUDS are also referred to in saved policy GP2. The units are located in Flood Zone 1. Policy SD6 of the emerging plan relates to sustainable drainage and requires that SuDS are required on all major developments in zones 2 and 3. The lead flood authority, Warwickshire County Council (WCC), have recommended that a condition be imposed requiring that a detailed surface water drainage scheme for the site, based on sustainable drainage (SuDS) principles and an assessment of the hydrological and hydrogeological context of the development. This needs to be submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme should subsequently be implemented in accordance with the approved details before the development is completed and the condition can be worded to this effect. As a result it is anticipated that SuDS matters can be adequately controlled.

### **Other considerations**

Whilst the site lies outside the Strategic Green Infrastructure Network it does lie within the Princethorpe Biodiversity Opportunity Area. However, based on the comments of WCC Ecology and owing to the limited scale of the development within the curtilage of the existing industrial building, which will be on existing hard surfacing, it is not considered that it would be appropriate to seek additional Green Infrastructure linkages through the site and thus would not conflict with policy CS14 or emerging policy NE2. Similarly, the location of units next to existing unit towards the centre of the site surrounded by tall screening vegetation means there is no conflict with emerging policy NE3 which seeks to protect landscape.

### **Conclusion**

Paragraph 8 of the NPPF (July 2018) sets out three overarching objectives for the planning system. The application would enable an existing large employer to expand their facilities, creating additional employment within the borough and helping to safeguard their future within the borough. So application accords with the economic objective of the NPPF. It is neutral on the social objective of helping to create strong and vibrant communities. The environmental objective concerning the protection/enhancement of the natural environment also includes the need to make effective use of land. Uplift of 87% does, on first viewing, appear excessive. However, site is previously developed land, well screened by vegetation and surrounded by industrial uses. It would replace existing structures and would not be new development. The new structures would be located adjacent to an industrial unit, itself surrounded by open storage, hardstanding and other buildings. The impact on openness therefore would be limited.

In view of the design, siting and massing of the proposed production facility and associated works at the site, it accords with Rugby Borough Council Core Strategy policies, the emerging local plan policies, supplementary planning documents and the NPPF. The proposal will not have an adverse effect on amenities of the nearby residential properties or the openness of the Green Belt and therefore the application is recommended for approval, subject to conditions. As there would be more than 1,000 sq.m. of development within the Green Belt, the application has to be referred to the National Planning Casework Unit for their consideration.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R18/1436

### **DATE VALID**

14/08/2018

### **ADDRESS OF DEVELOPMENT**

RYTON LODGE  
OXFORD ROAD  
RYTON-ON-DUNSMORE  
RUGBY  
CV8 3EJ

### **APPLICANT/AGENT**

Mr Peter Frampton  
Framptons  
Oriol House  
42 North Bar  
Oxfordshire  
OX16 0TH  
On behalf of n/a n/a, The Millboard Company  
Limited

### **APPLICATION DESCRIPTION**

Redevelopment and limited infilling of existing structures for new production facilities.

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

#### **CONDITION 1:**

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

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

#### **CONDITION 2:**

The development hereby permitted shall be carried out in accordance with the following approved documents;

- 17 226 P0001 Site Location Plan;
- 17 226 P002 Rev A Site Plan;
- 17 226 P003 Rev A Ground Floor Plan;
- 17 226 P004 First Floor Plan;
- 17 226 P005 Roof Plan;
- 17 226 P006 Elevations;
- 17 226 P007 Sections
- M2205/REV.0 Flood Risk Assessment, February 2018;
- M2205/REV.0 Drainage Design Strategy, February 2018;
- PF/9743 Planning Statement, August 2018;
- 2016-07(07) EcoLocation Great Crested Newt Assessment, 03/08/2016.
- DN\RM\19488-01 Transport Statement, 12th February 2018;
- PF/9743 Design & Access Statement August 2018

**REASON:** For the avoidance of doubt and in the interests of proper planning.

#### **CONDITION 3:**

No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage (SuDS) 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 (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- a. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753 The SuDS Manual.
- b. 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.
- c. Demonstrate that a minimum betterment of 50% on the brownfield surface water discharge rate has been achieved for the new development proposals.
- d. If 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.
- e. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing.
- f. Provide a Maintenance Plan to the LPA giving details on how the entire surface water system shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details, for the maintenance of all features within the communal areas onsite (outside of individual plot boundaries) shall be provided to the LPA.

**REASON:** To reduce the incidence of flooding.

**CONDITION 4:**

Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be used solely for the manufacturing of composite decking products and for no other purposes including any other purpose in Class B2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification.

**REASON:** In the interests of the amenities of the locality and to safeguard the character, appearance and openness of the Green Belt

**CONDITION 5:**

Unless otherwise agreed in writing with the Local Planning Authority, no part of the site, other than within the existing building and proposed building, hereby approved, shall be used for external storage purposes associated with the manufacturing of composite decking products.

**REASON:** In the interests of the visual amenities of the locality and to protect the openness of the designated Green Belt.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

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

**INFORMATIVE 2:**

In view of the ponds nearby and records from 2013, care should be taken when clearing the ground prior to development. If evidence of great crested newts is found during development, work should stop immediately while Natural England are contacted on 02080 261 089 for advice on the best way to proceed. Great Crested Newts and their habitat (aquatic and terrestrial areas) are protected under the 1981 Wildlife and Countryside Act, the Countryside and Rights of Way Act 2000 and the Conservation of Habitats and Species Regulations 2017 the latter of which makes them a European Protected Species. Where newts are present a licence might be necessary to carry out the works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089



**Reference number: R18/1478**

**Site address: Victoria House, 50 Albert Street, Rugby CV21 2RH**

**Description: Extension of temporary permission R15/1000 for a further three years for use as offices and vehicle storage.**

**Case Officer Name & Number: Peter Heath – 01788 533697**

### **Introduction**

This application is being reported to Planning Committee in accordance with the Scheme of Delegation as the applicant is the Council.

### **Application Proposal**

This application seeks a further three year permission to continue the use of the site as offices and vehicle storage. This would be a continuation of an earlier 2015 permission giving consent to use the site on a temporary basis for an initial three year period that gave a temporary change of use of the site as a whole (building and hard standing) from a car sales forecourt, car workshop and car sales office (use class sui generis) to offices with associated car parking, storage and distribution (Use Class B1a).

### **Site and Surrounding Area**

The site was a former Peugeot/Citroen garage located within Rugby Town Centre. There is a working garage to the east, an office block to the west, residential to the north and south and a Public House to the south west. The site, located within the defined Town Centre boundary, is occupied by a three-storey building with single storey rear projection and a standalone single storey building last used for car sales purposes with the remainder of the site comprising hard standing. Surrounded by a mixture of uses including residential, offices, public house and motor garage, the built form in the immediate locality varies between single and 4 stories in height as well as in respect of the materials used in the construction of these surrounding buildings. Ground levels fall approximately 3m along the immediate site frontage whilst also falling from within the site in 3 directions toward Albert Street and Albert Square, however there is a greater fall in ground level along Albert Street as a whole. The Bilton Road, Warwick Street and Town Centre Conservation Area boundary runs adjacent to part of the site whilst there is a Grade II listed building in close proximity to the site on the corner of Albert Street and Albert Square.

### **Relevant Planning History**

The site has an extensive site history with the following being the most recent;

R15/1000 – Temporary permission for three years for change of use from car sales, car workshop and car sales office to offices and vehicle storage and distribution – Approved – 02 December 2015.

### **Technical Responses –**

WCC Highways – No objection.

Environmental Health – No objection subject to a hours of operation condition.

### **Consultation Responses -**

Neighbours notified and a site notice has been posted and no letters of representation have been received.

### **Relevant Planning Policies and Guidance**

**National Planning Policy Framework – 2018**

**Core Strategy – 2011**

Policy CS1: Development Strategy  
Policy CS7: Retail Frontages  
Policy CS16: Sustainable Design

Rugby Borough Saved Local Plan Policies:

T5: Parking Facilities

Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

*The Main Modifications to the Submission Local Plan were agreed with the Inspector, subject to the Sustainability Appraisal and Habitats Regulation Assessments, and consulted upon. The consultation has concluded and the Inspector's report is awaited. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. The Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.*

Emerging Local Plan June 2018

Policy GP2: Settlement Hierarchy  
TC1: Development in Rugby Town Centre  
TC3: Primary Shopping Areas and Shopping Frontages  
SDC 1: Sustainable Design

**Determining Considerations**

The main considerations in respect of this application are the principle of the development, the town centre, amenities, hours of use then parking and highway issues.

Principle of Development

Policy CS1 of the Core Strategy and GP 2 of the emerging local plan both state that development must comply with the settlement hierarchy and that it must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. Site is located within Rugby Town centre, so complies with both policies.

The Town Centre:

Core Strategy Policy CS7 defines the extent of the Rugby's town centre boundary and Primary Shopping Area as required by NPPF. The unit is situated within the town centre boundary where policy CS7 states that development, redevelopment or change of use for the following use classes A1-A5, B1, D1, D2, C1 and C3 will be permitted provided: they will not harm the retail function and character of the primary shopping area; they will not impact on the vitality and viability of the primary shopping area and where retail uses (use class A1) are proposed but outside of the primary shopping area demonstrate that there are no suitable alternative available within or immediately adjacent to the primary shopping area.

The proposal therefore accords with policy CS7 as the B1a use class is one of which is permitted within the town centre boundary; it will also not harm the retail function and character of the primary shopping area; and it will not impact on the vitality and viability of the primary shopping area. Similarly, emerging policy TC3 seeks to protect the vitality and viability of the town centre. For the reasons set out in paragraph above, proposal therefore complies with TC3.

Emerging policy TC1 is focussed on the quality of built design to improve the overall attractiveness of the town centre. Site is on edge of centre, surrounded by a mix of design styles and is not seeking permission for new development but a continuation of permission for an existing use. It would be unreasonable to refuse permission on design grounds for a continuation of a use as opposed to a new development.

Design, Appearance and Amenity:

The existing buildings on the site have not been altered and as such the design, appearance, scale, massing and proportions will remain as they currently are. For these elements there will not therefore be any adverse or detrimental issues on the character or appearance of the area.

Hours of Use:

The submitted application forms detail that the hours of operation for the site would be unchanged at 8am and 6pm Monday to Friday and between 9am and 1pm on Saturdays. It is considered that due to the existence of residential dwellings in the immediate area these hours are acceptable and would not unduly impact upon neither residential amenity in the locality nor other amenities. No enforcement complaints have been lodged during the last three years of operation.

Impact on Residential Amenity:

Policy CS16 and SDC 1 state that development will ensure that the amenities of existing and future neighbouring occupiers are safeguarded. Site has been operating as an office block and vehicle storage depot for almost three years without any enforcement activity being taken against the occupiers. Restriction of operating hours referred to above means residential amenity will be protected.

This application is therefore considered to be in accordance to Policy CS16 of the Core Strategy and SDC 1 of the emerging local plan.

Highways and Parking:

Access to and from the site will continue to be via the existing dropped kerb point on Albert Street. The proposal was assessed by WCC Highways who had no objection to the proposal in 2015 and were satisfied it would not result in any adverse or detrimental impacts on highway or pedestrian safety. That remains the position.

Conclusion

The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework, the Core Strategy and the emerging local plan and is therefore recommended for approval subject to conditions.

Report prepared by: Peter Heath

Dated: 10th October 2018

**DRAFT DECISION**

**APPLICATION NUMBER**

R18/1478

**DATE VALID**

15/08/2018

**ADDRESS OF DEVELOPMENT**

VICTORIA HOUSE  
50 ALBERT STREET  
RUGBY  
CV21 2RH

**APPLICANT/AGENT**

Mr David Collins  
Rugby Borough Council  
Town Hall  
Evreux Way  
Rugby  
Warwickshire  
CV21 2RR

## **APPLICATION DESCRIPTION**

Temporary change of use from car sales forecourt, car workshop and car sales office (use class sui generis) to offices with associated car parking, storage and distribution (Use Class B1a) for a period of 3 years.

## **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

### CONDITION 1:

This permission shall be for a period expiring on 11th October 2021, on or before which date the site shall be cleared and land re-instated to its former use unless further permission of the Local Planning Authority has first been obtained.

### REASON:

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

### CONDITION 2:

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

Application forms and site location plan both submitted to and received by the Local Planning Authority on 15th August 2018;

### REASON:

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

### CONDITION 3:

Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall be personal to Rugby Borough Council and be used for purposes within Use Class B1(a) with ancillary storage and distribution as set out in the approved documents.

### REASON:

As the development is only acceptable due to the applicant's personal circumstances and in the interests of residential amenity.

### CONDITION 4:

Unless otherwise agreed in writing the premises shall not be used for the approved purposes other than between the hours of 0800 and 1800 Monday to Friday and 0900 and 1300 on Saturday. It shall not be used on Sundays or Bank Holidays.

### REASON:

To protect the amenity of nearby properties.

### STATEMENT OF POSITIVE ENGAGEMENT:

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

***AGENDA MANAGEMENT SHEET***

**Report Title:** Planning Appeals Update

**Name of Committee:** Planning Committee

**Date of Meeting:** 7 November 2018

**Report Director:** Head of Growth and Investment

**Portfolio:** Growth and Investment

**Ward Relevance:**

**Prior Consultation:**

**Contact Officer:**

**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)

<b>Statutory/Policy Background:</b>	The Planning Appeals procedure which came into effect on 6th April 2009
<b>Summary:</b>	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/07/2018 to 30/09/2018.
<b>Financial Implications:</b>	Increases the scope for related costs claims within the Planning Appeals process.
<b>Risk Management Implications:</b>	There are no risk management implications arising from this report.
<b>Environmental Implications:</b>	There are no environmental implications arising from this report.
<b>Legal Implications:</b>	Advice/support with regard to Cost Claims and any subsequent Costs awards.
<b>Equality and Diversity:</b>	Equality and Diversity: No new or existing policy or procedure has been recommended.
<b>Options:</b>	N/A
<b>Recommendation:</b>	The report be noted.
<b>Reasons for Recommendation:</b>	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

**Planning Committee - 7 November 2018**

**Planning Appeals Update**

**Public Report of the Head of Growth and Investment**

**Recommendation**

The report be noted.

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

**1.1 Appeals determined**

During the last quarter from 1<sup>st</sup> of July to 30<sup>th</sup> of September a total of 1 planning appeals were determined, of which 0 were allowed, 1 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

**1.2 Appeals outstanding/in progress**

As at 30<sup>th</sup> September 2018 there were 6 planning appeals and 0 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

**Name of Meeting:** Planning Committee  
**Date of Meeting:** 7 November 2018  
**Subject Matter:** Planning Appeals Update  
**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**       YES       NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

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

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Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



**APPENDIX A**

**PLANNING APPEALS DETERMINED FOR THE PERIOD: 1<sup>st</sup> July 2018 – 30<sup>th</sup> September 2018**

<b>Appeal Site Location</b>	<b>Description of Development</b>	<b>Case Officer Planning Ref No. Planning Inspectorate Ref No.</b>	<b>Date of Refusal and Type of Appeal</b>	<b>Appeal Outcome</b>
Continental Tyres Unit 5 Castle Mound Way Rugby CV23 0WB	Advertisement consent for 2 internally illuminated signs	Paul Varnish R17/1565 APP/E3715/H/17/3188284	Refusal 12/10/2017 <b>Written Reps</b>	<b>Dismissed 29/08/2018</b>

## APPENDIX B

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.09.2018

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal	Type of Appeal
Land rear of 16 Crick Road Hillmorton Rugby CV21 4BB	Certificate of Lawfulness for existing use of land as private amenity space for flats 1-4 Sovereign Close, Rugby falling within use Class C3 (dwelling houses) of the Town and Country Planning (Use Class) Order 1987.	Nathan Lowde R16/1965 APP/E3715/X/17/3187581 APP/E3715/X/17/3187594	Delegated Refusal 02/12/2016	Hearing
Broadwell Road Grandborough Rugby CV23 8BA	Erection of an agricultural building, slurry store and feed bins with associated access, hardstanding and attenuation ponds.	Joanne Orton R17/0937 APP/E3715/W/18/3198388	Committee Refusal 27/02/2018	Hearing
104 Grove Road Ansty CV7 9JE	Variation of Condition 4 of the previously approved planning permission R15/2147 to remove the requirement that the property shall only be occupied by an approved person as a Local Needs Dwelling.	Paul Varnish R18/0676 APP/E3715/W/18/3203385	Delegated Refusal 14/05/2018	Written Reps
Land to the East of Church Road Grandborough	Outline planning permission for a detached dwelling, with associated garages & store, with all matters reserved except for access and layout.	Paul Varnish R15/1548 APP/E3715/W/18/3203800	Delegated Refusal 06/12/2017	Written Reps
23 Barby Lane Hillmorton Rugby CV22 5QJ	Erection of 2 no. bungalows with associated double garages and a new access off Barby Lane (resubmission of previously refused planning application ref: R17/0431).	Nathan Lowde R17/1891 APP/E3715/W/18/3200883	Delegated Refusal 24/01/2018	Written Reps
Clifton Cruisers Clifton Wharf Clifton upon Dunsmore Rugby CV23 0EY	Retrospective planning permission for the re-opening of disused canal arm to allow 25 no. additional moorings of which 6 are permanent residential moorings, relocation of ancillary office building, laying of access track and associated works.	Nisar Mogul R16/2449 APP/E3715/W/18/3200985	Delegated Refusal of discharge of planning condition 09/03/2018	Written Reps

**AGENDA MANAGEMENT SHEET**

**Report Title:** Delegated Decisions - 13<sup>th</sup> September 2018 to 10<sup>th</sup> October 2018

**Name of Committee:** Planning Committee

**Date of Meeting:** 7 November 2018

**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)

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

**Planning Committee - 7 November 2018**

**Delegated Decisions - 13<sup>th</sup> September 2018 to 10<sup>th</sup> October 2018**

**Public Report of the Head of Growth and Investment**

**Recommendation**

The report be noted.

**1 BACKGROUND**

Decisions taken by the Head of Growth and Investment in exercise of powers delegated to him during the above period are set out in the Appendix attached.

**Name of Meeting:** Planning Committee

**Date of Meeting:** 7 November 2018

**Subject Matter:** Delegated Decisions - 13<sup>th</sup> September 2018 to 10th October 2018

**Originating Department:** Please select

**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.

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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 FROM 13.09.2018 TO 10.10.2018

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R18/1310 Refused 26.09.2018</i>	The Dovecote Kings Newnham Road Kings Newnham CV23 0JT	Erection of proposed new double garage
<i>R18/1490 Refused 27.09.2018</i>	20 Alicia Close Cawston Rugby CV22 7GT	Erection of a two metre high fence (retrospective)
<i>R18/1477 Refused 04.10.2018</i>	Wolds Lane Wolvey LE10 3LL	Outline application with all matters reserved for the change of use of land and erection of up to 3 holiday lodges land north of Wolvey House Farm, Wolds Lane, Wolvey, LE10 3LL (Re-Submission of R17/1096)
<b>Applications Approved</b>		
<i>R18/0798 Approved 02.07.2018</i>	61 Vernon Avenue Rugby CV22 5HP	Change of roof style of existing rear extension from flat to pitched and erection of a rear conservatory extension
<i>R18/0687 Approved 05.07.2018</i>	Toft Corner Toft Lane Dunchurch Rugby CV22 6NR	Erection of single dwelling and detached garage (detailed application following approved outline application ref: R16/2172)
<i>R18/0702 Approved 12.07.2018</i>	Field Cottage Farm Church Walk Thurlaston Rugby CV23 9JX	Replacement of existing agricultural outbuildings with an agricultural storage building (retrospective).
<i>R18/0064 Approved 12.07.2018</i>	261 Dunchurch Road Rugby CV22 6HP	Demolition of existing garage, storage area, toilet and plant room and erection of detached garden room, toilet and plant room as poolside leisure structure together with first floor balcony to main house.

<i>R18/1077 Approved 13.07.2018</i>	31 Langlands Place Rugby CV23 0JG	Erection of a rear extension with removal of false chimney and installation of functional chimney to rear gable wall
<i>R18/1107 Approved 18.07.2018</i>	12 Boswell Road Rugby CV22 6JD	Retention of rear dormer and Juliet balcony.
<i>R18/1243 Approved 14.08.2018</i>	77 Beswick Gardens Bilton Rugby CV22 7PR	Erection of a single storey side and rear extension with a dual pitched tiled roof (previously approved R18/0866)
<i>R18/0807 Approved 21.08.2018</i>	Home Leas Coventry Road Cawston Rugby CV22 7RY	Erection of 2 metre high fence and landscaping to side
<i>R18/1244 Approved 06.09.2018</i>	2A Bilton Lane Dunchurch Rugby CV22 6PY	Erection of a single storey front, side and rear extension
<i>R18/1392 Approved 11.09.2018</i>	4 Corbridge Place Cawston Rugby CV22 7TY	Variation of Condition 3 of planning permission reference R17/1843 (Installation of a loft conversion including dormers to the front and rear, dated 01 May 2018), to enable the use of alternative materials for the dormer fronts and cheeks.
<i>R18/1421 Approved 13.09.2018</i>	Land to the rear of The Woodlands Coventry Road Cawston CV22 7RY	Variation of conditions 2, 4 and 5 of planning approval R17/0264 (for the erection of two detached dwellings) to remove existing hedgerows and plant new hedgerows
<i>R18/1273 Approved 13.09.2018</i>	Hillcrest Farm Clayhill Lane Long Lawford Rugby CV23 9BG	Erection of an agricultural worker's dwelling.
<i>R18/0946 Approved 14.09.2018</i>	Amazon Unit 3 Plot 2 Waver Way Rugby Gateway Employment Rugby	Erection of elevated/decked car park and associated works.



	CV23 0XF	
<i>R18/1448 Approved 14.09.2018</i>	Spinney Farm Main Street Withybrook CV7 9LX	Erection of a new 6 bay stable with associated feed and tack rooms and creation of a menege (variation of condition 2 of approved planning application R16/2070 dated 12th May 2017 to include amendments to the design of the stable roof and size and positionings of openings)
<i>R18/1336 Approved 14.09.2018</i>	Britannia Place Church Road Ryton on Dunsmore CV8 3ET	Material alterations to planning permission reference R17/1520 (Erection of two storey front, side and rear extensions and raising the ridge height, dated 12/01/18).
<i>R18/1514 Approved 14.09.2018</i>	Thistlefield Moat Close Thurlaston CV23 9LA	Erection of a two storey side extension
<i>R18/1335 Approved 14.09.2018</i>	15 North Street Rugby CV21 2AF	Alterations to shopfront
<i>R18/1147 Approved 17.09.2018</i>	15 Sidney Wolfe Close Cawston Rugby CV22 7ZE	Erection of proposed single storey rear extension.
<i>R18/0291 Approved 17.09.2018</i>	103 Victoria Street New Bilton Rugby CV21 2HW	Erection of a two storey element above the existing single storey rear extension and erection of a single storey rear extension
<i>R17/2090 Approved 18.09.2018</i>	Haydens Cottage 11 Brookside Stretton on Dunsmore Rugby CV23 9LY	Erection of a two storey side extension, a single storey flat roofed front extension with roof lantern over, a rear orangery and a mono-pitched garage extension to the side. Installation of a dormer window to the front roof slope. Conversion of existing outbuildings to incidental residential use and incorporation into the dwelling via the aforementioned side extensions.
<i>R18/1492 Approved 19.09.2018</i>	120 Rugby Road Binley Woods CV3 2AX	Erection of rear extension at first floor level.
<i>R18/1356 Approved</i>	20 Cawston Lane Dunchurch	Demolition of existing garage workshop and erection of a proposed two storey detached

19.09.2018	CV22 6QE	dwelling
<i>R18/1266 Approved 19.09.2018</i>	48 Brookside Stretton-On-Dunsmore CV23 9NH	Erection of a double storey rear extension.
<i>R17/1732 Approved 20.09.2018</i>	Aldi Stores Limited Aldi Central Park Local Centre Bryant Road Churchover Rugby CV23 0UX	Extension to existing store with alterations to car parking areas.
<i>R18/1137 Approved 20.09.2018</i>	9 Malvern Avenue Hillmorton Rugby CV22 5JN	Erection of a single storey side and rear extension with front porch
<i>R18/0463 Approved 21.09.2018</i>	3 Siskin Close Coton Park Rugby CV23 0WJ	Conversion of the integral garage to a home office and incidental living accommodation (retrospective).
<i>R18/0994 Approved 21.09.2018</i>	11 Brudenell Close Cawston Rugby CV22 7GN	Proposed part single storey part two storey rear extension to dwelling
<i>R18/1289 Approved 24.09.2018</i>	Land opposite 27 Leicester Road Leicester Road Wolvey	Erection of wooden stables and menage
<i>R18/1533 Approved 24.09.2018</i>	Gamecock Barracks Bazzard Road Wolvey CV11 6QN	Erection of a single storey side extension to female accommodation and erection of single storey front extension to toilet facilities
<i>R18/1534 Approved 24.09.2018</i>	Malin Farm Main Street Withybrook CV7 9LX	Erection of a new dwelling for a rural worker (amendments to approved planning application ref: R17/1697 dated 22/05/2018)

<i>R18/0998 Approved 24.09.2018</i>	Clifton Lakes Farm Clifton Lakes Watling Street Clifton Upon Dunsmore CV23 0AQ	Retention of alterations and change of use forming access way and landscaping and provision of fencing, hardstanding, further landscaping and other associated works to create a sheep and cattle holding area.
<i>R18/1388 Approved 24.09.2018</i>	65 Falstaff Drive Bilton Rugby CV22 6LJ	Erection of a two storey side extension
<i>R18/1452 Approved 24.09.2018</i>	Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby CV21 1HA	Development of a new warehouse /semi-automated racking facility, amenity block and canopy in place of an existing Office & Canteen accommodation which is to be relocated on site.
<i>R18/1546 Approved 24.09.2018</i>	10 Shakespeare Gardens Overslade Rugby CV22 6HJ	Erection of single storey rear extension, new roofing to garage and provision of front porch.
<i>R18/1286 Approved 24.09.2018</i>	70 Manor Road Rugby CV21 2TQ	Conversion of dwelling to 3x one bedroom flats
<i>R18/1287 Approved 25.09.2018</i>	66 Manor Road Rugby CV21 2TQ	Conversion of dwelling from multiple occupation single rooms to three one bedroom flats.
<i>R18/1497 Approved 25.09.2018</i>	The Laurels 55 Bawnmore Road Bilton Rugby CV22 7QJ	Erection of replacement conservatory/garden room
<i>R18/1419 Approved 26.09.2018</i>	23 Lennon Close Hillmorton Rugby CV21 4DS	Conversion of part of the existing detached garage to provide hobbies room and installation of new door and window
<i>R18/0292 Approved 26.09.2018</i>	Kilbracken House 9 Barby Road Rugby CV22 5DX	Replacement of windows
<i>R18/0873</i>	Land North of Stocks Lane	Outline planning permission - Erection of 1no.

<i>Approved</i> 27.09.2018	to rear of Acorn Cottage Stocks Lane Thurlaston	Dwellinghouse, all matters reserved except access
<i>R18/1308</i> <i>Approved</i> 27.09.2018	Proposed House Stockton Road Birdingbury	Proposed change of use of 2 (no) agricultural buildings to provide a single dwelling house
<i>R18/1515</i> <i>Approved</i> 27.09.2018	1 Lauderdale Close Long Lawford Rugby CV23 9ST	Erection of part two storey and part single storey side and rear extension [Variation of Condition No 2 and 5 of Planning permission Ref R16/1173 dated 30/6/16]
<i>R18/1549</i> <i>Approved</i> 27.09.2018	325 Dunchurch Road Rugby CV22 6HT	Erection of a two storey front, side and rear extension with contemporary refurbishment
<i>R18/1162</i> <i>Approved</i> 28.09.2018	47 Church Street Rugby CV21 3PT	Change of Use from Sui Generis to Class B1 with ancillary training room
<i>R18/1512</i> <i>Approved</i> 28.09.2018	St Nicholas Church Brooks Close Withybrook CV23 8BY	Removal of lead roof and replacement with a terne coated steel roof
<i>R18/0962</i> <i>Approved</i> 28.09.2018	32 Aqua Place Newbold Rugby CV21 1BY	Conversion of integral garage into a family room
<i>R18/0523</i> <i>Approved</i> 28.09.2018	Central Buildings Unit 1 Parkfield Road Newbold Rugby CV21 1QJ	Demolition of the existing and erection of multi-storey storage facility falling within Use Class B8, with associated ancillary B1 offices with external works, yard and vehicle parking.
<i>R18/1455</i> <i>Approved</i> 01.10.2018	46 Broad Street Brinklow CV23 0LN	Alterations to elevations of previously approved conversion of outbuildings and extensions to form a single dwellinghouse (R17/1228) retrospective
<i>R18/1320</i> <i>Approved</i> 01.10.2018	Unit 3 Ryton Fields Farm Wolston Lane Ryton on Dunsmore CV8 3ES	Change of use from Agricultural Building to B2 (commercial servicing and repairs)
<i>R18/0374</i>	4 Church Hill	Erection of a first floor rear extension.

<i>Approved 01.10.2018</i>	Stretton on Dunsmore Rugby CV23 9NA	
<i>R18/1517 Approved 01.10.2018</i>	Wixamtree Farm Sawbridge Lane Wolfhampcote CV23 8AR	Erection of a single storey side extension (part retrospective)
<i>R18/1559 Approved 02.10.2018</i>	20A Little London Lane Newton Rugby CV23 0DT	Erection of single storey rear extension.
<i>R18/1525 Approved 02.10.2018</i>	25 Fareham Avenue Hillmorton Rugby CV22 5HS	Conversion of garage to annex.
<i>R18/1570 Approved 03.10.2018</i>	The Homestead London Road Dunchurch CV23 9LJ	Erection of new rear balcony - resubmission of previously approved schemes R17/1385 - (Prior Notification of single storey rear extension) and R16/1998 - (Erection of two storey side extension and conversion of existing hipped roof to gable)
<i>R18/1333 Approved 03.10.2018</i>	Masters Barn Masters Yard Birdingbury Rugby CV23 8EU	Conversion of stables and garage to form a residential dwelling.
<i>R18/1362 Approved 04.10.2018</i>	Jax Barn Flecknoe Road Broadwell Rugby CV23 8HS	Conversion of existing barn to form 2 new dwelling [ Re submission for the variation of Condition 17 of Ref R18.0054 dated 16/5/2018]
<i>R18/0476 Approved 04.10.2018</i>	75 Aspen Road Eden Park Rugby CV21 1SF	Erection of a part two storey part single storey rear extension.
<i>R18/1639 Approved 04.10.2018</i>	7 Loverock Crescent Rugby CV21 4AJ	Proposed first floor side extension over existing ground floor accommodation.
<i>R18/1461 Approved 04.10.2018</i>	Hillcrest Hinckley Road Wolvey	Change of use of an existing garage to a residential dwelling; creation of a new vehicular access and the erection of a replacement

	Hinckley LE10 3HQ	garage.
<i>R18/1649 Approved 05.10.2018</i>	14 Longrood Road Bilton Rugby CV22 7RG	Erection of single storey rear extension.
<i>R18/1624 Approved 05.10.2018</i>	48 Somers Road New Bilton Rugby CV22 7DH	Alterations to the front and rear elevations: to include the enlargement of the front entrance; and the installation of windows to the rear elevation. Internal alterations to include additional offices and training rooms at first floor level.
<i>R17/1024 Approved 05.10.2018</i>	7 Fair Close Frankton CV23 9PL	Erection of a single storey front and side extension. Increase of roof height to outbuilding and installation of solar panels.
<i>R18/1355 Approved 08.10.2018</i>	14 Heath Way Rugby CV22 5JA	Proposed two storey side extension, single storey rear extension & changes to front elevation
<i>R18/1353 Approved 09.10.2018</i>	119 Hillmorton Road Rugby CV22 5AT	Retention and completion of outbuilding for use as a recreation room and garden store.
<i>R18/0690 Approved 09.10.2018</i>	Cadena Lutterworth Road Burton Hastings CV11 6RA	Redevelopment of site to form 4 residential dwellings.
<i>R18/1662 Approved 09.10.2018</i>	Shilton Industrial Estate Unit E Bulkington Road Wolvey CV7 9QL	Installation of a new window to the rear elevation
<i>R18/1561 Approved 09.10.2018</i>	94 Main Street Long Lawford Rugby CV23 9BB	Demolition of existing garage and erection of two storey side and single storey rear extension
<i>R18/1034 Approved 10.10.2018</i>	7 Fellows Way Hillmorton Rugby CV21 4JP	Erection of a single storey front extension and various external alterations (Retrospective).

<i>R18/1630 Approved 10.10.2018</i>	Rear of 66 Stephen Street Rugby CV21 2ES	Variation of condition 3 of planning permission ref no. R17/0734 for the Conversion of the outbuilding including a two storey side extension to form a separate dwelling and associated parking (Amendment to a previously approved scheme for conversion of the outbuilding including a single storey side extension to form a separate dwelling and associated parking granted 21st July 2015 under ref. no. R16/2276) to alter the external materials from facing brick to render.
<i>R18/1553 Approved 10.10.2018</i>	Home Farm Oxford Road Ryton on Dunsmore CV8 3EP	Temporary change of use, for 2 years, of land from storage yard to car and van sales together with the siting of a minimal temporary structure for office use
<i>R18/1346 Approved 10.10.2018</i>	Hilton House, Suite 3 Corporation Street Rugby CV21 2DN	Change of use from B1a Offices and D1 Medical Centre to B1a Offices, D1 Medical Centre and the addition of D1 non-residential educational and training centre for part of the 1st floor (Suite 3) to be used by Brooke School for 16-19 year olds students.
<b>Advertisement Consent</b>		
<i>R18/1347 Advertisement Consent 14.09.2018</i>	15 North Street Rugby CV21 2AF	Erection of illuminated fascia sign and hanging sign
<i>R18/1167 Advertisement Consent 20.09.2018</i>	Aldi Stores Limited Aldi Central Park Local Centre Bryant Road Churchover Rugby CV23 0UX	Erection of new signage
<b>Listed Building Consent</b>		
<i>R18/0333 Listed Building Consent 26.09.2018</i>	Kilbracken House 9 Barby Road Rugby CV22 5DX	Listed Building Consent for the replacement of windows
<i>R18/1621 Listed Building Consent 04.10.2018</i>	The Forge 4 Main Street Bourton on Dunsmore Rugby	Bricking up of window. Installation of roof light in utility room

	CV23 9QS	
<b>Prior Approval Applications</b>		
<i>R18/1132 Prior Approval required and granted 19.09.2018</i>	Gibraltar House Farm Gibraltar Lane Leamington Hastings Rugby CV23 8EX	Prior approval determination – Change of use of agricultural building on the eastern part of the farm complex into 1 no dwellinghouse
<i>R18/0517 Prior Approval required and granted 21.09.2018</i>	Ashurst Farm Coalpit Lane Hinckley LE10 3HD	Prior approval for the change of use of an agricultural building to 1 (no) residential dwelling house (Part 3, Class Qa and Qb)
<i>R18/1332 Prior Approval required and granted 25.09.2018</i>	Top House Farm Broadwell Road Grandborough Rugby CV23 8BA	Prior approval for the change of use of an agricultural building to residential dwelling house under Class Qb.
<i>R18/1253 Prior Approval required and granted 26.09.2018</i>	Barn South of Flecknoe Road Broadwell	Prior approval for the change of use of an agricultural building to 1 (no) residential dwelling house (Part Class Qa and Qb)
<i>R18/1575 Prior Approval not required 27.09.2018</i>	37 School Lane Stretton on Dunsmore Rugby CV23 9ND	Erection of a single storey rear extension: 5.980 metres (length) x 3.505 metres (height) x 2.650 metres (eaves)
<i>R18/1072 Prior Approval required and granted 27.09.2018</i>	Marston Mill Farm Priory Road Wolvey CV8 3FX	Prior notification - Change of Use of Agricultural Building to 2no. Dwellinghouses including building operations necessary to convert the buildings.
<i>R18/1503 Prior Approval not required 02.10.2018</i>	A W Precision LTD Cosford Lane Brownsover Rugby CV21 1QN	Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and notice in accordance with the Electronic Communications Code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the installation of a 20m High CMF1 monopole supporting 6 no. antennas and 2 No. 300MM Diameter dishes along with 4 equipment



		cabinets at ground level and development ancillary thereto, all contained within a secure compound formed of 2.1 m high perimeter fencing to include compound fencing
<i>R18/1440 Prior Approval not required 02.10.2018</i>	Izod Edwards SW [E] 449663 [N] 275623 Edward Street Rugby CV21 2JZ	Application for prior determination under Part 16 of Schedule 2 of The Town and Country Planning [General Permitted Development ][England ][Amendment ]No 2 Order 2016 and in accordance with Electronic Communications Code Under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the Installation of 1 No 15 metre in height street works telecommunications monopole with 2 No 300m diameter dish antennas installation of 2 no radio equipment cabinets plus, installation of 1 no meter cabinet ancillary works
<i>R18/1563 Prior Approval required and refused 03.10.2018</i>	Telecommunications Mast Tennant Close Hillmorton Rugby	Application for prior determination under Part 16 of Schedule 2 of The Town and Country Planning [General Permitted Development ][England ][Amendment ]No 2 Order 2016 and in accordance with Electronic Communications Code Under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the: Erection of 15m shrouded monopole to support 3no. Telecommunications antennas for shared use by EE and Three, which together with the installation of 1no. Dish and 5 no. ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation
<i>R18/1513 Prior Approval required and granted 09.10.2018</i>	Calcutt Heights Calcutt Heights Farm Calcutt Lane Leamington Hastings CV23 8HY	Change of Use of Agricultural Building to 1 no. Dwellinghouse including Building Operations Necessary to Convert the Building (Prior Approval R18/0952 Class Q(a) refers).
<i>R18/1297 Prior Approval required and granted 09.10.2018</i>	Agriculture Building off Hill Road Hill Road Grandborough	Prior approval for the change of use of an agricultural building to 1 (no) residential dwelling house (Part Class Qa only)
<b>Certificate of Lawful Use or Development</b>		
<i>R18/1325</i>	37 Carlton Road	Certificate of Lawful Development for the

<i>Certificate of Lawful Use or Development</i> 04.09.2018	Bilton Rugby CV22 7PD	installation of a flat roof dormer window to rear roof slope and installation of roof lights in front roof slope to serve a loft conversion
<b>Prior Notification</b>		
<i>R18/1537</i> <i>Prior notification of proposed demolition not required</i> 20.09.2018	Richard Utley Limited Unit 8 and 9 Europark Watling Street Rugby CV23 0AL	Prior Notification for Demolition of Existing Warehouse {Town & Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 11}
<i>R18/1582</i> <i>Prior notification of proposed demolition not required</i> 03.10.2018	Pleasant View Bush Hill Lane Flecknoe Wolfhampcote CV23 8AX	Application for prior notification of proposed demolition- Pleasant View 1 Bush Hill Lane, Flecknoe, CV23 8AX
<b>Approval of Details/ Materials</b>		
<i>R17/0608</i> <i>Approval of Details</i> 13.09.2018	Copston Fields Farm Mere Lane Copston Magna LE10 3HB	Renovation of existing farmhouse with the addition of a two storey extension to the front, side and rear.
<i>R16/1823</i> <i>Approval of Details</i> 14.09.2018	Land at Larkfield Ashlawn Road Rugby CV22 5QE	Outline Permission for the erection of a single dwelling house with all matters reserved except access.
<i>R17/1458</i> <i>Approval of Details</i> 14.09.2018	Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby CV21 1HA	Proposed Combined Heat and Power Facility and associated services, erection of a 40m high chimney (3 Flue with Mast) and 30m high chimney (2 Flues), and provision of a temporary trailer boiler with 23m high chimney.
<i>R17/1829</i> <i>Approval of Details</i> 20.09.2018	Rolls Royce Ansty Aerodrome Combe Fields Road Combe Fields CV7 9JR	Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works
<i>R15/1763</i>	Bush Hill Farm Barn	Change of use of agricultural barn to one

<p><i>Approval of Details</i> 20.09.2018</p>	<p>Bush Hill Lane Flecknoe Rugby CV23 8AX</p>	<p>residential dwelling (to include internal and external alterations, landscaping, boundary treatments, and change of use of land to form residential garden, courtyard, parking area, driveway and access)</p>
<p><i>R17/1008</i> <i>Approval of Details</i> 21.09.2018</p>	<p>Land rear of The Crow Pie Public House 192 Bilton Road Bilton Rugby CV22 7DX</p>	<p>Erection of 7 No. residential dwellings and associated parking, access and landscaping.</p>
<p><i>R17/0022</i> <i>Approval of Details</i> 21.09.2018</p>	<p>Key Phase 2 and 3 Radio Station Rugby Watling Street Rugby CV23 0AS</p>	<p>Outline application for an urban extension to Rugby for up to 6,200 dwellings together with up to 12,000sq.m retail (A1), up to 3,500sq.m financial services (A2) and restaurants (A3 - A5), up to 3,500sq.m for a hotel (C1), up to 2,900sq.m of community uses (D1), up to 3,100sq.m assembly and leisure uses (D2), 31 hectares (up to 106,000sq.m) of commercial and employment space (B1, B2 and B8), and ancillary facilities; a mixed use district centre and 3 subsidiary local centres including retention and re-use of the existing buildings known as 'C' Station (Grade II listed), 'A' Station and some existing agricultural buildings; a secondary school and 3 primary schools; public art; green infrastructure including formal and informal open space and amenity space; retention of existing hedgerows, areas of ridge and furrow and grassland; new woodland areas, allotments and areas for food production, wildlife corridors; supporting infrastructure (comprising utilities including gas, electricity, water, sewerage, telecommunications, and diversions as necessary); sustainable drainage systems including ponds, lakes and water courses; a link road connecting the development to Butlers Leap, estate roads and connections to the surrounding highway, cycleway and pedestrian network; ground remodelling; any necessary demolition and any ground works associated with the removal of any residual copper matting, with all matters reserved for future determination except the three highway junctions on the A428, the two junctions on the A5 and the link road junctions at Butlers Leap and Hillmorton Lane - Variation of conditions 5,6,7,63 64 and 81 of the outline planning permission R11/0699 dated 21/05/2014 to cover minor material changes to the approved Parameter Plans and Development Specification and to reflect approvals already granted pursuant to the outline planning permission and the latest land control position;</p>

		removal of condition 73 and consequent renumbering of conditions 74 - 81 inclusive.
<i>R18/1315 Approval of Details 24.09.2018</i>	Land South of Coventry Road and North of Limetree Avenue Coventry Road Cawston Rugby	Creation of temporary vehicular access to facilitate residential development under Outline Planning Permission R15/1816
<i>R16/1625 Approval of Details 24.09.2018</i>	Land off Alfred Green Close Rugby CV22 6ND	Erection of 9 no. dwellings and associated access.
<i>R16/1638 Approval of Details 25.09.2018</i>	Rugby Radio Station A5 Watling Street Clifton upon Dunsmore Rugby CV23 0AS	Urban extension to Rugby under ref.no R11/0699 approved on 21 May 2014 - submission of reserved matters comprising appearance, landscaping, layout and scale for the construction of a link road (Link Road North) and associated works including footways/cycleway, carriageway, bus lane, lighting, noise barriers, bunding, maintenance strip, junctions with Hillmorton Lane and Butlers Leap, foul and surface water drainage infrastructure, vehicle restraint barrier, pumping station, agricultural access spurs, allotments access spur, Clifton Brook realignment, culverts, retaining walls, landscaping, Great Crested Newt habitat mitigation area, associated utilities, land reprofiling including flood storage area, temporary stockpiling of construction materials, construction compounds, areas for construction use and infrastructure works.
<i>R15/0787 Approval of Details 25.09.2018</i>	7 Market Place Rugby CV21 3DY	Change of use of first floor and second floor to form 10 residential apartments together with external alterations
<i>R16/1910 Approval of Details 25.09.2018</i>	Land adj Cawston House Lime Tree Village Polo Field off Thurlaston Drive Cawston Lane Cawston Dunchurch CV22 7SE	Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)
<i>R11/0239 Approval of Details 26.09.2018</i>	Land at Stretton Croft Wolvey Road Stretton Baskerville	Outline application for a mixed use development comprising Class B1 (Business), Class C1 (Hotel Development) incorporating

		Class A3 (Restaurant), Class D2 (Assembly and Leisure) with associated car parking and landscaping.
<i>R18/1145 Approval of Details 05.10.2018</i>	2 Main Street Long Lawford CV23 9AY	Erection of a single storey rear extension and loft conversion including raising the roof.
<i>R18/0247 Approval of Details 10.10.2018</i>	Land at Top Road between Top Park and The Paddocks Top Road Barnacle	Proposed replacement of stable block and tack room with building with a twin unit mobile home. (Resubmission of R15/0309)
<b>Approval of reserved matters</b>		
R18/0262 Approval of reserved matters 29.08.2018	Land South of Coventry Road and North of Limetree Avenue Coventry Road Cawston Rugby	Application for Reserved Matters for 150 dwellings (Conditions 1, 3, 7, 9, 13, 15, 16 and 17) and associated works relating to appearance, landscaping, layout and scale against outline planning permission R15/1816 (for residential development of up to 150 dwellings including vehicular access from Coventry Road, open space, landscaping, surface water attenuation ponds, footpaths, cycleways and associated infrastructure)
R18/1048 Approval of reserved matters 18.09.2018	Rugby Town Junior Football Club Kilsby Lane Hillmorton Rugby CV21 4PN	Outline planning permission for the extension of the site curtilage and erection of a gymnastic sports building together with associated works (Approval of reserved matters in relation to outline planning permission R15/0623 dated 29/07/15).
R18/1252 Approval of reserved matters 25.09.2018	Land adjacent to The Coal Yard High Street Ryton on Dunsmore Rugby CV8 3EY	Erection of 7no. Dwellings (Reserved matters application for layout, appearance and landscaping following Outline Permission for the erection of 7no.dwelling as detailed and approved under R16/1192)
<i>R16/0226 Approval of non-material changes 17.09.2018</i>	36 Newland Street New Bilton Rugby CV22 7BJ	Conversion of existing garage/workshop to 2no.one bedroom apartments
<i>R16/1387 Approval of non-material changes 20.09.2018</i>	Former Tribune Trading Estate Leicester Road Rugby	Demolition and comprehensive redevelopment comprising 9 new (Class A1) retail units and a restaurant/café (Class A3), vehicular access and servicing facilities, junction improvements,

	CV21 1NY	car parking and cycle parking, hard and soft landscaping and associated works
<i>R17/0011 Approval of non-material changes 08.10.2018</i>	New Ash Tree Farm Leicester Road Churchover Rugby CV23 0EZ	Demolition of existing farm building. Construction of new Motorway Service Area ("MSA") to comprise: Amenity Building, Lodge (use class C1), Drive Thru Coffee Unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a Fuel Filling Station with retail shop, together with alterations to the adjacent roundabout on the M6 to form an access point and works to the local highway network. Provision of landscaping, signage, infrastructure and ancillary works including diversion of bridleway.
<i>R17/0541 Approval of non-material changes 09.10.2018</i>	33 Livingstone Avenue Long Lawford Rugby CV23 9BU	Variation of condition 2 of planning application R15/1754 (demolition of existing dwelling and outbuildings and erection of four dwellings) to alter the access arrangements onto the site and the design and position of plot 2.
<b>Withdrawn</b>		
<i>R18/0240 Withdrawn 17.09.2018</i>	Hollybank Farm Southam Road Leamington Hastings CV23 8DX	Conversion of agricultural barn to dwelling
<i>R18/1311 Withdrawn 26.09.2018</i>	The Dovecote Kings Newnham Road Kings Newnham CV23 0JT	Erection of proposed new double garage
<i>R18/0904 Withdrawn 27.09.2018</i>	White Gates Birdingbury Road Leamington Hastings CV23 8ED	Erection of one new dwelling.